

Application Number: 17/11520 Full Planning Permission

Site: NORTH END COTTAGE, NORTH END, DAMERHAM,
FORDINGBRIDGE SP6 3HA

Development: Single storey rear extension; porch

Applicant: Mr & Mrs Simmons

Target Date: 26/12/2017

<p>RECOMMENDATION: Refuse</p>

<p>Case Officer: Julie Parry</p>

1 REASON FOR COMMITTEE CONSIDERATION

Contrary view to Parish Council view.

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Aerodrome Safeguarding Zone
Area of Outstanding Natural Beauty
Plan Area
Meteorological Safeguarding
Groundwater Protection Zone
Flood Zone

Conservation Area: Damerham Conservation Area

Plan Policy Designations

Countryside outside the New Forest

National Planning Policy Framework

NPPF Ch. 7 - Requiring good design
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)

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation
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
16/11664 Single-storey rear extension; use of first floor as bedroom, breach of Condition 2 of Planning Permission 73027 (Lawful Use Certificate for retaining an existing use or operation)	31/01/2017	Was Lawful	Decided	
16/10642 Single-storey rear extension; use of first floor as bedroom, breach of Condition 2 of Planning Permission 73027 (Lawful Use Certificate for retaining an existing use or operation)	12/08/2016	Was Not Lawful	Decided	
01/73027 Single storey additions	16/04/2002	Granted Subject to Conditions	Decided	

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

Damerham Parish Council: propose to recommend permission under option 3 with the following comments:-

- The Parish Council support this application as due to the lean-to being removed (area of 19.2 sq.m), there is no increase in habitable floorspace as the proposed extension is 19.2 sq.m.
- Additionally, the removal of the lean-to will result in the exposure of an original feature wall, enhancing the conservation status.

7 CONSULTEE COMMENTS

7.1 **Ecologist:** no objection. The ecological information submitted is suitable and confirms that there is minimal opportunity for the presence of bat species. Given the limited scale of the proposed development I am minded that other biodiversity considerations are not significant in policy terms.

- 7.2 **Natural England:** no comment but refer to their standing advice on protected species.
- 7.3 **Environment Agency :** comments awaited.
- 7.4 **Tree Officer:** no objection subject to a condition in respect of the submission and approval of a tree protection plan, method statement and foundation drawings.
- 7.5 **Conservation Officer :** not able to support this scheme as the proposed scheme would unbalance the building giving undue emphasis to the rear elevation. It would create a sprawl of built environment to the detriment of the Conservation Area

8 REPRESENTATIONS RECEIVED

One letter of support from neighbour at Vicarage Moor Cottage stating that the proposed kitchen extension does not seem excessive and they do not believe it would have a negative impact on the appearance of the cottage or the rural setting.

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.

The applicant did not use the Pre-application advice service available from the Council. The Officer's initial briefing was published on the Council's website which indicated some of the Case Officer's concerns with the proposal. Given the scale of the proposal and the issues raised there was no opportunity for the applicant to amend the application within the Government's time scale for decisions. No request to withdraw the application was received.

12 ASSESSMENT

- 12.1 The property is a detached non listed mainly thatched cottage located in a rural area which is designated as Countryside outside the New Forest Area of Outstanding Natural Beauty and within the Damerham Conservation Area.

- 12.2 The main considerations in this case are whether the proposals are in accordance with Policy DM20 which restricts the incremental increase in floorspace of properties within the countryside, the impact on the existing property, street scene, conservation area and countryside as well as implications for trees and protected species.
- 12.3 As the property is located within an area designated as Countryside outside the New Forest and to safeguard the long term future of the countryside the Local Planning Authority considers it important to resist the cumulative effect of significant enlargements being made to rural dwellings. Policy DM20 of the Local Plan Part 2, Sites and Development Management Plan, seeks to limit the increase of floorspace allowed to 30% from the floorspace in July 1982.
- 12.4 There have been a number of previous additions to the cottage since 1st July 1982. The original floorspace of the cottage pre 1982 was 89.25 sq. m and therefore a 30% increase would be 29.75 sq. m.

Following planning permission in 2001 (01/73027) the dwelling was extended to the side and rear at ground floor (shown as the sitting room and kitchen on the existing plans). A detached garage permitted at that time was never built. This increased the floorspace by 25.15 sq. m (28.17%).

The 2001 planning permission restricted the use of the first floor as living accommodation however this was altered over the years and further additions made to the rear (shower and passage). The elements to the rear were constructed in 2003 without the benefit of planning consent and they added a further 19.3 sq. m to the floorspace. While these elements did not gain planning permission at the time they were deemed lawful via a Lawful Development Certificate in 2016 as the extensions had been in place for more than 4 years and the use of the first floor (in breach of condition) had taken place more than 10 years before.

The current proposals would result in the loss of the small rear addition constructed in 2003 (19.3 sq m) and would entail an additional floorspace of 16.65 sq m and so there would be no net increase in floorspace over and above that currently on site.

- 12.5 From the information provided and looking at our records of previous additions the proposed extension would result in the overall net increase in floorspace from 1982 of 41.8 sq m - which is a 46% increase on the original floorspace and as such would be contrary to Policy DM20. The floorspace within the first floor has been disregarded in this calculation as it falls within the original envelope of the building. It is acknowledged that by removing the small additions to the rear the proposed extension would not result in a net increase in current floorspace, however these small additions were originally built without planning permission and the cumulative increase in floorspace from previous additions would still result in an unacceptable increase compared to how the property was originally built and more specifically how it stood in July 1982.
- 12.6 Positioned with the side of the property facing the highway, the rear of the property is visible from the road behind the high fences on the boundary. The neighbouring properties are varied in size and design, with some being listed buildings. The neighbouring property to the north, Westfield, has a large outbuilding built close to the front boundary. The position of the proposed extension in relation to this neighbour would mean that there is no amenity impact.

- 12.7 The Conservation Officer has commented that North End Cottage is a non listed building that contributes positively to the character of the Damerham Conservation Area. The form, scale and mass of this building as well as its traditional appearance, make it an asset to the area. Its original form can still be appreciated and understood. The removal of the existing rear extensions would have a positive impact upon the character of the cottage as it would reveal the original rear wall of the building and would allow for the original form of the building to be fully understood.
- 12.8 The proposed scheme seeks a new large rear extension which would be excessive in additional depth of 4.8 metres, and with a height of 5.3 metres make it disproportionate to the main dwelling, unbalancing the building. It would give undue emphasis to the rear elevation and dominance of the building when viewed from the street scene, which would be at odds with the character of the area, and block views across to the trees in the distant landscaping. As such it would create a more enclosed street scene, resulting in a detrimental impact upon the character of the Conservation Area.
- 12.9 The new rear porch would be constructed in a fashion that responds to one of the characteristics of traditional buildings in this area. No objection is raised to this part of the proposal subject to the submission of further construction drawings to ensure that details are consistent with the traditional designs found in the area. The fenestration re-arrangement is not of concern, but any agreed scheme would need to have a joinery condition attached.
- 12.10 There are a number of trees in the curtilage of the property with a good level of public amenity value. The trees are protected by virtue of being located within a Conservation area. The most prominent of these trees is a Scots Pine growing on the north westerly boundary next to the entrance to the property.
- 12.11 The proposed demolition and construction have the potential to cause undue harm to this tree and other smaller trees and currently no arboricultural information has been submitted with the application. However, the Arboricultural Officer has no objection subject to a condition in respect of the submission and approval of a tree protection plan, method statement and foundation drawings prior to development commencing.
- 12.12 The Council's Ecologist has been consulted due to the nature of the property and the location of the site in an AONB. The ecological information submitted is suitable and confirms that there is minimal opportunity for the presence of bat species. Given the limited scale of the proposed development other biodiversity considerations are not significant in policy terms. Furthermore, Natural England make no comment but refer to their standing advice on protected species.
- 12.13 The site backs onto the River Allen. It is located within a River Consultation Zone and a Flood Risk Zone (2 and 3). The Environment Agency have been consulted but to date no comments have been received. However, given that the floor levels of the extension would be retained as existing it is not anticipated that an objection would be raised by the proposals. Any update will be reported to the meeting.

- 12.14 Overall, the proposed extension due to its excessive depth and height would be a disproportionate addition to the main dwelling that would exceed the additional floorspace permitted under Policy DM20. The proposed extension would be clearly visible from the highway and consequently would have an adverse impact on the Conservation Area, Countryside and the Area of Outstanding Natural Beauty along with the street scene. The proposed development would result in the built form extending further across the plot to the detriment of the open character surrounding the property. Therefore the proposal would not comply with local and Government policies and is recommended for refusal.
- 12.15 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. 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 adopted Local Plan Part 2: Sites and Development Management Development 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 and policy CS10 of the Core Strategy for the New Forest District outside the National Park.
2. By reason of its excessive depth and height the proposed development would result in a disproportionately large and inappropriate addition which would appear out of scale and keeping and as such would detract from the simple traditional rural character of the original building. For these reasons, the proposals would be harmful to the rural character and appearance of the countryside, Conservation Area and Area of Outstanding Natural Beauty contrary to policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park, policies DM1 and DM20 of the Local Plan Part 2, Supplementary Planning Guidance, Residential Design Guide for Rural Areas of the New Forest and chapters 7 and 12 of the National Planning Policy Framework.

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.

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Further Information:

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Planning Development Control Committee

January 2018

Item No: 3e

North End Cottage
North End
Damerham
17/11520
SU1016

Scale 1:1250

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

