

**Application No: 19/00369/FULL Full Application**

**Site:** Langley Orchard, Lepe Road, Langley, Southampton, SO45 1XR

**Proposal:** Single storey rear extension; raised patio

**Applicant:** Mr Bailey

**Case Officer:** Katie McIntyre

**Parish:** FAWLEY

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

No specific designation

**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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Fawley Parish Council: Recommend permission

**8. CONSULTEES**

No consultations required

## 9. REPRESENTATIONS

9.1 None received

## 10. RELEVANT HISTORY

10.1 Application for a Certificate of Lawful Development for proposed single-storey rear extension and rooflights (19/00051) planning permission required on 14 March 2019

10.2 Bungalow (NFR/01549) granted on 07 September 1951

## 11. ASSESSMENT

11.1 The application site is a detached bungalow which is sited outside of the defined New Forest villages on the edge of the settlement of Langley. The property is set back from Lepe Road and there are fields adjacent. The Langley Tavern is to the north and there are residential dwellings opposite. This application seeks consent for a single-storey extension and raised patio.

11.2 The relevant considerations are the impact upon the character and appearance of the area and whether the additions would be appropriate to the existing dwelling and its curtilage. There are no nearby neighbours which would be affected by the proposals.

11.3 Policy DP11 states that extensions to existing dwellings will be permitted provided that they are appropriate to the existing dwelling and its curtilage. Outside of the defined New Forest villages, such as the application site, Policy DP11 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 housing stock. The policy states that:

*"in the case of other dwellings (not small dwellings) outside the defined villages the extension must not increase the floorspace of the existing dwelling by more than 30%."*

The policy defines 'existing dwelling' as:

*"existing dwelling means the dwelling as it existed on the 1st July 1982, or as the dwelling was originally established, if the residential use post-dates 1st July 1982"*.

In accordance with the wording of Policy DP11, the base point for calculating the floorspace of the property is as it stood on the 1st July 1982. The Authority's records indicate that the property had a floorspace of approximately 137m<sup>2</sup> at this date and, as such, the 30% restriction would apply. In coming to this figure the Authority has given the benefit of doubt to the applicant in relation

to whether the conservatory forms part of the 'existing floorspace' as there is no planning history relating to this addition and aerial photographs indicate that it was in situ in 1999. The conservatory has therefore been included within the pre- 1st July 1982 floorspace. There is also a cellar/basement serving the property which was built at the same time as the bungalow. Officers have not included this within the pre- 1st July 1982 floorspace and this is discussed in further detail below.

11.4 In accordance with Policy DP11, 30% of 137m<sup>2</sup> would permit an addition of a further 41m<sup>2</sup> subject to there being no other adverse impacts. Officers have calculated the proposal would result in a total floorspace of 187m<sup>2</sup> or a 49.8m<sup>2</sup> increase equating to a 36.3% enlargement which would be directly contrary to Policy DP11. When calculating the proposed floorspace, the Authority has also excluded the basement in situ so as to not penalise the applicant.

11.5 The agent has calculated that the proposal would fall within the 30% allowance. The main discrepancy appears to be in relation to the basement. The Authority has a guidance note in relation to Policy DP11 which provides further explanation in relation to Policy DP11 and further guidance in relation to measuring floorspace. The guidance states the following in relation to basements:

*'A modest basement will not normally be regarded as habitable floorspace. However, some judgement will need to be applied in terms of whether it is genuinely a secondary space in association with the main dwelling. key criteria to consider include:*

- *Availability of light*
- *Size (and relation to the main dwelling)*
- *Access*
- *Use*
- *Layout*
- *Headroom*

*Basements to houses set into a hillside with any form of exposed elevation will usually be treated as habitable accommodation.'*

In this case, the basement is accessed via a fixed ladder and there is no natural light available. There is a small boarded up hatch on the north elevation but, apart from this, there are no other windows or doors serving this space. The land on site slightly rises, however, it is not a significant height change and as such there is no exposed elevation of the basement. The headroom of the basement is over 2m however it would appear from the sales particulars for the property in 2018 that the basement was not being used for habitable purposes and was simply described as a cellar. The area is also significantly smaller than the main dwelling being underneath only a small proportion of the property. For these reasons, in accordance with the

Authority's guidance note, it is not considered the basement forms habitable floorspace and as such has been excluded from the calculations.

11.6 Policy DP11 has been carried forward through various local plans for the New Forest for over 20 years. When the National Park's own Core Strategy was adopted in 2010, the Inspector endorsed this policy as a useful tool in ensuring extensions did not cumulatively erode the modest scale and rural character of dwellings within the National Park, usually within spacious gardens. The approach has been carried forward into the New Forest National Park Local Plan Policy DP36 which has recently been submitted for examination and the policy remains as valid now as it has over the preceding years. No main modifications have been required by the Inspectors following the end of the hearing sessions and it was acknowledged by the Inspector at the hearing sessions that it is/ appropriate for the Authority to adopt local planning policies that seek to prevent the cumulative enlargement of dwellings (either through repeatedly replacing the dwelling and making it larger; or through successive extensions) in a nationally protected landscape. This is particularly important given that the first purpose of the National Park is to "conserve and enhance the natural beauty, wildlife and cultural heritage" of the National Park, and the buildings form an important part of the Park's cultural heritage.

11.7 Policy DP11 thus has been carried forward within the emerging Local Plan (Policy DP36) and this will replace the Core Strategy policy identified above. The emerging New Forest National Park Local Plan is now at a very advanced stage. Paragraph 48 of the revised NPPF (February 2019) states that local planning authorities may give weight to relevant policies in emerging plans according to:

1. The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
2. The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight given); and
3. The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The advanced stage reached in the preparation of the new Local Plan 2016 – 2036 (the final consultation on proposed main modifications has closed and the Inspector's report is awaited) means weight can be given to policies in the emerging Plan as guided by paragraph 48 of the NPPF (2019). As stated above no main modifications have been proposed for this policy.

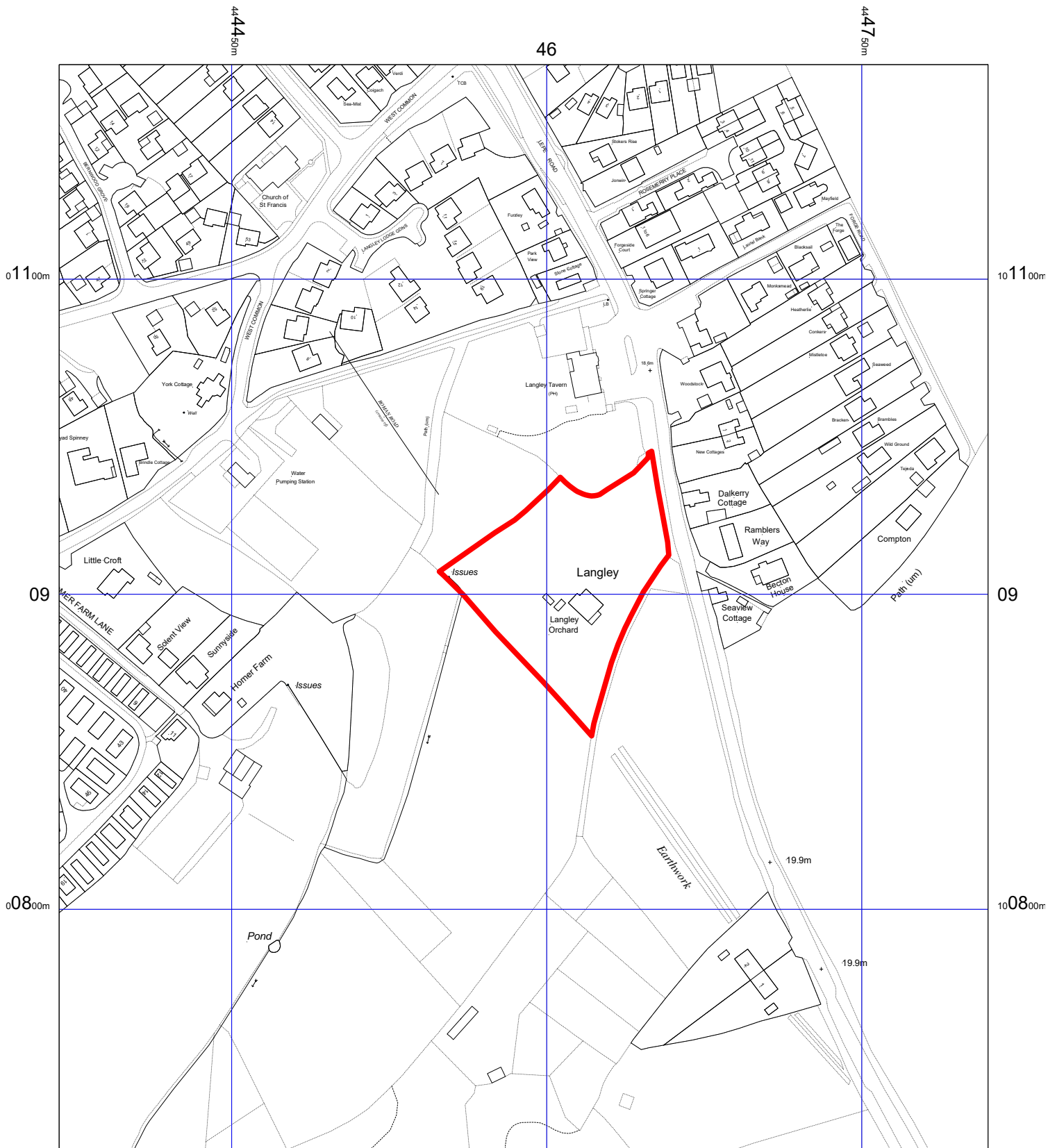
- 11.8 There are no concerns with regards to the design of the addition proposed as it would not be out of character with the architectural style of the host dwelling and the raised patio is also considered to be acceptable. This would not, however, overcome the above conflict with Policy DP11 and would 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. As such, it is recommended permission is refused.

## 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 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.



44450m

46

44750m

101100m

101100m

09

09

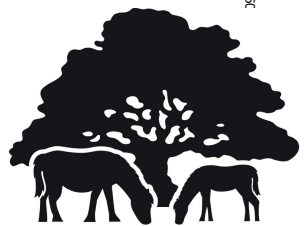
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NEW FOREST  
NATIONAL PARK

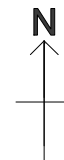
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Date: 03/07/2019

**Ref: 19/00369/FULL**

**Scale: 1:2500**



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