

Application No: 16/00062/FULL Full Application

Site: Yew Tree Bungalow, Pilley Street, Pilley, Lymington, SO41 5QG

Proposal: Alteration and partial retention of outbuilding for purposes incidental to the enjoyment of the dwelling

Applicant: Mr R Thornley

Case Officer: Paul Hocking

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP6 Design Principles
DP12 Outbuildings
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Boldre Parish Design Statement
Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 7 - Requiring good design
Sec 12 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Boldre Parish Council: Recommend refusal: It is considered that the retention of 60% of the building does not override the previous reason for refusal.

8. CONSULTEEES

No consultations required

9. REPRESENTATIONS

- 9.1 One representation received commenting on the proposal: Concern as to what would actually be demolished; precedent of granting retrospective permission; not considered much has changed to overcome previous reasons for refusal.

10. RELEVANT HISTORY

- 10.1 Retention of building (15/00687) refused on 22 October 2015.
- 10.2 Retention of building as dwelling for 18 month period (15/00684) refused on 22 October 2015.
- 10.3 Demolition of existing dwelling and outbuilding (Application for Conservation Area Consent) (14/00933) approved on 7 January 2015.
- 10.4 Replacement Dwelling; Detached Garage/Workshop (14/00922) approved on 7 January 2015.
- 10.5 Bungalow and Garage (NFR/XX/04766) approved on 24 May 1956.

11. ASSESSMENT

- 11.1 Yew Tree Bungalow is presently a detached bungalow located within the Forest South East Conservation Area. It has the benefit of planning permission for a replacement two-storey dwelling, granted last year, which maximises the availability of habitable floor-space in policy terms. The site is next to the Parish Hall with playing fields to the rear. To the west of the site is a neighbouring dwelling with agricultural buildings which are currently in a state of disrepair.
- 11.2 This application relates to the reduction in the size of a building constructed in 2015 to the rear of the property by approximately 40% as well as introducing the use of timber cladding to the elevations. The building, as proposed, would have a floor-space of 42.6 sq. metres and height of 4 metres to the ridgeline. There was a previous building in this location constructed of corrugated iron.
- 11.3 In terms of chronology the Enforcement Team first investigated the erection of the building concerned in August 2015. Two applications were then submitted simultaneously, one to retain the building for a period of 18 months as a unit of accommodation whilst the replacement dwelling was constructed and the second

to retain the building permanently thereafter for incidental purposes (i.e. not habitable accommodation). These applications were both refused.

- 11.4 An Enforcement Notice was then served, which was not the subject of a valid appeal, requiring that the building be demolished for the following reason (being the same reason the two planning applications were refused):

The building results in the introduction of a new residential use into the open countryside of the New Forest National Park for which there is no overriding justification, either on a temporary or permanent basis. Furthermore the nature of construction of the building, its size, permanence and design are harmful to the special qualities of the New Forest National Park and fail to preserve or enhance the character and appearance of the Conservation Area. Neither does it appear as an incidental adjunct to the main dwelling. The development is therefore contrary to Policies DP1, DP6, DP12, CP8 and CP12 of the adopted New Forest National Park Core Strategy, the requirements of the Authority's Design Guide (SPD) and Sections 6, 7 and 12 of the National Planning Policy Framework.

- 11.5 The key planning consideration is therefore to determine whether the proposal addresses the above concerns. The applicant has therefore sought to negotiate a scheme that is acceptable to the Authority rather than the alternative of demolishing the entire building. Consequently further enforcement action has been held in abeyance pending the determination of this application.

- 11.6 The size of the outbuilding is considered to represent an appropriate reduction to accord with the scale of outbuildings ordinarily supported by policy DP12. The use of cladding is also considered to reduce the impact of the building and in conjunction with the reduction in scale will ensure the outbuilding appears as an incidental adjunct, particularly to the new dwelling, but also not discordant with the current situation.

- 11.7 The proposal now relates to the use of the building for purposes solely incidental to the dwelling, namely as a games room, home office with WC and garden store. In light of this, coupled with the reduction in size from some 70 sq. metres, any concerns as to the use of the building for habitable purposes going forwards can be enforced by condition. In terms of his interim accommodation requirements (whilst the replacement dwelling is being constructed), the applicant is intending to bring a mobile home to the site for a temporary period for which planning permission would not be required as he will be principally involved throughout the construction process.

- 11.8 The application has been submitted on the basis that if planning permission is granted the necessary works to reduce the size and

clad the elevations of the outbuilding will be undertaken within 8 weeks. This should be enforced by condition.

- 11.9 As a result of the proposed changes the building is considered to have the appearance, form and function of an outbuilding that complies with adopted guidance as well as local and national policy. It would also be considered to preserve the character and appearance of the Conservation Area owing to these attributes and addresses the reasons why enforcement action was originally taken. The proposal is therefore considered a pragmatic and acceptable solution subject to the following conditions.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 The building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

Reason: To protect the character and appearance of the countryside in accordance with Policies DP11 and DP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 2 Within 4 weeks of the date of this permission a (stained) sample of the proposed external timber cladding shall be submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 3 The building the subject of this permission shall be reduced in size and finished externally in strict accordance with submitted drawings numbered '1' and 'SK/1' within 8 weeks of the date of this permission.

For the avoidance of doubt the remainder of the building shall be demolished to ground level and the land immediately restored as part of the garden.

Reason: Given the Enforcement Notice in the alternative it is appropriate to ensure that external works are completed promptly

so the building accords with policies DP1, DP6, CP8 and CP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

