

Application No: 16/00074/FULL Full Application

Site: 3 Dukeshead Cottages, Lower Woodside, Lymington, SO41 8AJ

Proposal: First floor extension

Applicant: Mr A Chandler

Case Officer: Emma MacWilliam

Parish: LYMINGTON AND PENNINGTON

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Flood Zone

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP11 Extensions to Dwellings
CP8 Local Distinctiveness
DP6 Design Principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 7 - Requiring good design
Sec 11 - Conserving and enhancing the natural environment
Sec 12 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Lymington & Pennington Town Council: Recommend permission for the reasons listed below;

The overall impact of the proposal on the property would be marginal (being a tiny percentage of the floor area on an existing footprint).

Furthermore the Parish Council understood from the owner's agent that previous extension(s) to the property leading to an increase in floorspace beyond the notional 30% were longstanding and completed prior to the adoption of this particular limitation.

8. CONSULTEEES

No consultations required

9. REPRESENTATIONS

9.1 None received

RELEVANT HISTORY

- 10.1 Alterations and extensions to lounge over existing garage and bedroom (NFDC/82/22126) approved 20th July 1982.
- 10.2 Alterations and addition of cloakroom, bedroom with bathroom ensuite and double garage with reading room and library over (NFDC/82/22680) approved 11th October 1982.
- 10.3 Construction of balcony and catwalk (NFDC/85/29742) approved 6th August 1985.

ASSESSMENT

- 11.1 3 Dukeshead Cottage is an end of terrace cottage facing directly onto the Lymington salt marshes SSSI, SPA and Ramsar habitats. The cottage is a traditional style dwelling which has undergone significant alteration and extension. It sits in a large plot surrounded by fields/paddocks and the area is rural in character. The majority of the site boundaries contain reasonably dense soft landscape and trees.
- 11.2 Permission is sought for a first floor extension to the dwelling.
- 11.3 Due to the siting and design of the extension there would not be a materially harmful impact on the amenities of the adjoining property by way of loss of outlook or light. No additional levels of overlooking would occur.
- 11.4 The main issue for consideration with this application is whether the proposal would comply with the 30% upper floorspace limit set out in Policy DP11. This policy takes the 'existing' dwelling to be as it existed on 1st July 1982. The policy seeks to limit the size of additions to properties in order to safeguard the locally distinctive character of the New Forest and ensure the retention of a balance in housing stock.
- 11.5 Planning permission was granted for extensions to this cottage on 20th July 1982 (ref 22126) and in October 1982 (ref 22680) for

The garage and store area were originally detached from the main dwelling and became attached as part of the 1982 extensions and alterations to the property. These are therefore not included in the 'existing' floorspace calculations but are included in the proposed floor space since they are now attached and could easily be converted into habitable floorspace and accessed via the main house. The policy DP11 preamble and the New Forest National Park Authority's 'Extensions to Dwellings' guidance leaflet stipulate that floorspace of existing dwellings will be measured as the total internal habitable floorspace of the dwelling but does not include floorspace within attached or detached outbuildings irrespective of whether the outbuildings current use is as habitable floorspace. It is also stipulated that floorspace of proposed extensions will include attached outbuildings.

- 11.6 The previously approved extensions have been built and have already exceeded the 30% increase that would be allowed at the property under Policy DP11. The floorspace of the property prior to the 1982 extensions was approximately 141 square metres. This excludes the detached garage/store. The existing extensions and alterations, including the floorspace within the now attached garage/store, have resulted in a current floorspace of approximately 302 square metres, an increase of around 115%. The existing extensions to this property have therefore already clearly significantly exceeded the floorspace increase allowance under Policy DP11. The additional floorspace proposed under this application would increase this to around 319 square metres, resulting in a total increase of around 125% over and above how the property stood on 1st July 1982.
- 11.7 The applicant sought pre-application and was advised that due to the 30% floorspace limit having been exceeded already, no further extensions would be permissible to this property.
- 11.8 The NPPF advises that National Parks should be afforded the greatest protection in terms of landscape quality. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. Paragraph 15 of the NPPF advises that within the National Parks, great weight should be given to conserving landscape and scenic beauty. No overriding material considerations have been put forward in this case that would be considered 'exceptional' by policy DP11.
- 11.9 The applicant notes that *'the location of the extension is hidden from any public viewpoints'* and would *'maintain the overall appearance of the original building'* are irrelevant when there is an in principle policy conflict. These are not sufficient justifications to depart from current adopted policy with regard to the floorspace limit. The benefits of the extension would be solely

to the applicant and would not provide any significant public benefit. Nor are internal alterations to the layout of the building proposed as a result of the extensions necessary to provide its viable use. Internal alterations to the existing layout could provide for a desired increase in size of the kitchen.

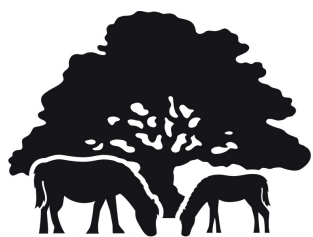
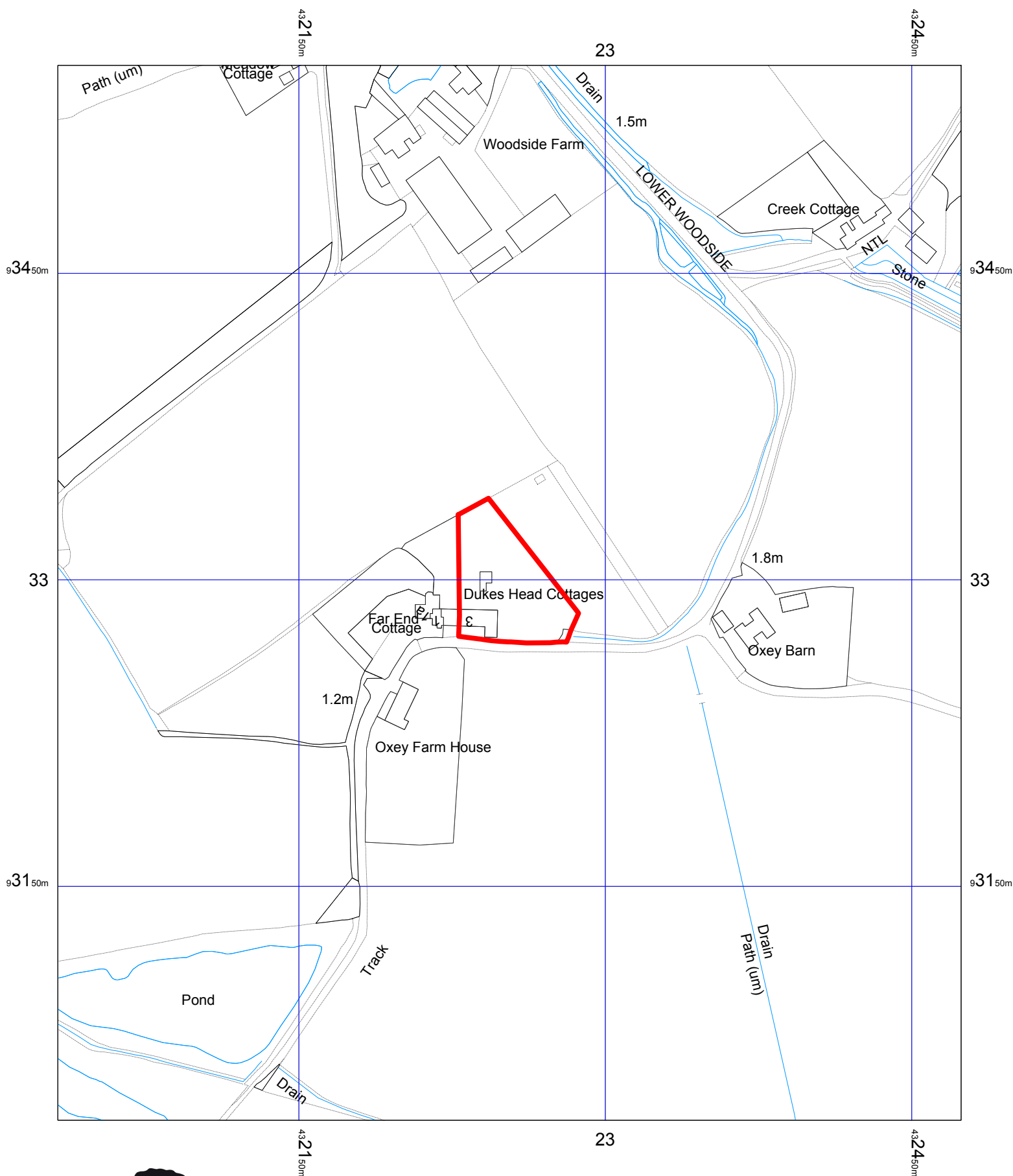
- 11.10 The Authority's consistent application of Policy DP11 is being consistently supported at appeal. Examples include recent appeal cases references APP/B9506/12/2182668 and APP/B9506/11/2162626. In each of these cases the Inspector concluded that the proposals ought to be determined in accordance with the policies of the Core Strategy, which are up-to-date, and have been adopted following extensive public consultation. In the case of the former, the proposed development was found to have minimal visual impact.
- 11.11 In May 2015 Appeal Inspector for APP/B9506/D/15/3005303 continued to strongly support the National Park Authority policies in relation to extensions to small dwellings. The Inspector concluded that *'the proposed extension would conflict with Policy DP11 of the Core Strategy and undermine the objective of maintaining a balance of housing stock in the National Park'*. The Inspector also goes on to say that *'Policy DP11 sets clear limits regarding the extent to which dwellings can be extended. This policy is up-to-date and was adopted following extensive public consultation. In the interests of consistency and fairness it is important that the policy is adhered to unless there are other material considerations to outweigh any conflict'*.
- 11.12 In September 2015 the Inspector for appeal Ref APP/B9506/D/15/3129453 sets out clearly that *'Policy DP11 restricts the increase in habitable floor space of all dwellings within the Park in order to maintain the locally distinctive character of the New Forest and to avoid an imbalance in the range and mix of housing stock available'*. She goes on to say that if the appeal were allowed and additional accommodation were provided in the roofspace of the property then this *'would adversely affect the distinctive character of the New Forest by contributing to an imbalance in the mix of housing stock. It is therefore contrary to policy DP11'*.
- 11.13 In relation to Policies DP1 and CP8 the proposals cumulatively add to the built form of the site and exceed the floorspace allowance under Policy DP11 and as such the application is recommended for refusal, as the resultant building would be excessively extended in relation to its original form, contrary to the aims of the policy. The proposals would therefore be inappropriate to a small dwelling in this rural location and would undesirably add to pressures for change which are damaging to the future of the countryside. Policies CP8 and DP11 are amplified by the adopted 'Design Guide' Supplementary Planning Document.

12. RECOMMENDATION

Refuse

Reason(s)

- 1 In order to help 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. Consequently Policy DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) seeks to limit the proportional increase in the size of such dwellings in the New Forest National Park recognising the benefits this would have in minimising the impact of buildings and activity generally in the countryside and the ability to maintain a balance in the housing stock. This proposal, taking into account previous enlargements, 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.



NEW FOREST
NATIONAL PARK

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