

Application No: 16/00183/FULL Full Application

Site: Broadoak, Fletchwood Lane, Totton, Southampton, SO40 7DZ

Proposal: Extensions and alterations to garage including link to house

Applicant: Prof H Clark

Case Officer: Emma MacWilliam

Parish: NETLEY MARSH

1. REASON FOR COMMITTEE CONSIDERATION

To assess whether the information submitted demonstrates a true exceptional circumstance in relation to Policy DP11.

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP11 Extensions to Dwellings
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

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

Netley Marsh Parish Council: Happy to accept the officer's decision under delegated powers.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

- 9.1 None received

10. RELEVANT HISTORY

- 10.1 Extension to existing garage to provide additional accommodation (14/00463) Withdrawn 31st July 2014
- 10.2 Lynwood and Broadoak, Fletchwood Lane: Rear conservatory to Linwood; pitched roof to existing flat roofed garages of both properties (04/83549) Granted 14th February 2005
- 10.3 Addition of dormer and balcony (01/71568) Refused 18th May 2001. Appeal Dismissed 30/10/2001
- 10.4 Addition of building to enclose swimming pool (NFDC/89/43033) Granted 8th November 1989
- 10.5 Extension to dining room, addition of kitchen, bedroom over and double garage (NFDC/88/37613) Granted 14th April 1988
- 10.6 Mickton, Fletchwood Lane: Raising of roof height and construction of bedroom in roof space (NFDC/84/28330) Granted 28th January 1985
- 10.7 Mickton, Fletchwood Lane: Alterations and extension to lounge/diner and addition of 2 bedrooms (NFDC/82/22542) Granted 10th September 1982

11. ASSESSMENT

- 11.1 'Broadoak' is a two storey house lying to the south-east of Fletchwood Lane. The property was previously called 'Mickton'. There is a detached double garage to the property frontage, adjacent to a large hard surfaced area which provides car parking and turning space. 'Broadoak' is set back from the road and lies within a row of residential dwellings of various sizes, ages and designs. There is a large protected oak tree along the front boundary and the area is verdant and rural in character.
- 11.2 The site lies outside the four defined villages of the New Forest National Park and is not classed as a small dwelling, 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.
- 11.3 This proposal is for the extension of and alterations to the detached garage and its conversion to habitable accommodation to accommodate an elderly family member, who is registered disabled and unable to use stairs, and their carer. The garage

would be attached to the main house and accessed via a link to a living area in the main house through existing french doors. Additional french doors to the north elevation of the extension are proposed, which would lead to a courtyard area of the garden. A set of double doors, which would lead into the front garden/parking area of the house, are also proposed which would enable the extension to be accessed directly without the need to enter the main dwelling house.

- 11.4 Information submitted by the applicant advises that the respiratory health of the family member has deteriorated rapidly due to a chronic chest condition and that they require ground floor accommodation for them and a carer plus additional space for breathing and mobility equipment. The accommodation proposed has been designed so that the family member can be cared for overnight with a carer sleeping in an adjoining bedroom and with adequate room for wheelchair manoeuvrability and storage of necessary equipment. The applicant advises that there is currently nowhere on the ground floor of the house where this could be accommodated. The applicant has put forward a case for exceptional circumstances since the proposed increase in habitable floorspace would exceed the amount allowable under Policy DP11.
- 11.5 The main issue for consideration is whether the information submitted is sufficient to demonstrate whether this situation would constitute exceptional circumstances in relation to Policy DP11. Other issues to consider are any precedent which might be set, the impact of the development upon the character and appearance of the area, potential for impacts upon neighbouring amenity and the impact on parking/turning space.
- 11.6 The original dwelling (as it existed on 1 July 1982) had a floorspace of approximately 98m² and therefore was not classed as a 'small dwelling'. The dwelling subsequently benefited from various extensions and alterations between 1982 and 1989, which cumulatively have exceeded the 30% floorspace allowance under current Policy DP11. Therefore any further extension would normally result in a refusal of the application. The proposal would add some additional 89m² to the property as it currently exists. However, in exceptional circumstances the floorspace can be exceeded and these circumstances are defined in the policy as *'a unique family need that could not have been reasonably anticipated at the time of purchase of the property, eg additional floorspace may be required to cater for specialist equipment for facilities required in connection with any unforeseen event'*.
- 11.7 The applicant sought pre-application advice for the proposals in September 2014 and was initially told that this case may be considered as a true 'exception' to the 30% from the information given. It was advised that the applicant would need to

demonstrate the situation in any planning application submitted by providing evidence such as details of dates which the applicant and family member in question first lived at the property, a doctor's note or similar explaining the family member's condition and an annotated ground floor plan of the house clarifying why the existing spaces are not suitable for the needs. The Case Officer at that time carried out a site visit to view the situation. Discussions were held regarding the prospect of using of existing space within the dwelling to provide the required accommodation, however the advice was that this was not possible.

- 11.8 Further pre-application advice was sought in January 2016 with supporting evidence provided in the form of: an annotated floor plan of the existing property; a letter of confirmation from Hampshire County Council of the family member's registration as being disabled (dated June 2014); and a letter from an NHS Consultant confirming the family member's condition and the need for ground level accommodation with a carer due to the inability to climb stairs. The response given was that the level of information provided, as well as what had been seen and discussed on site, would be satisfactory to demonstrate a true 'exception' to the 30%.
- 11.9 Policy DP11 makes it clear that larger extensions might be acceptable for unforeseen events, and therefore the chronology of events is important. The applicant states that the family member's health has unexpectedly and severely deteriorated over the past year such that they are unable to use stairs. The applicant advises that it had not been previously anticipated by the family that the health of the family member would deteriorate to such an extent at the time of moving to the property in 2013. Nor had they been able to anticipate the need to accommodate the family member at home entirely on one level with space for additional equipment and a carer. The Consultant's letter submitted confirms that the illness was not recognised as being as severe as it has become when the family moved into the house in 2013 and that the condition has deteriorated since that time. It also confirms the need for space to accommodate a requirement for a home nebuliser and oxygen provision as well as mobility equipment.
- 11.10 As a result of the information now submitted, it is considered, on balance, that there is sufficient evidence in this instance to permit an extension which would exceed the limits stipulated by Policy DP11, and therefore it would not be contrary to policy.
- 11.11 An important consideration is that the use of the extension as a self-contained independent unit of accommodation, should it cease to be required for the purposes proposed in the application, would be inappropriate in this location and would be contrary to Core Strategy Policy CP12. Such a use could be prevented with an appropriately worded condition. In an appeal

decision in August 2014 (Appeal Ref: APP/B9506/A/14/2215038) for Valley House, Lower Sandy Down Lane, Boldre, the Inspector granted the use of a pool house as accommodation for a disabled son and carer. The Inspector stipulated that the development would provide a *'property where a dependant relative could be accommodated in close proximity but with a degree of independence'*. The appeal was allowed subject to an condition to prevent such a use. It is considered appropriate to attach a similar condition in this instance. A further condition to ensure that no additional accommodation would be created, such as the insertion of a mezzanine floor, is also considered appropriate and necessary.

- 11.12 In design terms, the proposals would be acceptable and would not adversely harm the overall appearance of the dwelling which has already been extended. The proposals would be visible in public views from the adjoining street, however it would not appear unduly prominent within the street scene, thus the wider landscape of the National Park would remain unharmed. As the original dwelling has already been extended to the rear, it is not considered necessary to remove Permitted Development rights by condition, as any further works to this property would require planning permission.
- 11.13 Although additional windows are proposed, due to the relationship with the adjoining properties it is unlikely that any further significant overlooking would occur to the detriment of the amenities of that property. There would be no adverse impact on outlook or loss of light as a result of the proposals due to the single storey nature of the development and the spacing between properties.
- 11.14 Whilst the proposals would result in the loss of a garage and driveway space for parking, sufficient parking and manoeuvring area would be retained on site so that no adverse impact upon highway safety would occur. The occupation of the extension by the family member of the occupiers of the primary dwelling and their carer would not be likely to result in significant additional traffic to and from the site which would cause any adverse highways impact. Nor would it be likely to give rise to levels of activity which might detract from the semi rural ambience of the locality.
- 11.15 In conclusion, whilst there are some concerns over the scale of accommodation proposed, as it would exceed the floorspace restriction set out in policy DP11, it is considered on balance that sufficient evidence has been submitted to permit the extension and alterations. Given the particular circumstances of this case, it is unlikely to set a precedent.

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.

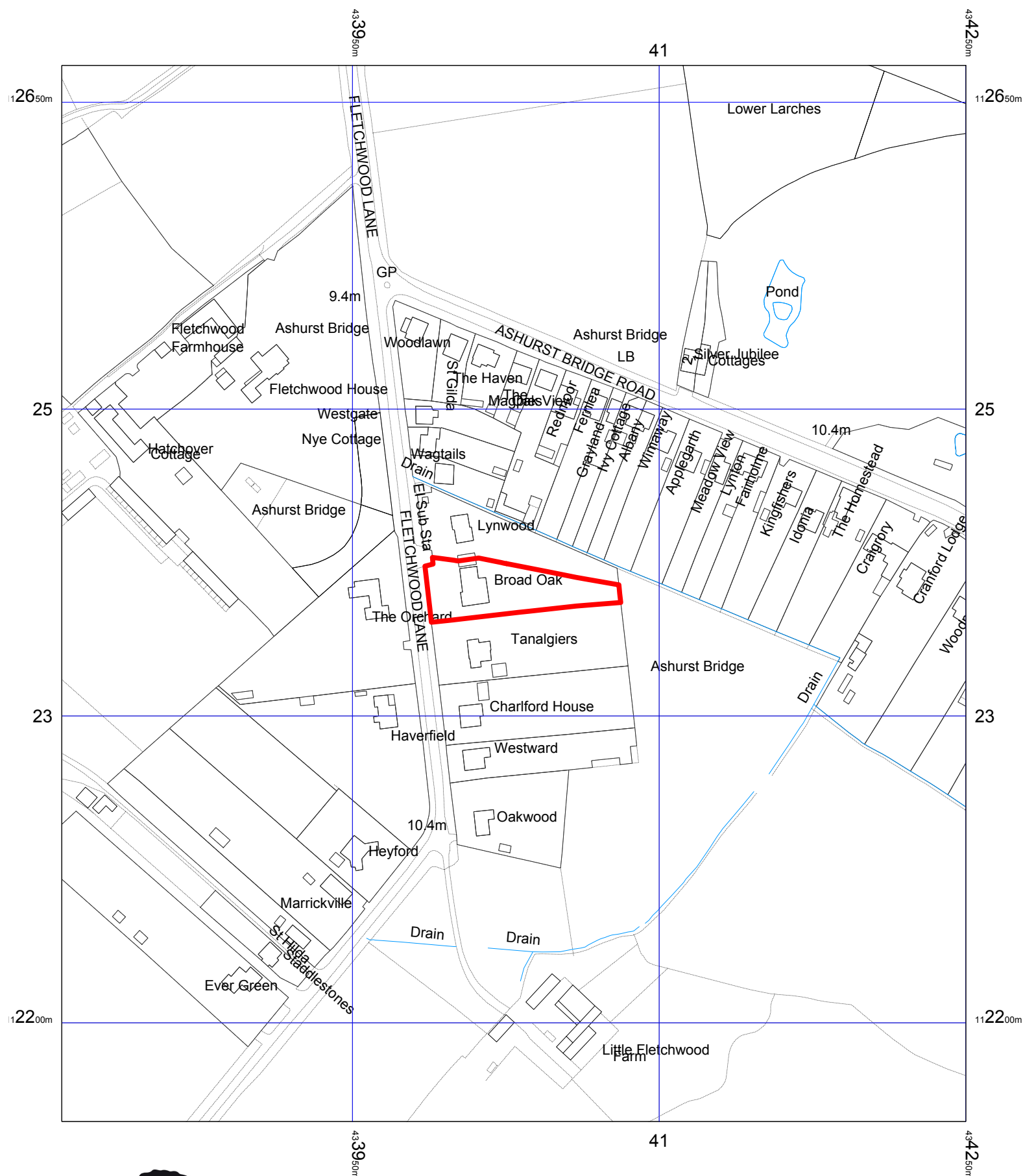
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The external facing materials to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by 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).
- 3 The building the subject of this permission shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling house on the site, currently named 'Broadoak', as a single residential unit with a physical internal link, and shall not be let or occupied independently for any other purposes.

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).
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent re-enactment thereof, no additional floor space by way of the creation of a mezzanine floor shall be formed within the building the subject of this permission, other than that shown on the approved plans.

Reason: To safeguard the amenities of the area, in the interests of highway safety and to comply with Policies DP1 and CP19 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).
- 5 Development shall only be carried in accordance with Drawing nos: Figure 2, Figure 3 and Figure 4. 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.



NEW FOREST
NATIONAL PARK

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