

Application No: 19/00411/FULL Full Application

Site: Lamberts Cottage, Cowpitts Lane, Poulner, Ringwood, BH24 3JX

Proposal: Insertion of 3no. velux windows; single storey rear extension; alterations to fenestration; new porch; render; removal of existing conservatory and porch

Applicant: Mrs M Jakobsen

Case Officer: Clare Ings

Parish: RINGWOOD

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

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

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

Ringwood Town Council: Recommend refusal. The proposal to replace the conservatory with an extension would be contrary to Policy DP11, as it exceeds the 30% rule.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

- 9.1 One representation in support:
- The scheme would enhance the character of the area and of Lambert's Cottage
 - Removal of uPVC cladding and replacement with materials more in keeping with the local built environment will be positive

10. RELEVANT HISTORY

- 10.1 Conservatory (12/97746) refused on 8 October 2012. Appeal against refusal allowed on 21 December 2012
- 10.2 Porch (00/69961) refused on 10 November 2000
- 10.3 Addition of stairway with bedroom and store room on first floor (NFDC/86/31748) granted on 22 May 1986

11. ASSESSMENT

- 11.1 Lamberts Cottage is a semi-detached 19th Century cottage located along a narrow, rural lane within the Western Escarpment Conservation Area. It is a two-storey, part-rendered / part-clad with Cederal (synthetic) boarding building which has already been extended to the rear. A conservatory also exists to the rear, allowed on appeal. A hedgerow and timber fence lie along the Cowpitts Lane frontage. Vehicular access is shared with that of North Poulner Farm (the other half of the semi-detached pair) and lies to the east of that property.
- 11.2 A number of changes are being proposed to the property:
- Replacing the uPVC conservatory with a single storey extension with rendered walls and slate roof to match the existing property;
 - Replacing the existing single storey lean-to rear extension with part solid (render and slate) and part glazing to walls and roof, the glazing panels to be divided with oak posts;
 - Removing the existing Cederal cladding and replacing it with render to match the existing dwelling;
 - Adding a new Oak framed open porch to the front elevation;
 - Adding conservation rooflights to the front and rear elevations; and
 - Replacing the existing uPVC windows with Oak frames.
- 11.3 The key considerations are:
- Implications for Policy DP11 in terms of the scale of the proposal;
 - The overall design of the proposal and its impact on the

- character and appearance of the conservation area; and
 - Any impact on the amenities of adjoining occupiers.
- 11.4 As the property does not lie within any of the four defined villages, any proposal would need to adhere to the floorspace restriction contained within Policy DP11 of the Core Strategy which seeks to limit the size of additions to properties in order to safeguard the locally distinctive character of the New Forest and to ensure there is the ability to maintain a balance in the housing stock.
- 11.5 As can be seen from the history, the property has been extended in the past, including with a conservatory which was allowed on appeal. The application relating to the conservatory was refused since the addition of the conservatory would have resulted in the habitable floorspace exceeding the 30% restriction set out in Policy DP11. Notwithstanding that fact, the Inspector at the time concluded by stating:
- "Since the conservatory would result in the dwelling being over 30% larger than the original dwelling, it would not accord with DPD Policy DP11. However, it would have a neutral effect on the character and appearance of the conservation area, would have no impact on the character and appearance of the countryside, and would not conflict with the statutory purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park. Nor would it compromise the objective of maintaining a balance in the local housing stock. These are important material considerations which in this case indicate that a decision can be made otherwise than in strict accordance with the letter of the authority's policy restricting the size of extensions to houses in the National Park. Planning permission is therefore granted."*
- 11.6 This current application would not result in any further habitable floorspace being added in respect of either of the two single storey extensions. The proposals comprise reconfiguration of current habitable floor space. Further, as no condition was added to the appeal decision stating that no alterations could subsequently be made to the external walls and roof of the conservatory, it is not considered that the proposed changes to the walls and roof could be resisted.
- 11.7 With respect to the other changes to the dwelling, particularly the removal of the Cederal cladding and the replacement of the uPVC windows with Oak frames, these are considered acceptable and would be seen to significantly improve the appearance of the dwelling. The Oak porch would also be acceptable, assisting in returning the property to a more traditional appearance and it should be noted that this could be erected under permitted development rights. The rooflights are proposed to be of conservation style, i.e. fitted flush to the plane of the roof, and would therefore not intrude upon the appearance of the dwelling.

Overall, the changes would be considered to enhance the character and appearance of the conservation area

- 11.8 It is not considered that the private amenities of the adjoining properties would be adversely harmed by the proposal, and there would not be any impact on trees or ecology.
- 11.9 The comments of the Parish Council are noted in respect of the resulting size of the dwelling, but for the reasons given in paragraph 11.6 above, as the proposals comprise reconfiguration of floor space that already exceeds the 30% restriction, it is not considered that the application should be refused. Permission is therefore recommended but conditioned such that permitted development rights for further extensions be removed.

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: 3135/P1 Rev A, 3135/P2 Rev A, 3135/P3, 3135/P4, 3135/P5 Rev A, 3135/P6 Rev A, 3135/P7 Rev A, 3135/P8 Rev A, 3135/P9.
- 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 The external facing materials to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.
- 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 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 shall be erected or carried out without express planning permission first having been granted.

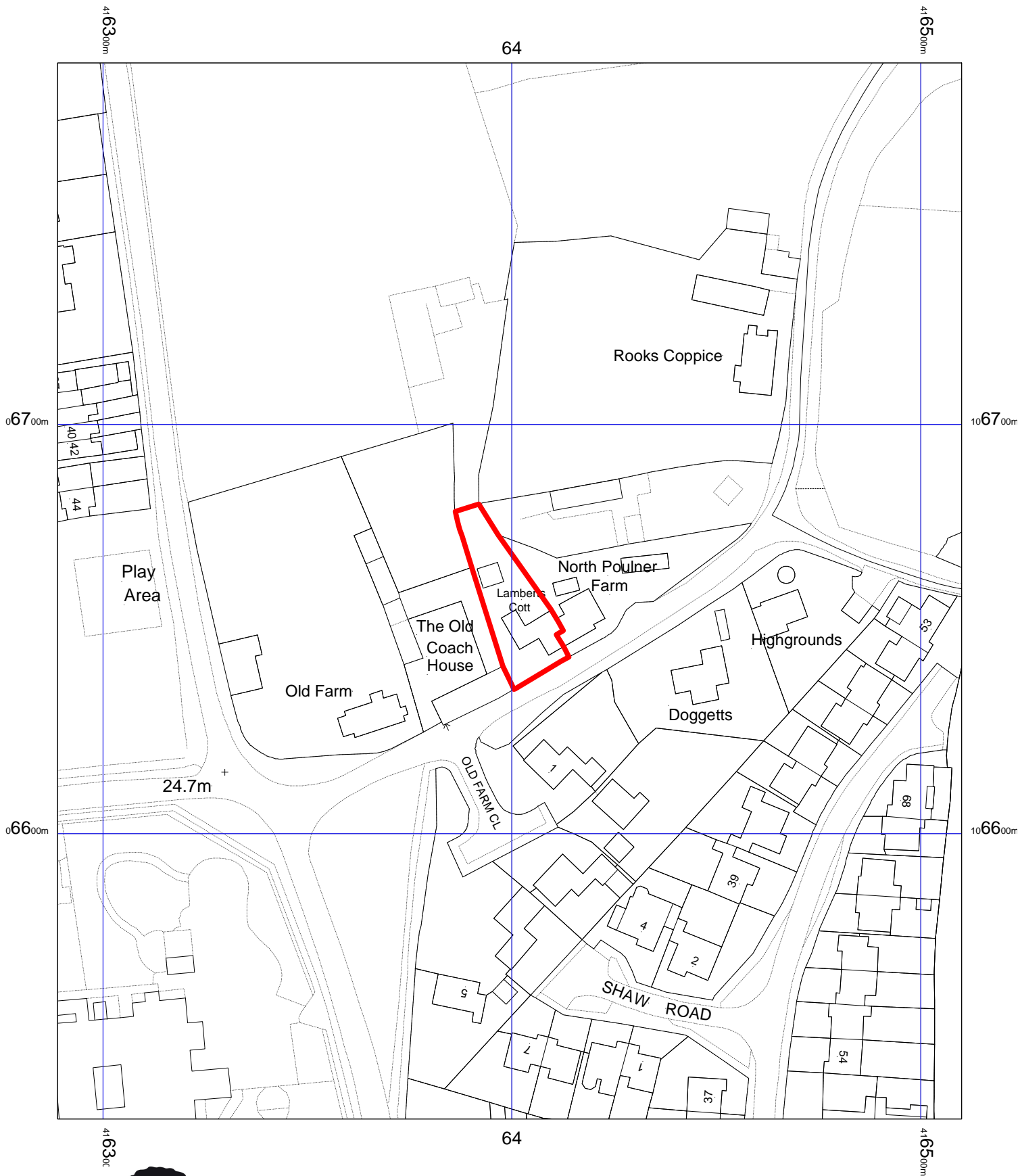
Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP10 and DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 All new roof lights shall be of a 'Conservation' type and shall be fitted so that, when closed, their outer surfaces are flush with the plane of the surrounding roof covering.

Reason: To protect the character and appearance of the conservation area in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

Informative(s):

- 1 The Authority has considered the application in relation to its adopted Core Strategy, the National Planning Policy Framework and any other relevant material planning consideration and has confirmed to the applicant or their agent that the development is compliant and does not harm the character and appearance or amenities of the area.



New Forest National Park Authority
Lymington Town Hall, Avenue Road,
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 06/08/2019

Ref: 19/00411/FULL

Scale: 1:1250

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Application No: 19/00474/FULL Full Application

Site: Rose Cottage, Station Road, Sway, Lymington, SO41 6BE

Proposal: Outbuilding

Applicant: Mrs R Gallagher

Case Officer: Claire Woolf

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

Application from Officer.

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP12 Outbuildings
DP1 General Development Principles
CP7 The Built Environment
CP8 Local Distinctiveness
DP6 Design Principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Sway Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Sway Parish Council: Recommend permission on the understanding that the building would never be for residential use.

8. CONSULTees

8.1 Tree Officer: No objection.

9. REPRESENTATIONS

9.1 None received.

10. RELEVANT HISTORY

10.1 Two-storey rear extension (06/90725) granted subject to conditions on 10 November 2006.

10.2 Two-storey rear extension (78097) refused on 25 June 2003.

10.3 Alterations and addition of kitchen, utility room and toilet accommodation with bedroom and bathroom over (existing extension to be demolished) (15894) granted on 10 April 1980.

11. ASSESSMENT

11.1 This semi-detached dwelling is located in the village of Sway outside of the defined village, with semi-detached properties to the east and west. The adjacent property has a catslide roof to the rear and both semi-detached dwellings have long back gardens.

11.2 At the far end of the long back garden there is an existing shed. The neighbouring boundaries are approximately one metre high, comprising a mixture of fences and shrubbery.

11.3 The application proposes an outbuilding for use as a garden office for home-working. It would be situated adjacent to part of the neighbour's outbuilding, north east of the existing shed. The size of the building would be 8.3 metres in length, 3 metres wide, 2.315 metres eaves height and 3.193 metres to ridge height.

11.4 The outbuilding would contain doors and windows on the west elevation with an open canopy area of 2.4 metres to the north. The external wall covered by the open canopy area would have a window and single door. The south elevation would have a single window to the side.

11.5 The main considerations are:

- Whether the proposal complies with Policy DP12;
- Whether it is appropriate for the locality; and
- Whether there is any impact on neighbour amenity.

11.6 Policy DP12 states that:

Domestic outbuildings will be permitted where they:
a) are located within the residential curtilage;

b) are required for purposes incidental to the use of the main dwelling;

c) are not providing additional habitable accommodation.

As a home office the outbuilding complies with these requirements. A condition can reasonably attached to ensure that it does not provide habitable accommodation. The proposal would also comply with Policy DP37 of the emerging Local Policy in that it would be proportionate and clearly subservient to the dwelling and it would not reduce private amenity space to an unacceptable level.

11.7 The neighbouring properties adjacent to Rose Cottage are more than 40 metres away from the proposed outbuilding and there will be no adverse impact on the neighbouring outbuildings.

11.8 It is considered that the proposed outbuilding complies with Policies DP1, DP6, DP11 and CP8. It is therefore recommended that permission is granted subject to conditions.

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 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).

3 Development shall only be carried out in accordance with Drawing nos: 1, 2, 3, 4, 5 and 6. 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

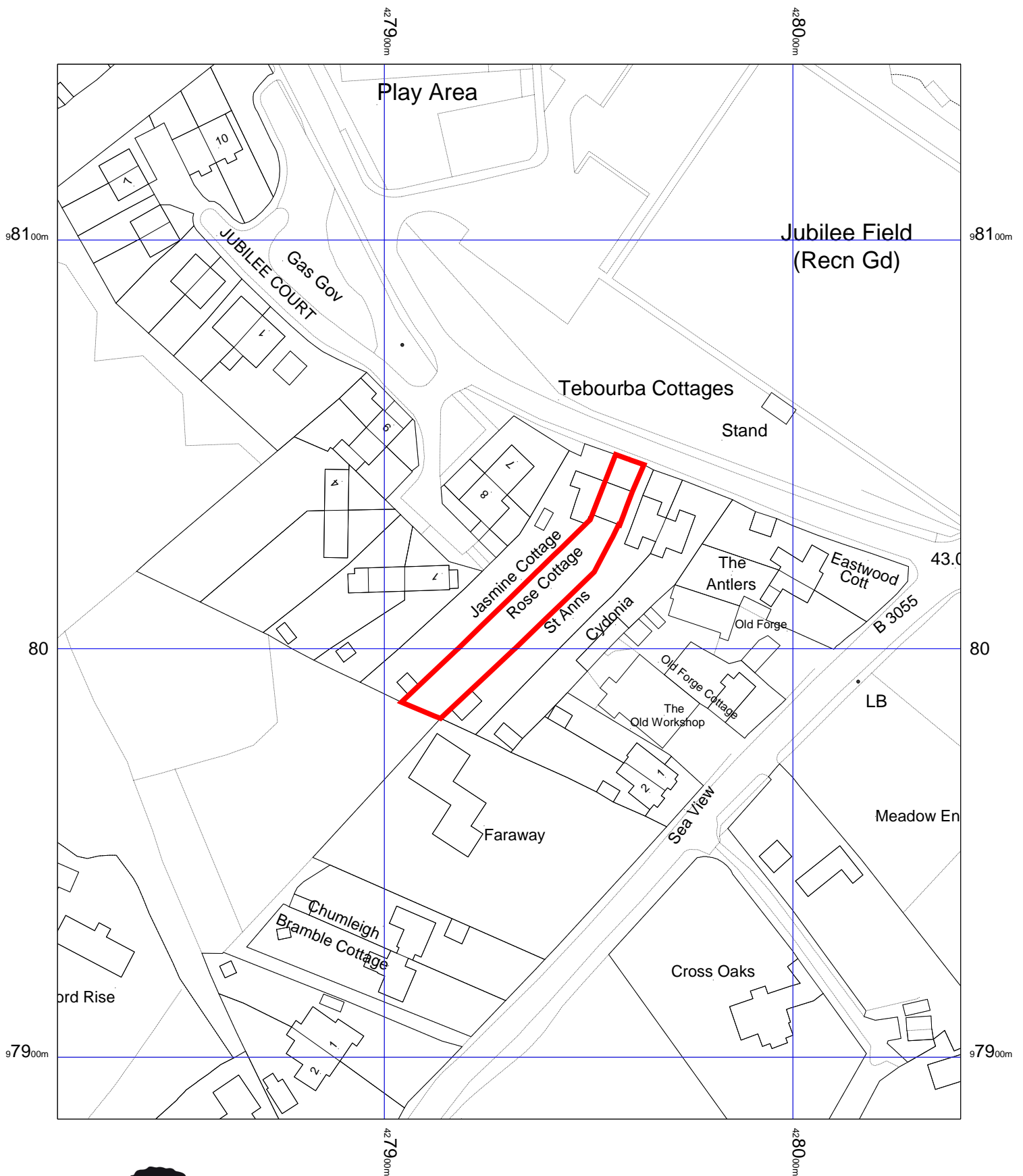
Management Policies (DPD) December 2010.

- 4 The external facing materials to be used in the development shall be as stated on the application form hereby approved, unless otherwise agreed in writing by the New Forest National Park Authority.

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).

- 5 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).



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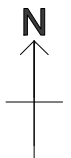
New Forest National Park Authority
Lymington Town Hall, Avenue Road,
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 31/07/2019

Ref: 19/00474/FULL

Scale: 1:1250



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Application No: 19/00508/FULL Full Application

Site: Cherry Lea, 215 Woodlands Road, Woodlands, Southampton, SO40 7GJ

Proposal: Replacement conservatory roof

Applicant: Mr & Mrs Taylor

Case Officer: Carly Cochrane

Parish: NETLEY MARSH

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
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

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

Netley Marsh Parish Council: Recommend permission. The proposals would make no visual difference, no impact on neighbouring properties.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 Two letters of representation have been received, in support of the application.

10. RELEVANT HISTORY

10.1 Installation of flue (16/00104) granted on 12 April 2016

10.2 Replacement dwelling; outbuilding; temporary siting of a mobile home (08/93238) granted on 16 September 2008

10.3 Demolish existing dwelling (Conservation Area Consent to demolish) (08/93256) granted on 15 September 2008

11. ASSESSMENT

11.1 The application property comprises a detached dwellinghouse, located to the north western side of Woodlands Road, within the Forest North East Conservation Area.

11.2 By way of background, the original dwelling has been replaced pursuant to planning permission reference 08/93238. The Officer's report to that application sets out that the replacement dwelling incorporated the 30% increase in floorspace permissible under Policy DP11, as well as taking advantage of adding a conservatory on the rear elevation, permitted as an exemption under the former New Forest District Council policies which gave a discretionary allowance for conservatories over and above the relevant floorspace limitation. This exemption from the floorspace calculation was applied on condition that qualifying conservatories could not subsequently be incorporated into the main habitable accommodation of the dwelling. The materials and appearance of the conservatory are controlled in this case by condition 3 of the 2008 permission which states:

"The conservatory shall only be constructed to the design and materials shown on the approved plans. No alteration shall subsequently be made to the external walls and roof of the building, notwithstanding the provisions of the Town and Country Planning Act 1990 or the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Reason: Permission would not normally have been granted for an addition to this property as this would have been contrary to policy NF-H3 of the adopted New Forest District Local Plan First Alteration. The New Forest National Park Authority considers that an exception could reasonably be made for a conservatory of the size and type proposed as this would only serve as secondary

accommodation rather than as part of the living space of the dwelling."

In addition, permitted development rights were removed under Condition 5, to ensure the dwelling cannot be further enlarged contrary to Policy DP11.

- 11.3 This application seeks planning permission to replace the majority of the glazed roof panels with solid insulated aluminium panels; four panels would remain glazed. There would be no changes to the elevations, which comprise a brick dwarf wall with glazing to the eaves.
- 11.4 Condition 3 of planning permission reference 08/93238 therefore sought to ensure that the conservatory would remain predominantly glazed and would not subsequently be incorporated into the main house. In contrast, the current policies of the Core Strategy (2010) seek to ensure that all conservatories would fall entirely within the relevant floorspace limitation, as does the equivalent policy within the draft Local Plan (which is now at a very advanced stage of preparation and due to be adopted on 29 August 2019). The Inspectors' Final Report on the draft Local Plan (July 2019) concludes that the new Plan provides an appropriate basis for the planning of the New Forest National Park subject to a number of main modifications.
- 11.5 Paragraph 48 of the National Planning Policy Framework ("NPPF") (February 2019) states that weight may be given to relevant policies in emerging Local Plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight given); b) the extent to which there are unresolved objections to relevant policies; and c) the degree of consistency of the relevant policies in the emerging plan to the NPPF. When assessed against these tests, the Authority's new Local Plan should be afforded significant weight due to its advanced stage of preparation, the fact that the unresolved objections to relevant policies have been considered in the Inspectors' Report, and as in addition the Report provides commentary on the consistency of the Local Plan with national policy. The policies within the Core Strategy relevant to this application are being carried forward into the Local Plan, with no significant changes to the wording of the policies. These policies have been found sound by the Planning Inspectorate, and are considered to provide an appropriate basis for planning within the National Park.
- 11.6 Under the former policies (pre the 2010 Core Strategy) a conservatory was defined as *"having not less than three-quarters of the area of its roof and not less than one-half of the area of its external walls made of translucent material"*. This definition is also carried forward in the new Local Plan. The proposal seeks to alter the roof of the conservatory, so that it would be approximately

75% solid, as opposed to 100% translucent as it is currently. The proposed changes to the roof of the conservatory would result in a structure which no longer meets the definition of or qualifies as a conservatory as set out in paragraph 7.39 of the Core Strategy, and for the purposes of applying Policy DP11. This is also the view of previous Inspectors in relation to two appeals, APP/B9506/D/18/3211430 and APP/B9506/D/18/3195319, who dismissed these appeals on the grounds that the proposals were in conflict with Policy DP11, and the appellants desire to use the conservatory throughout the year did not outweigh this fact.

11.7 Policy DP11 of the Core Strategy seeks to prevent the cumulative erosion of the National Park through successive extensions to residential properties. It can only be effective if applied in a consistent manner. The property has clearly made use of the additional 30% increase in habitable floorspace when it was replaced, hence why the conservatory was permitted under the former exemptions. The proposal would therefore conflict with Policy DP11 of the Core Strategy, and cumulative similar development (where the habitable floorspace of a dwelling exceeds the relevant limitation) would result in an adverse impact upon the special qualities of the National Park, contrary to Policy CP8 of the Core Strategy.

11.8 Additional information has been submitted by the applicants with regard to the justification and need for the change of roof material, which is on the basis that the roof in its current form (being wholly glazed) requires regular replacement, which is costly, and suffers from condensation during cold weather. The proposed new roof would result in the structure being more energy efficient and enable the applicants to use the space year round, and would comply with other policies within the Core Strategy, as well as Building Regulations requirements. Whilst these arguments are noted, these could be repeated at other sites and do not constitute exceptional circumstances as set out by Policy DP11. Further, whilst the application has been accompanied by supporting information with regards to insulation and the efficiency of materials, it is not evident that other alternatives have been considered which would enable a translucent roof of some form to be retained.

11.9 In relation to the above, the Inspector, when considering appeal reference APP/B9506/D/18/3195319, stated:

"The appellant seeks a...roof that would be "solid" rather than glazed, with the change in materials intended to increase the structures thermal efficiency. However, because the present extent of glazing in the walls would remain, there would still be a temperature difference to the remainder of the house. Despite this difference, the grounds of appeal imply that the useability of the structure would increase because the replacement roof would to some extent 'iron out' the existing loss of heat in the winter and

the excess of heat in the summer, including the ingress into the adjoining living room. In my view, the extent to which the structure would be 'incorporated' into the main habitable accommodation as alleged by the NPA would still essentially be 'weather-dependent', given its hybrid form of mainly glazed walls and a solid roof, but in any event its duration of use in any year is likely to measurably increase".

These comments are considered to be directly applicable to the application, in that the purpose of the change in the roof material is to make the conservatory more useable all year round.

- 11.10 The applicants have cited appeal reference APP/B9506/D/18/3218864 ('Halvergate'), which the applicants consider comparable with the application. Paragraphs 3-7 of the Appeal Decision Notice recognise that the change in the roof materials is in direct conflict with Policy DP11, however the Inspector goes on to allow the appeal on the basis that:

"...the proposal would provide a solution to a chronic issue damaging the fabric of the building, It would reduce energy loss and light pollution within the National Park, contributing to the objectives of Policies CP4 and CP6. It would enhance the living conditions of neighbouring occupants. Although these are individually modest benefits, I find that together they amount to material considerations which indicate that a decision should be made other than in accordance with the development plan".

- 11.11 However, this decision is directly in conflict with those cited previously within this report. Whilst, in the case of Cherry Lea, as with Halvergate, the conservatory may not be visible from outside the site, the Inspector for APP/B9506/D/18/3195319 noted that:

"as this is a policy which uses the terms 'cumulative' and 'gradual' it is not always necessary for an individually noticeable impact to occur and be demonstrated in any one case for the objectives of preserving the National Park's unique rural qualities to be achieved. I acknowledge that the impact of such an all-encompassing policy as Policy CP8 can easily be perceived as being unfairly restrictive for a particular applicant or appellant. Despite this and the counter-intuitive concept of an owner not being allowed to make the most effective use of his property, because the aforementioned policies are in place following public consultation the planning balance in this appeal clearly falls in favour of the case argued by the NPA".

- 11.12 Whilst it is acknowledged that the use of a solid roof would reduce a proportion of light emissions from the conservatory, by virtue of there being some translucent panels remaining, and the fact that there would be no change to the glazed elevations, this would not be completely overcome. Therefore, whilst the proposal would be in accordance with Policies CP4 and CP6 to a limited degree, this

would not outweigh the fundamental policy objection in relation to Policies DP11 and CP8, and the Inspector's comments in relation to APP/B9506/D/18/3195319 set out above are considered pertinent. To reiterate, the equivalent policies are being carried forward into the new Local Plan and have recently been found to be sound by Inspectors.

11.13 In conclusion, it is considered that the proposed changes would incorporate the conservatory into the main habitable accommodation of the dwelling and would cause harm to the objective of protecting the locally distinctive character of the New Forest National Park in conflict with Policies DP11 and CP8 of the New Forest National Park Core Strategy. The proposal would also be in direct conflict with the original purpose of Condition 3 of the permission for the existing house (which is still applicable).

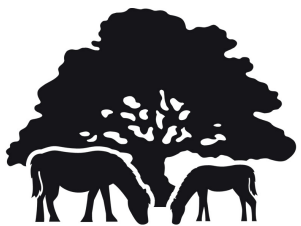
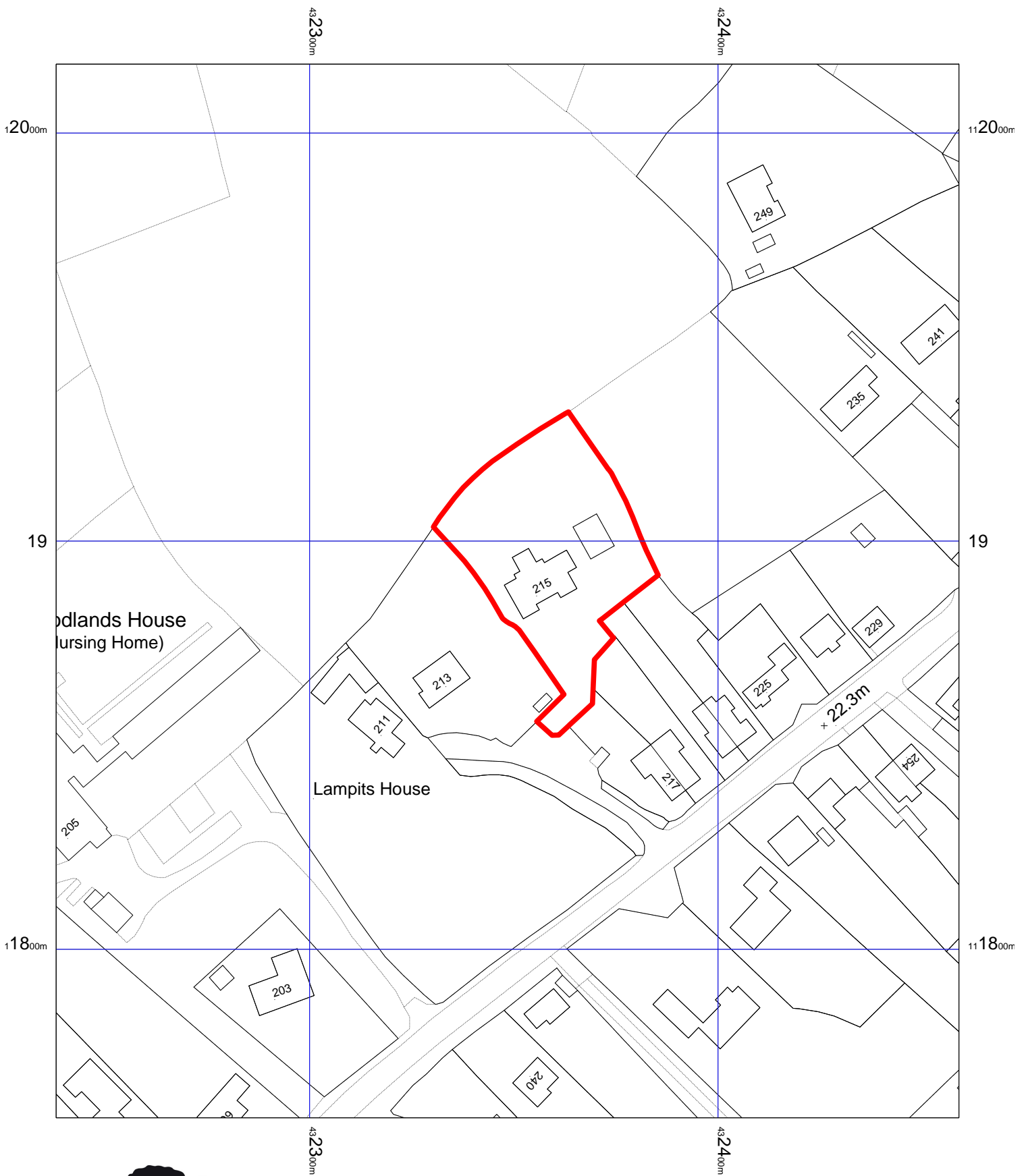
11.14 It is therefore recommended that the application be refused.

12. RECOMMENDATION

Refuse

Reason(s)

1 The proposed development would result in the significant further increase in habitable floor space of the dwelling since 01 July 1982. Contrary to the aims of Policy DP11 and Condition 3 of planning permission 08/93238 to minimise the impact of buildings and activity generally in the countryside, this enlargement of incorporating the conservatory into the main habitable accommodation of the dwelling by virtue of the change in the roof materials would result in an unacceptably large dwelling that would cumulatively be harmful to the unique rural qualities of the New Forest National Park without justification. The proposals would therefore be contrary to the Policies DP11 and CP8 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



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New Forest National Park Authority
Lymington Town Hall, Avenue Road,
Lymington, SO41 9ZG

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