

Application No: 17/00953/FULL Full Application

Site: Birch Springs, South Baddesley Road, Walhampton, Lymington, SO41 5SG

Proposal: Two storey side extension; roof terrace; balcony; single storey side extension; roof alterations; cladding; detached garage with storage over; associated landscaping

Applicant: Mr & Mrs Harber

Case Officer: Clare Ings

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP7 The Built Environment
CP8 Local Distinctiveness
DP1 General Development Principles
DP6 Design Principles
DP11 Extensions to Dwellings
DP12 Outbuildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Boldre Parish Design Statement

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

Boldre Parish Council: Recommend refusal for the following reasons: inappropriate design for this very rural setting.

8. CONSULTEES

8.1 Building Design & Conservation Area Officer: No objection.

8.2 Ecologist: No objection, subject to conditions

8.3 Tree Officer: No objection, subject to conditions

9. REPRESENTATIONS

9.1 No comments received.

10. RELEVANT HISTORY

10.1 Application to remove condition 3 of planning permission ref RFR 14417 (to allow non-agricultural occupancy) (16/00098) approved on 8 April 2016

10.2 House and garage for agricultural worker (RFR 14417) approved on 2 September 1965

11. ASSESSMENT

11.1 Birch Springs is a detached four bedroom dwelling of no particular architectural merit set well back from South Baddesley Road in an elevated position on a sloping site. It is brick with tile hanging details and has an integral garage. It is approached via a gravel driveway which runs up through a wooded area to the front of the dwelling (and which forms part of the ownership, but not necessarily domestic curtilage). There are front and rear gardens, and also an area of woodland to the rear. It was originally constructed following planning consent granted in 1966 with an agricultural occupancy condition (that tie has recently been removed). The site lies within the Forest South East Conservation Area.

11.2 The proposal is to extend the dwelling with two and single storey elements, and considerably remodel the external appearance of the dwelling by removing the pitched roof and replacing it with a flat roof. In addition, a roof terrace and balcony would be added, together with a revision to the external materials - render on the ground floor with timber vertical cladding above. A detached garage is also proposed which would be of the same external materials.

- 11.3 The key considerations are:
- The scale of the extensions and whether the resulting dwelling would comply with policy DP11;
 - The design and whether it would be appropriate given the position of the dwelling within the conservation area; and
 - Any impact on trees or the wider landscape.

The dwelling has no near neighbours, and therefore the inclusion of the roof terrace and balcony would not give rise to any unneighbourly interference such as overlooking.

- 11.4 The site lies outside the four defined villages of the New Forest National Park, and therefore would be subject to restrictions in the increase in habitable floorspace. Policy DP11 restricts this increase to no more than 30% of the original floorspace. Whilst the proposal would add just under 50m², this would fall within the restrictions set out in Policy DP11 (it would equate to a total increase from 1982 of approximately 30%), and therefore would comply with the policy.

- 11.5 As stated above, the design of the dwelling would be in contrast to the existing dwelling, resulting in a contemporary solution. The existing house is 20th century, of brick and clay tile hanging and, as stated above, of no particular architectural merit. Whilst the proposal does not attempt to interpret the local vernacular or historic traditions of the New Forest, as it would adopt a starkly Modernist style, the appearance would be softened by the timber-clad upper storey. Pre-application discussions took place, which resulted in the addition of the timber cladding (previously the whole was proposed to be rendered). As a result of the pre-application discussions, the amount of glazing was also reduced, together with the addition of the dark recessive window frames to avoid excessive light pollution.

- 11.6 Usually new design, whether traditional or contemporary should be sympathetic and in keeping with its surroundings, but in this case, as the site is located within heavily wooded grounds and alterations were made to the remodelling to allow the dwelling to relate to its setting and blend in with it, the effect on the Conservation Area (a designated heritage asset) is considered to be neutral, given the extent of woodland surrounding the dwelling on all sides. As such the character and appearance of the Conservation Area would be preserved. In addition, given its location and wooded situation, there would be very little impact in the wider landscape.

- 11.7 The submitted Ecology Report has identified that the existing dwelling hosts bat roosts, and the general area is used as a foraging area by several different bat species. To comply with the legal status of bats, appropriate mitigation will need to be undertaken.

- 11.8 Local authorities should also consider the three tests of a European Protected Species (EPS) Licence prior to granting planning permission. Failing to do so would be in breach of Regulation 9(5) of the Conservation of Habitats and Species Regulations (2010) which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.
- The first test is effectively whether the proposal is in accordance with the Core Strategy. It is considered that the proposal would accord with Policies DP1, DP6 and DP11, and therefore the proposal would meet the first test.
 - The second test is that there must be no satisfactory alternative, including the option of not undertaking the development. Although the existing dwelling on the site is in a habitable condition, it is in a poor state of repair, and the internal layout is also poor with no external lighting to the main stairwell. Although the dwelling is not in need of immediate replacement, in the long term it would require either replacing or needing significant alterations and as such the development is also considered to be in accordance with this test.
 - The third test is whether the conservation status of the species would be affected. The report submitted with the application considers that the relevant protected species would not be harmed overall. This test could be met provided that ecological mitigation and enhancement were carried out, however this alone would not result in high likelihood of a Licence for the works being granted. On balance it is likely that a Licence would be granted so the proposal is considered to meet with the Habitats Directive and thus the proposal would accord with Policy CP2.
- 11.9 A condition is recommended to secure the final measures of biodiversity mitigation, compensation and enactment prior to any development commencing on site.
- 11.10 As has been stated, the site is heavily wooded, and a couple of trees are shown to be removed to enable the garage and patio area to be installed. In the main, as the works to the dwelling are proposed within its footprint, there would be very little other disturbance to trees, although tree protection is proposed to avoid storing materials in inappropriate locations. As tree protection could be conditioned, it is considered that the proposal would be acceptable.
- 11.11 In conclusion, it is considered that the proposals to Birch Springs would be acceptable, would comply with the policies of the Core Strategy and would not adversely harm the character and appearance of the conservation area. Permission is therefore recommended.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Development shall only be carried out in accordance with:

Drawing nos: PL-01, PL-02, PL-03, PL-04, PL-05, PL-06

No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 3 No development shall take place above slab level until samples or exact details of the facing and roofing materials have been 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).

- 4 No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used.

No development shall take place unless these details have been

approved and then only in accordance with those details.

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP10 and DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 6 The garage 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).

- 7 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 8 Prior to the commencement of development (including site and scrub clearance), measures for ecological mitigation, compensation and enhancement (including timescales for implementing these measures) shall be submitted to and approved in writing by the National Park Authority. The measures thereby approved shall be implemented and retained at the site in perpetuity. The measures shall be based on the recommendations set out in the ecological report (from New Forest Ecological Consultants dated 7 November 2017) approved

as part of this planning application.

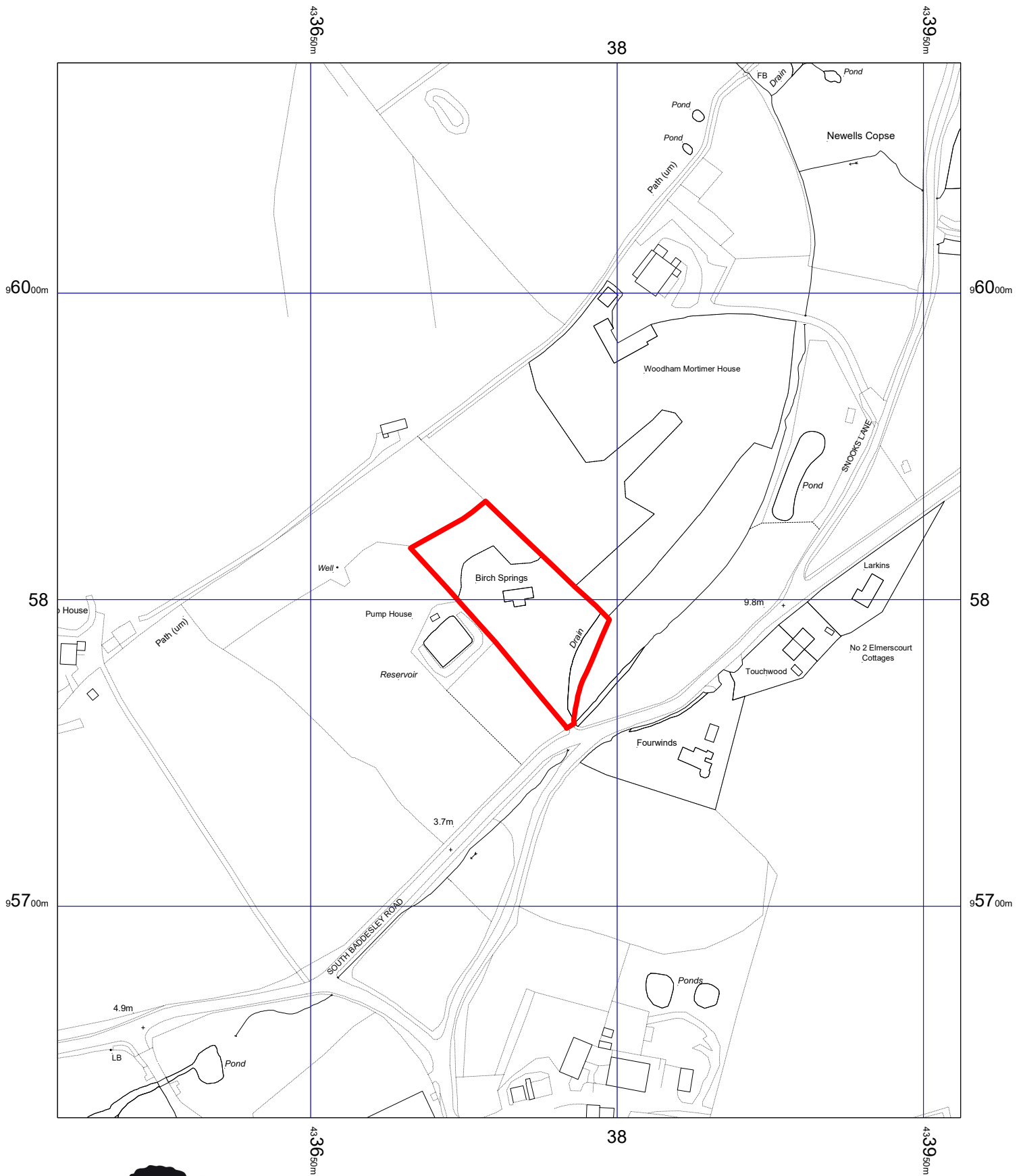
Reason: To safeguard protected species in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 9 The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the recommendations as set out in BS5837:2012.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

Informative(s):

- 1 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is 0300 060 3900.
- 2 The applicant is advised that not all the area shown within the red edge of the application site is considered to be residential curtilage.



NEW FOREST
NATIONAL PARK

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