

Application Number: 17/10063 Full Planning Permission

Site: 3 THE CLOSE, WHITSBURY SP6 3QD

Development: Two-storey extension, retaining wall/steps. landscaping

Applicant: Mr O'Lone

Target Date: 22/03/2017

Extension Date: 12/04/2017

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Parish Council view

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Meteorological Safeguarding
Aerodrome Safeguarding Zone
Plan Area
Area of Outstanding Natural Beauty
Archaeological Site
Historic Land Use

Conservation Area: Whitsbury Conservation Area
Listed Building Grade: Grade II 552.34.004

Plan Policy Designations

Countryside

National Planning Policy Framework

NPPF Ch. 7 - Requiring good design
NPPF Ch. 11 - Conserving and enhancing the natural environment
NPPF Ch. 12 - Conserving and enhancing the historic environment

Core Strategy

CS2: Design quality
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
CS5: Safe and healthy communities
CS10: The spatial strategy

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity
DM5: Contaminated land
DM20: Residential development in the countryside

Supplementary Planning Guidance And Documents

SPG - Residential Design Guide for Rural Areas

3 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

4 RELEVANT SITE HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
16/10344 One & two-storey rear extension to No. 1 & two-storey rear extension to No. 2	18/05/2016	Granted Subject to Conditions	Decided	
76/NFDC/06302 Removal of thatched roof and replacement with tiles.	22/12/1976	Refused	Decided	
XX/RFR/03503 Garage with access.	16/03/1956	Refused	Decided	

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

Whitsbury Parish Council: supports this application as it will restore and enhance an important village property

7 CONSULTEE COMMENTS

7.1 **Conservation Officer:** unable to support this proposal.

The scale of the new extension is fundamentally unacceptable and would diminish the small scale of the dwelling and completeness of the existing timber frame. Insufficient information has been provided to enable the assessment of the impacts of the proposed works on the buildings historic fabric or demonstrate the full extent of works required.

7.2 **Southern Gas Networks (previously National Grid Transco):** no objection

7.3 **Environmental Health Contaminated Land:** no concerns

7.4 **Tree officer:** no objection subject to condition requiring the implementation of the tree protection scheme in accordance with the submitted Tree Report.

7.5 **Archaeologist:** no archaeological concerns

7.6 **Ecologist:** no objection, subject to condition securing the recommendations of the ecology report

7.7 **Hampshire County Council Highway Engineer:** no objection

8 REPRESENTATIONS RECEIVED

Total Number of Representations Received: 2

Comment(s): In Favour: 2 Against: 0

Proposals will fit in with the area and will bring the property up to the 21st Century

9 CRIME & DISORDER IMPLICATIONS

None Relevant

10 LOCAL FINANCE CONSIDERATIONS

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments.

Regulation 42 of the CIL Regulations 2010 (as amended) states that CIL will be applicable to all applications over 100sqm GIA and those that create a new dwelling. The development is under 100 sq metres and is not for a new dwelling and so there is no CIL liability in this case.

11 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case no pre-application advice was sought from the Council. The applicant was made aware of the Council's concerns over the acceptability of the proposal during the course of its consideration and that these could not all be addressed as part of the current submission. Further information was received from the applicant which has enabled some but not all of the concerns to be addressed.

12 ASSESSMENT

12.1 The site is located in the countryside, in the village of Whitsbury, A detached Grade II Listed Cottage which sits in a group with other listed buildings in this part of the village. The site falls within the Conservation Area, Area of Outstanding Natural Beauty and also is in an area of archaeological potential. A public footpath leads to the Church following the site's southern and eastern boundaries.

12.2 The property dates from the C18 and comprises a modest timber framed and thatched roof cottage with single storey projections on its north side. The building has been subject to some C20 alterations, of note seeing the replacement of the historic roof structure in the late 1970's and internal alterations to accommodate the former post office counter. In the context of its setting within the Conservation Area the property forms a small group with No's 1 & 2 The Close with an open relationship between their respective frontages. The land rises across the site to the north east with the rear of the property set in to the adjacent higher ground comprising the rear garden area. There are some existing trees on site to the north of the property and hedgerows along the south and east boundaries.

- 12.3 The application seeks permission for a new two storey extension on the side of the property with associated garden landscaping works and also for internal alterations to the building. The extension would be positioned on the north side of the property, comprising a two storey thatched element linked internally at ground and first floor level. It would be of a staggered position relative to the property's front elevation and project beyond the rear to create an 'L' shaped plan form. In conjunction with this landscaping works would see significant excavations to create a pathway around the north side of the extension and new terrace area at the rear of the property. This new extension would see the removal of the current single storey timber framed and lean-to extensions on this side of the property. Internal alterations are being considered under the associated application for Listed Building Consent PA 17/10064.
- 12.4 In respect of any application where heritage assets are concerned, consideration needs to be given to the impacts of the development on their significance to ensure this is not harmed or lost. As noted by the Conservation Officer a key aspect of this building significance is in its diminutive form, in addition to the completeness of its timber framed construction.
- 12.5 The proposed extension would meet with the 30% floorspace increase limitation as set under policy DM20. The floorspace of the existing dwelling being 89m² and that proposed 115m² representing a 29% increase. However as a result of its size would be comparable to that of the original dwelling and as such would overwhelm its current diminutive scale, diminishing a key element of its significance. Although the extension would be recessive to the frontage and height of the original building this would not overcome the impacts of its relative scale when considering the building as a whole. In terms of its appearance and materials it is recognised the extension attempts to emulate the external appearance of the original property. However the resulting design sees some visually awkward arrangements at the junctions with the original building and also as a result of the rear roof design would diminish the definition of the main roof form and proportions.
- 12.6 Furthermore, the historic context of the site in relation to the church and its grave yard to the rear can be strongly experienced from the adjacent footpath. This footpath serves the historic pedestrian access to the church and allows good views of the site and its cottage from the west, south and east. Therefore, the contribution the cottage makes to the physical and historic experience and character of its setting and that of other heritage assets in the conservation area cannot be over emphasised.
- 12.7 As noted by the Conservation Officer this application has been submitted with limited assessment of the building's existing fabric. In the absence of such investigation works the importance of these elements of the building cannot be properly assessed, or the impacts of the proposed changes to them demonstrated. As advised in the National Planning Policy Framework (2012) para 128, the onus rests with applicants to provide a level of detail that is sufficient to enable the understanding of the potential impact of proposals on heritage asset's significance.
- 12.8 External landscaping works would see significant excavations at the rear of the building together with new retaining walls. However as a result of their nature this should not lead to any harm to the buildings setting if

carried out appropriately. There are however concerns over the implications of these works on the structural integrity of the building which are explored in the associated listed building consent application. Furthermore, in the absence of landscaping details including the design of the proposed retaining walls, these matters would need to be the subject of planning conditions requiring prior approval should permission be granted.

- 12.9 On the basis of the above it is considered that as a result of its relative size, inappropriate form and elements of its detailed design, the proposed two-storey extension would overwhelm and be unsympathetic to the current small scale and diminutive form of the existing building. This would also fail to preserve or enhance the character or appearance of the Conservation Area, setting of nearby heritage assets, and be detrimental to wider visual amenity. Although it is noted this building is in need of some renovation works the proposals would not offer any wider public benefit that would outweigh the harm cause.
- 12.10 There is a mature Beech tree on site which is protected by virtue of the area's Conservation status. Initial concerns were raised by the Tree Officer regarding the impacts on this tree, given the proposed changes in the bank profile proposed. However, further information has been received in the form of an arboricultural assessment and method statement. This demonstrates that subject to adherence with the measures outlined in the report, these works should not adversely affect the tree.
- 12.11 The submitted ecological report found negligible bat potential within the building and surrounding vegetation. However, there is opportunity for the enhancement of biodiversity through the provision of a bat tube on the extension which would meet with NPPF (2012) guidance and the Council's current adopted policies.
- 12.12 The proposals would have potential impacts on No.1 & No.2 The Close to the west of the property. However given the current open relationship with neighbouring properties and the relative separation, the proposals would not lead to any harm in respect of the living conditions of these neighbouring occupiers.
- 12.13 Although the site is within an area of archaeological potential given the scale and nature of the works these would not lead to any harmful loss of archaeological interests. Furthermore although the site is within an area where past uses may have led to the presence of contaminated land it is not considered this proposal would result in any significant risks in this respect requiring further investigation.
- 12.14 The proposal would see an increase in the number of bedrooms on site from two to three. However as there are currently no on site car parking facilities and this would only increase by one bedroom, this would be unlikely to result in a significant increase in the potential demand for on street parking. As such this should not lead to any harm to highway safety which has been confirmed by the highway authority.
- 12.15 The applicant and agent have been informed of the officers' concerns regarding the issues raised in this report, when it was advised that the application be withdrawn to allow the opportunity for negotiations to take place and further information to be provided. However, notwithstanding

the potential for an acceptable extension to be achieved in principle, the applicant requires the application to be determined in its currently submitted form. Therefore, for the reasons given in this report, the application is recommended for refusal.

- 12.16 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

13. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. As a result of its relative size, inappropriate form and elements of its detailed design, the proposed two-storey extension would overwhelm and harm the small scale and simple form of the original building. This would be unsympathetic to its existing character and special interest resulting in harm, less than substantial, to the significance of this heritage asset which would not be outweighed by any public benefit. It would also fail to preserve or enhance the character or appearance of the Conservation Area, setting of nearby heritage assets, and be detrimental to wider visual amenity. As such this proposal would conflict with Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park, Policy DM1 of the Local Plan Part 2: Sites and Development Management Plan and Sections 7 and 12 of the National Planning Policy Framework (2012).

Notes for inclusion on certificate:

1. This decision relates to additional information received by the Local Planning Authority on the 15/03/2017.
2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

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Further Information:

Householder Team

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**Planning Development
Control Committee**

April 2017

Item No: 3h & 3i

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The Close
Whitsbury
17/10063 & 17/10064
SU1219

Scale 1:1250

N.B. If printing this plan from
the internet, it will not be to
scale.

