

**Application Number:** 17/11276 Full Planning Permission

**Site:** KNOLL FARM HOUSE, NORTH END, DAMERHAM SP6 3JJ

**Development:** Two-storey infill extension; front porch alterations

**Applicant:** Mr & Mrs Mullens

**Target Date:** 06/11/2017

**Extension Date:** 15/12/2017

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| <b>RECOMMENDATION:</b> Refuse |
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| <b>Case Officer:</b> Richard Natt |
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**1 REASON FOR COMMITTEE CONSIDERATION**

Discretion of the Service Manager Planning and Building Control.

**2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES**

Countryside outside the New Forest  
Area of Outstanding Natural Beauty

**3 RELEVANT LEGISLATION AND GOVERNMENT ADVICE**

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

**4 RELEVANT SITE HISTORY**

- 4.1 Single storey extension, alterations to terrace (15/10049) Granted with conditions on the 9th March 2015
- 4.2 Alterations and addition of a porch sitting room and dining room with 3 bedrooms over (23470) Granted with conditions on the 16th February 1983

**5 COUNCILLOR COMMENTS**

**Cllr Edward J Heron** - comments as follows:

I am of the view that the design of the proposed extension and front porch is appropriate for the size and location of the dwelling and will not have an adverse impact on the surrounding area or amenity of neighbouring residential properties.

It is noted that previous extensions to the property were approved in 1983 and 2015, and I understand that these consents have been implemented. It is also noted that the assessment against policy DM20 for the 2015 application made allowance for the replacement of the floorspace lost from the demolition of the kitchen and the previously attached garage.

I am of the view that the current application meets the requirement of DM20 in regards to its respect of the character and scale of the existing dwelling and would not significantly alter the impact of the built development on the site within its setting. However, the application fails to meet the requirement that net additional floorspace does not exceed 30% more than that of the 1<sup>st</sup> July 1982.

The applicant has made verbal representations to me regarding their long association with the local community, the fact that the property has long been a family home and that while there has been an increase in the floorspace a large proportion of this was completed only two years after the 1982 assessment date. The applicant has expressed understanding of the purpose behind the DM20 policy, to maintain a diversity of dwelling sizes within the countryside, but put forward the view that the proposed additions were comparatively modest to a large detached dwelling, set within a relatively large landholding.

While I am unable to support the application given the clear departure from adopted and long supported policy, I am mindful of the wording which states "should not normally". I would therefore welcome a decision by the case officer to use their discretion to refer the matter for consideration by the Planning Committee, so that the applicant may articulate in person to members their case for a departure from policy.

## **6 PARISH / TOWN COUNCIL COMMENTS**

**Damerham Parish Council:** recommend permission under option 1 with the following comments:-

- The Parish Council feel the design to infill the courtyard (which is believed to previously be a kitchen prior to 1983) is attractive and does not adversely contribute to the size and massing of the property.
- As the Planning Officers briefing note was not available, due consideration must be given to whether the proposed increase in habitable floorspace is within policy DM20.

## **7 CONSULTEE COMMENTS**

Ecologist: Awaiting comments

## **8 REPRESENTATIONS RECEIVED**

No comments received

## **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.

Based on the information provided at the time of this report this development has a CIL liability of £8,920.56.

Tables setting out all contributions are at the end of this report.

## 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 take 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.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

No pre application advice has been sought and there are objections in principle to provide further extensions to the dwelling, which are considered to be contrary to local plan policy DM20. As such the application is recommended for refusal.

## 12 ASSESSMENT

- 12.1 The application site is part of a small isolated group of development at Knoll Farm, in the open countryside between Damerham and Martin. It is understood that the property was the main farmhouse serving Knoll Farm, sold off as an independent unit over 20 years ago with 2.2ha of land. The dwelling now lies within its own setting separated from the neighbouring barns and cottages by dense trees on the north west and north east boundaries. The property is accessed from an unmade gravel track approximately half a mile from the main road which runs between Damerham and Martin.
- 12.2 The application property is a substantial and attractive dwelling with painted rendered walls under a slate tile roof. The dwelling has a simple form with pitched roofs and gables. There are some decorative features including chimneys and detailing on the roofs and elevations which contribute positively to the character of the building. The property has

been previously extended and a single storey detached garage block sits alongside the dwelling forming a part open courtyard area to the rear. The property sits within a spacious garden area which wraps around the building and includes a tennis court, allotments and stable buildings with open paddocks beyond.

- 12.2 This site is within the Area of Outstanding Natural Beauty and wider landscape views are possible from the south as the land falls away in this direction down to the Allen River. A Public Right of Way runs along the north west and north east of the site, which essentially is the gravel tracks running up to and past the curtilage of the dwelling. It is noted that closer views of the site from the footpaths along the tracks are limited by virtue of a line of dense mature trees.
- 12.3 This planning application proposes alterations to the existing front porch and a two storey extension within the existing courtyard to the rear of the building. The proposed two storey extension would essentially link the existing dwelling to the garage block. In support of the application, it is stated that the Knoll Farm House is a large isolated country house well screened from the public domain with long distance views from the wider landscape. The proposal seeks to largely involve the reinstatement of accommodation that previously existed and was subsequently demolished in 1983. It is stated that the proposed extension would be set within the original building line along the north east elevation, the least significant elevation of the property when considering impact on the wider landscape, and visually discreet.
- 12.4 The main issues in this case are the effect on the character and appearance of the area and existing building, including compliance with Policy DM20.
- 12.5 Starting with the policy position, Policy DM20 of Local Plan Part 2: Sites and Development Management Development Plan permits residential extensions in the countryside provided certain criteria are met. The policy states that extensions to dwellings should not normally provide for an increase in floor space of more than 30%. The 30% limit is applied as a limit to all cumulative extensions since 1st July 1982. In exceptional circumstances, a larger extension may be permitted. A dwelling may be permitted to exceed the 30% limit provided the increased floor space will not result in a dwelling in excess of 100 square metres floor space. The policy also states that development should be of an appropriate design, scale and appearance in keeping with the rural character of the area and should be designed to respect the character and scale of the existing dwelling and not significantly alter the impact of built development on the site within its setting.
- 12.6 The original floor area of the dwelling, including the formerly attached garage and kitchen (now demolished) was approximately 318m<sup>2</sup>. The permissible 30% increase would therefore be 94 m<sup>2</sup>. The property has been previously extended with a two storey addition under planning application reference 83/23470. In 1983 (completed in 1984) and a single storey extension to replace an existing conservatory in 2015 under planning application reference 15/10049. The total floor area of these previous additions was approximately 88 m<sup>2</sup> giving a total floorspace of approximately 406m<sup>2</sup>. This equates to an increase of 27.7 % of the original, which has left limited scope for further additions.

- 12.7 The proposed extension would add approximately 102m<sup>2</sup> in floor space which would result in an increase in floor space of 59.7% which is far exceeds the 30% limitation of the original dwelling when taking into account previous additions to it and as such the proposal would fail to comply with policy DM20. Furthermore, it should also be noted that the proposed extension would link the main dwelling to the detached outbuilding, which includes a store and double garage. In cases where the proposed extension links into a detached building, technically, this should also be treated as additional floor space, because part or all of the outbuilding could be converted into additional residential floor space. When the floor area of the outbuilding is included in the floor space calculation, the overall increase in floor space would be 77%
- 12.8 The main thrust of the policy is to maintain a balance in the Districts rural housing stock, and to resist the cumulative effects of significant enlargements being made to rural dwellings. The proposals would result in extension well in excess of the 30% limitation and as such would be contrary to local plan policy DM20.
- 12.9 Visually, it is appreciated that the design of the extension reflects the appearance of the existing dwelling in terms of its materials, detailing and roof form. Equally the proposed extension would be lower in scale and sited to the rear of the building to minimise the impact on the character of the existing dwelling and surrounding area. However, while the extension has been designed in a sympathetic way and would not be largely viewed from the public domain, other than glimpses through the trees from the public right of way, this does not override the fact that the proposal would result in a floor space significantly above the permissible level. It should also be noted that the proposed alterations to the porch would be acceptable and if the proposal was for the porch alone, this would fall within the floor space limitation.
- 12.10 With regard to other matters, the proposal would not result in any adverse impact. Given the separation from neighbouring premises the proposal would not result in any harmful impacts on the living conditions of neighbouring occupiers. The proposal would have not impact on trees.
- 12.11 In conclusion, the site comprises an attractive large detached country house which positively contributes to the character of the area. Whilst the proposed extensions have been designed to a high standard and would be positioned to the rear of the building to minimise their impact, the previous extensions added to the existing dwelling have already utilised the 30% floor space limitation. Accordingly the proposed extension to add an additional 100 square metre of floor space would fail to comply with Policy DM20 and would cause harm to the character and appearance of the area which essentially seeks to safeguard the countryside from encroachment by built development.
- 12.12 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.

## CIL Summary Table

| Type               | Proposed<br>Floorspace<br>(sq/m) | Existing<br>Floorspace<br>(sq/m) | Net<br>Floorspace<br>(sq/m) | Chargeable<br>Floorspace<br>(sq/m) | Rate        | Total       |
|--------------------|----------------------------------|----------------------------------|-----------------------------|------------------------------------|-------------|-------------|
| Dwelling<br>houses | 102.78                           | 1.41                             | 101.37                      | 101.37                             | £80/<br>sqm | £8,920.56 * |
| Subtotal:          | £8,920.56                        |                                  |                             |                                    |             |             |
| Relief:            | £0.00                            |                                  |                             |                                    |             |             |
| Total<br>Payable:  | £8,920.56                        |                                  |                             |                                    |             |             |

\* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

$Net\ additional\ new\ build\ floor\ space\ (A) \times CIL\ Rate\ (R) \times Inflation\ Index\ (I)$

Where:

*A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.*

*R = the levy rate as set in the Charging Schedule*

*I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2017 this value is 1.1*

## 13. RECOMMENDATION

### Refuse

#### Reason(s) for Refusal:

1. In order to safeguard the long term future of the countryside, the Local Planning Authority considers it important to resist the cumulative affect of significant enlargements being made to rural dwellings. Consequently Policy DM20 of the Local Plan Part 2: Sites and Development Management Plan seeks to limit the proportional increase in the size of such dwellings recognising the benefits this would have in minimising the impact of buildings and human activity generally in the countryside and the ability to maintain a balance in the housing stock. This proposal would result in a building which is unacceptably large in relation to the original dwelling and would undesirably add to pressures for change which are damaging to the future of the countryside and contrary to Policy DM20 of the Local Plan Part 2: Sites and Development Management Plan, Policy CS10 of the Core Strategy for the New Forest District outside the National Park.

**Notes for inclusion on certificate:**

1. 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.

No pre application advice was sought and there are objections in principle to providing further extensions to the dwelling, which are considered to be contrary to local plan policy DM20.

2. New Forest District Council has adopted a Community Infrastructure Levy (CIL) charging schedule and any application now decided, including those granted at appeal, will be CIL Liable. CIL is applicable to all applications over 100sqm and those that create a new dwelling. Under Regulation 42A developments within the curtilage of the principal residence are likely to be exempt from CIL so CIL may not be payable provided the applicant submits the required exemption form prior to commencement of the development.

**Further Information:**

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**New Forest**  
DISTRICT COUNCIL

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**Planning Development  
Control Committee**

December 2017

Item No: 5d  
Knoll Farm House  
North End  
Damerham  
17/11276

Scale 1:2500

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

