

**Application No: 18/00386/FULL Full Application**

**Site:** 2 Rose Cottage, Canterton Lane, Brook, Lyndhurst, SO43 7HF

**Proposal:** Single storey side extension; detached two bay carport; retention of alterations to existing annexe outbuilding

**Applicant:** Mr A Allison

**Case Officer:** Carly Cochrane

**Parish:** BRAMSHAW

**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  
 DP11 Extensions to Dwellings  
 DP12 Outbuildings  
 CP8 Local Distinctiveness

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 12 - Achieving well-designed places  
 Sec 15 - Conserving and enhancing the natural environment  
 Sec 16 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Bramshaw Parish Council: Recommend Permission. However, Councillors expressed concern that this annex may become a separate unit of accommodation and accordingly, in supporting the application, the Council requests that a condition is imposed restricting the annex to ancillary accommodation to the main building.

## **8. CONSULTees**

8.1 Building Design & Conservation Area Officer: No comment

## **9. REPRESENTATIONS**

9.1 Four letters have been received from the owners of the adjoining property, raising objections to the proposal. The comments made are summarised as follows:

Single storey extension:

- not in -line with the main building
- National Park status should protect the characteristics of important forest cottages
- 2 Rose Cottage is the first property as [you] approach the village of Brook, and the visual impact would be injurious.

Outbuilding:

- has been built as a detached independent dwelling that can now be used separately from the main house which is against policy.
- a fence separates the main dwelling and the outbuilding

## **10. RELEVANT HISTORY**

10.1 Single storey side extension; detached two bay carport (18/00050) Withdrawn 15 March 2018

10.2 Application or a Certificate of Lawful Development for use of existing outbuilding as a single dwelling (16/00793) Not Deemed Lawful 16 February 2017

10.3 Alterations and addition of a lounge and utility room, W.C and lobby with two bedrooms (NFDC/78/11037) granted 05 September 1978

## **11. ASSESSMENT**

11.1 The application site is located to the western side of Canterton Lane, with its vehicular access close to the junction with the B3079. The site is located within the Forest Central (North) Conservation Area, and the property has been identified within the Conservation Area Character Appraisal (CACA) as being of local interest. As such, the property is considered a non-designated heritage asset. The property comprises the right-hand facing dwellinghouse in what is now a semi-detached pair; it is believed that the property originally formed one in a terrace of 3 dwellinghouses, however 2 were merged to form the property now known as 2 Rose Cottage, which was subsequently significantly extended circa 1978. The garden area extends to the north west and south west, and wraps around and backs onto agricultural land. Until recently, there was a

run of outbuildings adjacent to the front boundary; many of which have been demolished, however an outbuilding has been replaced within the area of garden to the north west of the property; the outbuilding which was replaced was previously used as annexe accommodation, and was self-contained. The site is enclosed by a high hedge and picket fencing along the eastern boundary, and there is a set of high solid gates at the vehicular access. There is also a willow screen fence which separates the annexe building from the main dwellinghouse, and which therefore subdivides the garden.

- 11.2 By way of background, this application is a re-submission of a previously withdrawn application, which in itself followed pre-application discussions. The pre-application discussions related to an extension to the main dwellinghouse and new carport. Advice was also sought with regard the use of outbuildings existing on site at the time as 'annexe' accommodation, following the refusal of the Lawful Development Certificate application to establish the buildings as separate residential units. It was advised that as there was no restrictive condition on the outbuildings, to truly use them as annexe accommodation would not constitute a breach of planning control.
- 11.3 The previous application (18/00050) was withdrawn as following a site visit by the case officer, it was apparent that whilst some of the outbuildings had been demolished, the annexe part of these outbuildings was being re-built; the scale of the works were such that it was considered that they went beyond 'repair', and therefore due to the location of the outbuilding, could not be carried out under permitted development. For clarification, the works were not considered to be a 'repair' as the footprint of the building had been made larger; the brick plinth was new; all elevations were replaced and a new roof was put on the building. It does not appear that any part of the original structure is intact. It was therefore advised that this outbuilding should be included within the planning application as the works constituted development which required planning permission.
- 11.4 Informal pre-application advice was then sought prior to the submission of the current application and post the withdrawal of the previous application, in order to ensure that, as per policy DP11, the floorspace within the proposed extension and that provided within the annexe did not cumulatively exceed the 30% additional floorspace limitation. Discussions were also held with the Conservation Officer at the time with regard the design of the proposed extension, given the heritage status of the property.
- 11.5 As such, this application seeks planning permission for the erection of a single storey side extension, detached two bay car port, and the retention of alterations to the annexe, detailed as follows:

- Single storey side extension, measuring approximately 3 metres in width, 5 metres in depth, 2.2 metres in height to the eaves and 4.8 metres in height to the ridge of the pitched roof. All materials would match those upon the main dwellinghouse. There would be a 'cut-out' within the rear of the roof, so as not to obscure a first floor window and maintain a pitch to match that of the main roof.
- Detached two bay carport, located adjacent to the vehicular access to the north west of the site, and measuring approximately 5.4 metres in width, 5.4 metres in depth and 4.3 metres in height to the ridge of the pitched roof. The car port would be open to its front (north west) elevation, and enclosed on 3 sides by horizontal stained timber cladding. The roof would be of clay tiles to match the main dwellinghouse.
- Retention of the annexe building as built, measuring approximately 6 metres in width, 7 metres in depth and 2.6 metres in height, providing an internal floor area of approximately 39m<sup>2</sup> and comprising a living area, kitchen, bedroom and bathroom. The annexe has been constructed with a brick plinth, clad in green-painted horizontal timber and with a grey fibreglass roof. All windows and doors are of white UPVC. There is a gas bottle store adjacent to the boundary.

11.6 The site is not located within a Defined New Forest Village, and as a result of the buildings merging and the 1978 extension, is not a small dwelling. As such, it is subject to the 30% additional floorspace limitation under Policy DP11. The policy sets out under which circumstances floorspace will be included within the calculations, and makes clear that when calculating the 'original' or 'existing' floorspace, the calculations do not include floorspace within detached outbuildings, irrespective of whether the outbuilding's current use is of habitable floorspace, which is the case here. When calculating the 'proposed' floorspace, habitable floorspace within detached outbuildings is included. As such, it is calculated that the floorspace within the proposed extension in addition to the floorspace provided within the annexe does not exceed 30%, and the proposal is therefore policy compliant in this respect.

11.7 However, whilst it may be the case that the proposal is compliant with regard floorspace, and whilst the building was self-contained prior to its demolition, the building in-situ and subject of this application is a new building, and has been purpose built as self-contained annexe accommodation, as opposed to the buildings which were demolished and had the character of more lightweight sheds, albeit which had been subsequently internally converted. Despite the applicant being aware that the works required planning permission, development continued. Upon submission of this application, the annexe had been completed both externally and internally. The Authority has also been informed by the applicant that Council Tax is being paid on the building; if the building was

truly being used for ancillary annexe purposes, this would not be necessary, as the annexe would be a domestic outbuilding.

- 11.8 Policy DP12 of the Core Strategy, in relation to outbuildings, states that domestic outbuildings will be permitted where they are a) located within the residential curtilage; b) are required for purposes incidental to the use of the main dwelling, and; c) are not providing additional habitable accommodation. By virtue of the fact that the annexe outbuilding would be providing habitable accommodation, the proposal would be contrary to this policy.
- 11.9 Further, it could also be considered that the provision of a self-contained annexe could be viewed as being tantamount to new residential development. Policy CP12 of the Core Strategy sets out the circumstances where new residential development would be considered appropriate. As this location is not located within one of the Defined New Forest Villages; is not part of an affordable housing scheme; and is not a commoner's dwelling/agricultural worker's dwelling, the creation of a new residential unit of accommodation would also be contrary to policy.
- 11.10 The proposed extension would be compliant with regard the floorspace policy. With regard the design of the extension, it is considered that the scale would be sufficiently subservient. Discussions were had with the Conservation Officer at the time, who agreed that the design was appropriate given the non-designated heritage status of the building. All materials would match those existing. By virtue of the location of the extension upon the northern elevation, there would be no adverse impact upon neighbouring amenity and overall, the proposed extension is considered acceptable.
- 11.11 The proposed carport would be subservient in scale to the main dwellinghouse, and would be constructed with timber cladding. It would be located within the existing driveway area served by the high solid gates. There would be no impact upon neighbouring amenity, and it is not considered that it would have any significant adverse impact upon the setting of the non-designated heritage asset or upon the character or appearance of the conservation area.
- 11.12 However, whilst the proposed extension and carport may be considered acceptable, the application shall be determined as one. Whilst it is maintained by the applicant that the annexe building would be used for ancillary purposes only, for visiting family and friends, the 2016 LDCE application sought to establish the use of the outbuildings as separate self-contained accommodation. Further, a willow screen has been erected, which separates the annexe from the main dwellinghouse, and a small patio area has been laid with a table and chairs, to serve the annexe. As a result of the issues with regard the annexe as discussed in this paragraph, and within paragraphs 11.5, 11.6 and 11.7 of this report,

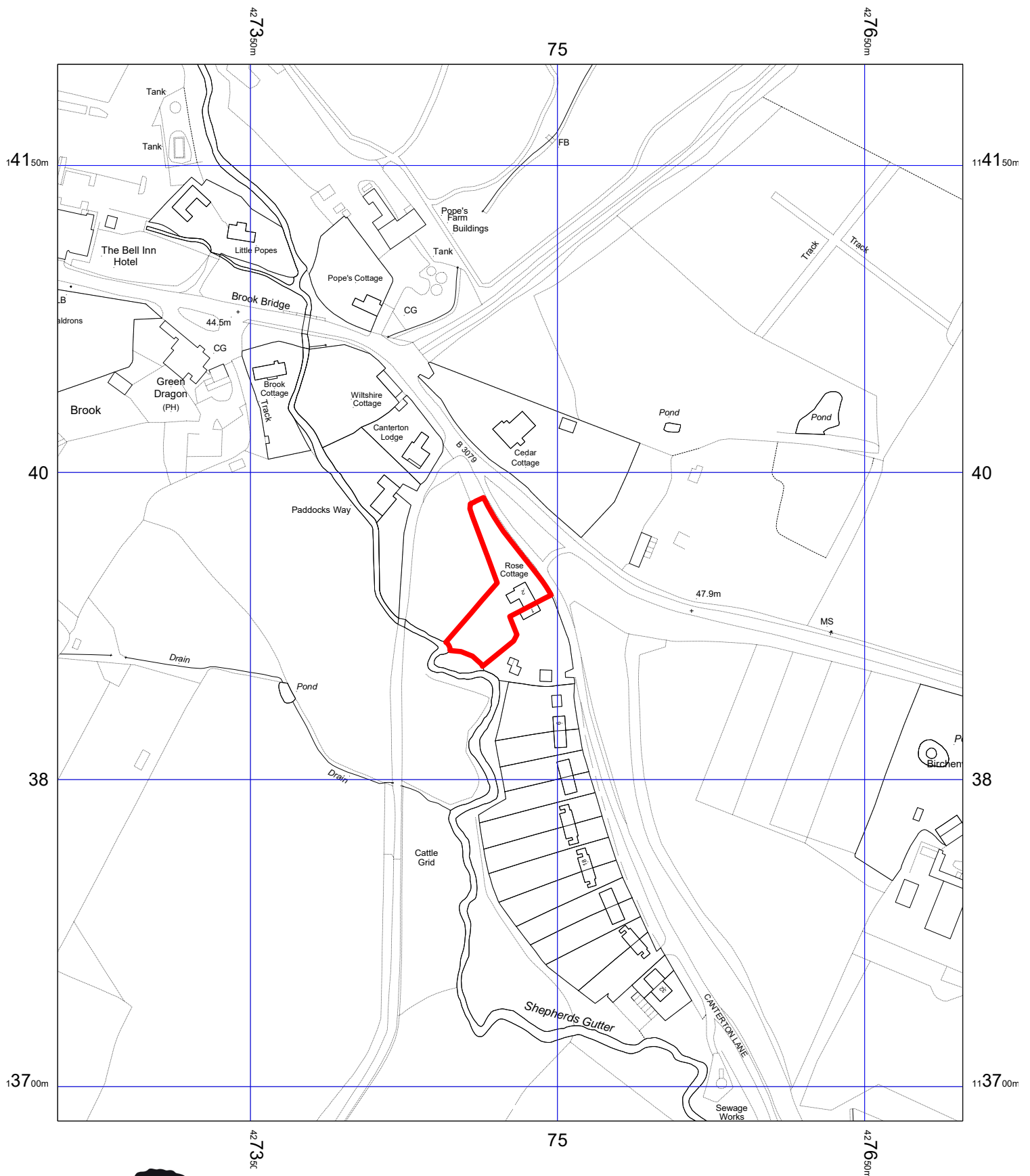
the proposal is not considered to be in accordance with policy. It is therefore recommended that the application is refused.

## **12. RECOMMENDATION**

Refuse

### **Reason(s)**

- 1 The proposed development, for the provision and use of an outbuilding as self-contained habitable accommodation would, due to its domestic appearance and self-contained nature, in combination with the fact that it has been separated from the main dwelling by virtue of a fence, would be tantamount to the creation of a new dwelling outside the Defined Villages and for which there is no justification. The proposal would also be for the use of an outbuilding for habitable accommodation, and would therefore be contrary to policies CP12 and DP12 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



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