

Application No: 21/00733/FULL Full Application

Site: Little Sequoia, Hazel Grove, Ashurst, Southampton, SO40 7AJ

Proposal: Two storey extension; demolition of existing conservatory

Applicant: Mr Clark

Case Officer: Carly Cochrane

Parish: NETLEY MARSH

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles

DP18 Design principles

DP36 Extensions to dwellings

SP17 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

Netley Marsh Parish Council: Recommend permission. The footprint of the property is not increasing. There are special circumstances for the changes, which needs flexibility on the part of the planning authority.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

- 9.1 Two letters of representation have been received. One letter comments that the four windows proposed upon the side elevation facing the neighbours property would look into existing windows, and that consideration is given in terms of privacy, i.e. obscure glazing.
- 9.2 One letter objects to the proposal on the basis that it would further increase the size of the property beyond that allowed for a small dwelling, as well as becoming more visually intrusive. There are also concerns in relation to an existing flue and its proximity to windows within the neighbouring property.

10. RELEVANT HISTORY

- 10.1 Conservatory (Revised design to application ref 93865) Application for a non-material amendment of planning application 12/97797 and appeal reference APP/B9506/D/12/2188225 (21/00252) objections raised on 12 April 2021
- 10.2 Conservatory (Revised design to application ref 93865) (12/97797) refused on 22 October 2012. Appeal allowed on 16 January 2013
- 10.3 Conservatory and utility room (Modification of Planning Permission 96588) (11/96588) deemed refusal on 27 October 2011. Appeal against non-determination withdrawn.
- 10.4 Replacement dwelling and garage (09/93865) granted on 27 April 2009
- 10.5 Replacement dwelling; garage (08/93865) refused 28 January 2009

11. ASSESSMENT

- 11.1 The application site is located to the southern side of Hazel Grove, and comprises a detached, two-storey dwellinghouse which faces agricultural fields. By way of background, the site has a planning history dating back to 2008, and planning permission for a replacement dwelling was granted in 2009 (at this point the property was known as 'Holleston'). An application for a conservatory was allowed at appeal in 2012, and an application for a non-material amendment was submitted earlier this year seeking to make a number of changes; this was not granted as the changes sought constituted development in their own right and as such, were not considered to be non-material.

- 11.2 This application seeks planning permission for the removal of the existing conservatory, and the erection of a two storey rear extension.
- 11.3 The applicant is contending that the property was not in fact a small dwelling at the time of its replacement as it had a floorspace of 80.25 square metres. For clarity in relation to floorspace, the original dwelling, being that which existed prior to its replacement, was a single storey dwelling built in 1932. The Design and Access Statement submitted as part of 09/93865, which followed the refused application 08/93865 and was made by the same applicant as this current application, sets out that "As Holleston is regarded as a 'small dwelling' the total internal floorspace of the replacement (excluding the conservatory) is restricted to 100sqm", and notes that in order to bring the proposal into compliance with policy, the internal floorspace of the dwelling would need to be reduced to 100sqm. This is then reflected within paragraph 10.3 of the Officer's Report, which confirms that the proposal was in accordance with policy. As such, it was accepted by the applicant at the time of the 2009 application that the dwelling was restricted to 100sqm by virtue of it being a 'small dwelling'. The conservatory included as part of 09/93865 was allowed as an exemption to policy at the time as it complied with the definition of a conservatory in relation to the amount of glazing, and size. A larger conservatory, which did not meet the definition or design requirements, was allowed at appeal. This exemption no longer exists, and therefore even if it were the case that the originally consented conservatory was constructed, the property would have already exceeded the 100sqm floorspace restriction.
- 11.4 Even if it were to be accepted that the original dwelling was not a 'small dwelling', and the floorspace figure of 80.25sqm was accepted, then the property would be subject to the additional 30% floorspace limitation of Policy DP36 as it is not located within a defined village. Using this figure, a 30% increase would amount to a total floorspace of 104sqm, being only 4sqm more than the limitation for a small dwelling. The proposal now seeks an extension amounting to a total floorspace of 153sqm, which would represent a 47% increase in floorspace over that which existed on 01 July 1982. Therefore, the proposal clearly exceeds both floorspace restrictions and is directly contrary to policy.
- 11.5 The Parish Council have recommended approval of the application on the basis that the footprint of the property would not increase, and makes reference to 'special circumstances'. In relation to the first point, Policy DP36 of the Local Plan seeks to control the habitable floorspace of a dwelling, and therefore whether or not the footprint of the dwelling is being increased, or not, is irrelevant; this application is for a two storey extension, which facilitates an increase in the total internal habitable floorspace of the dwelling. Secondly, no such case for special circumstances was put forward upon the initial submission of the

application, however, additional information has subsequently been received following the Parish comments. This sets out that additional floorspace is required in relation to the applicant's declining health as a result of injuries sustained during military service, and which is anticipated to worsen. Primarily, the additional floorspace is required in order to install a lift; this cannot be installed within the existing dwelling due to its construction not being able to accommodate the internal changes needed to fit the lift. The lift shaft in itself amounts to an additional floorspace of approximately 16sqm, however the overall extension amounts to a floorspace of approximately 47sqm (not including the internal wall between the main dwellinghouse and proposed extension). Whilst the requirement for a lift may be understandable, it is not considered that the additional floorspace, incorporating an extended living area at ground floor and bedroom with ensuite bathroom at first floor, is justified.

- 11.6 Policy DP36 of the Local Plan does provide scope for a larger extension to be permitted under exceptional circumstances in order to meet the genuine family needs of an occupier who works in the immediate locality. A genuine family need is defined as an exceptional and unique need that could not have reasonably been anticipated at the time of the purchase of the property. The policy sets out that, for example, additional floorspace may be required in order to cater for specialist equipment and facilities required in connection with an unforeseen event, such as a severe disability arising from an accident whilst in occupation of the property; but, would not normally cater for the needs of growing families or the need to care for elderly relative, as these needs are not considered to be so 'exceptional' as to warrant a departure from the floorspace restrictions set out in this policy. It is also set out that in respect of an exceptional circumstance, the total internal habitable floorspace of an extended dwelling must not exceed 120 square metres.
- 11.7 In this instance, and based on the information available, it is not considered that the test of genuine family need has been met. Further, whilst a small proportion of the proposed floorspace would allow for 'specialist' equipment, this only appears to be in relation to the lift and as aforementioned, the addition living space and ensuite bedroom is not considered to be justified. No information has been provided in relation to the need for any other equipment. Further, even if a genuine need was identified, the proposed floorspace exceeds that which could be allowed by approximately 33sqm. As such, it is not considered in this instance that a genuine family need exists as per policy; even if it were to be, the proposal still exceeds the maximum floorspace of 120sqm. The proposal therefore remains directly contrary to policy.

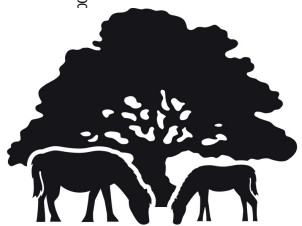
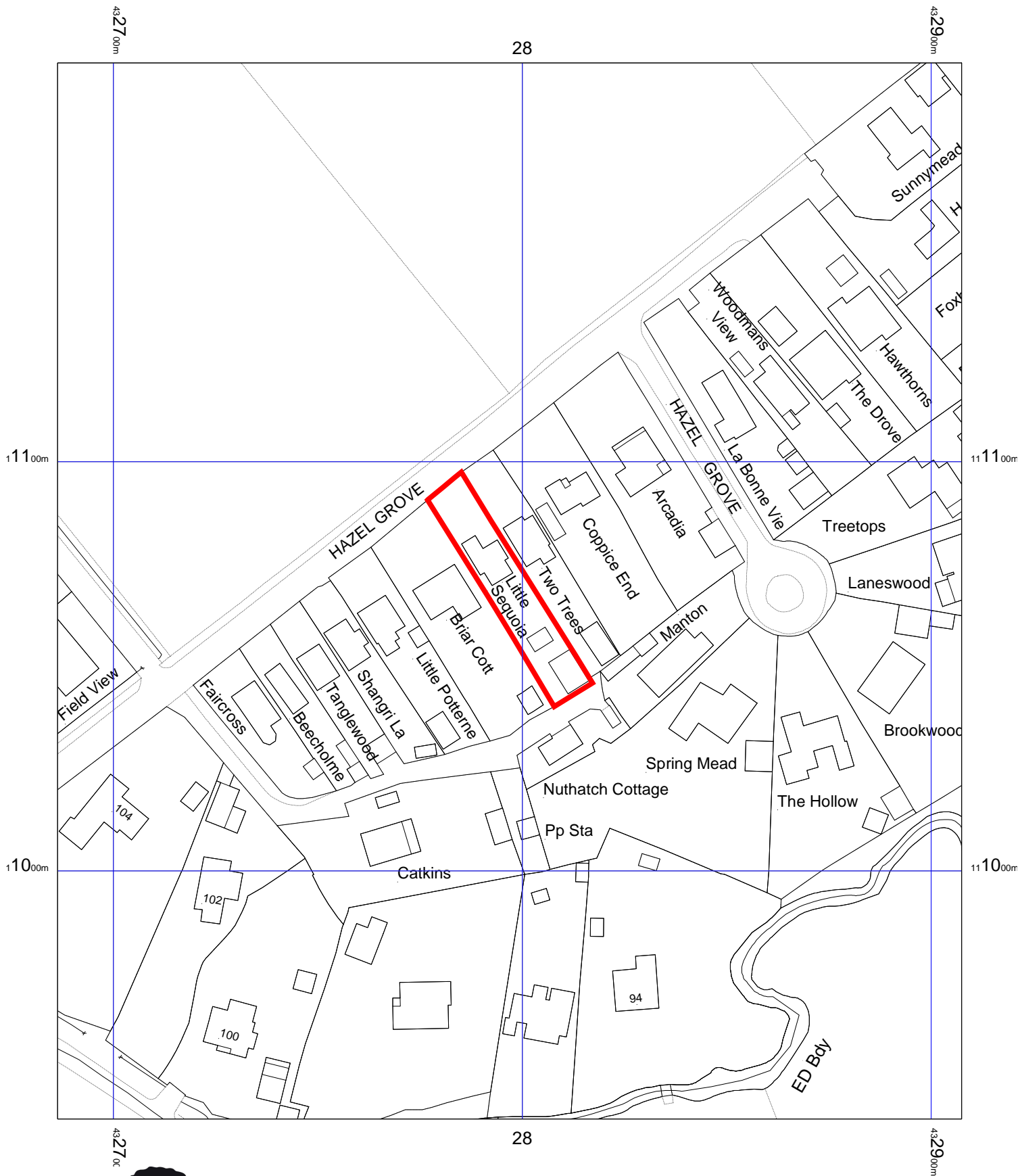
- 11.8 It is also noted that the non-material amendment application sought to regularise the application of the cedar cladding upon the majority of the dwellinghouse. Not only does the application of any type of cladding require planning permission within a National Park, the use of this particular material is not supported as it is inappropriate and suburban in character. This element does not form part of the application, and remains unauthorised.
- 11.9 The rear extension has been designed with the eaves height matching that of the main dwellinghouse, and the side elevations would be flush with those existing. In order for the ridge to not interfere with existing solar panels, its pitch is of a degree which does not reflect that of the roof of the main dwellinghouse, and appears contrived. This is the only element of subservience within the proposal, and overall, the extension does not read as a proportionate or sympathetic addition. Whilst the cedar cladding would feature upon the first floor to match the main dwellinghouse, as set out in paragraph 11.8 of this report, the use of this material is not supported or considered appropriate. Overall, the proposed design is not considered to be of an appropriate scale or form, and would add significant bulk to the dwellinghouse, disproportionate to its small dwelling status.
- 11.10 Whilst the rear elevation of the proposal would not project beyond those of the neighbouring properties, being Briar Cottage to the west and Two Trees to the east, two new windows are proposed upon the first floor side elevation of the extension, as well as two upon the first floor side elevation of the main dwellinghouse, facing Two Trees. This side elevation is set back from the boundary with Two Trees by approximately 1.5 metres, and it is considered reasonable to suggest that these windows would result in a new opportunity for overlooking both into the rear garden, and into windows within the facing side elevation of Two Trees. The existing fully external flue would, by virtue of the extension, be sited in closer proximity to the boundary with the neighbouring property of Briar Cottage, and would terminate directly opposite windows which serve primary habitable rooms. The occupiers of Briar Cottage have stated that the existing flue already results in smoke pollution, particularly as the fire is used year-round, and the proposed flue, in closer proximity, would exacerbate this issue. It is therefore considered reasonable to suggest that the flue would result in a significant adverse impact upon neighbouring amenity, and overall, the proposal would be harmful to the amenity of the neighbouring occupiers.
- 11.11 It is therefore recommended that the application be refused.

12. RECOMMENDATION

Refuse

Reason(s)

- 1 The proposal would, as a result of the additional floorspace, be in direct conflict with the floorspace limitation of Policy DP36, being 100 square metres for a small dwelling or 30% for dwellings located outside of the Defined New Forest Villages, irrespective of which limitation may be applicable. Whilst a case for additional floorspace as part of an exceptional circumstance has been put forward, the proposal fails to comply with the definition of such a circumstance as set out by Policy DP36, and in addition, the proposal would also exceed the additional floorspace limitation which such a circumstance could allow, being 120 square metres. In addition, by virtue of the scale, roof design and materials, being the cedar cladding, the design would not appear proportionate or sympathetic to the main dwellinghouse. The proposed windows within the first floor eastern elevation would result in an adverse overlooking impact to the neighbouring property, and the flue to the western elevation would give rise to an exacerbated level of smoke pollution, harmful to the amenity of the occupiers of this property. The proposal would therefore be contrary to policies DP2, DP36 and SP17 of the New Forest National Park Local Plan 2016-2036 (2019) and the National Planning Policy Framework.



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

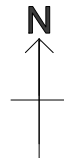
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Date: 27/09/2021

Ref: 21/00733

Scale: 1:1250

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Application No: 21/00767/FULL Full Application

Site: 40 New Road, Ashurst, Southampton, SO40 7BS

Proposal: Single storey extension; cladding; alterations to doors and windows;
2no. outbuildings

Applicant: Mr K Ward & Ms E Manning

Case Officer: Carly Cochrane

Parish: ASHURST AND COLBURY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles

DP18 Design principles

DP36 Extensions to dwellings

SP17 Local distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Ashurst and Colbury Village Design Statement

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

Ashurst and Colbury Parish Council: Recommend refusal. It was felt by all members that this application was contrary to:

- DP37 as the home office was not adjacent to the main dwelling,
- DP2 it is not appropriate and sympathetic to scale
- DP36 not appropriate to existing dwelling

8. CONSULTEEES

No consultations required

9. REPRESENTATIONS

- 9.1 Three letter of representation have been received.
- 9.2 One letter of representation supports the application, and one makes comment in relation to whether the proposal is compliant with the floorspace restriction.
- 9.3 One letter of representation raises an objection to the application; the main issues raised are in relation to overlooking and loss of privacy as a result of the window within the gable end.

10. RELEVANT HISTORY

- 10.1 Single storey extension; demolition of outbuilding (19/00922) granted on 28 January 2020. Appeal against imposition of conditions dismissed 22 June 2020
- 10.2 Single storey and first floor extension (19/00526) withdrawn on 08 October 2019

11. ASSESSMENT

- 11.1 The application property is located to the north eastern side of New Road and comprises a detached bungalow which backs onto properties at Ash Grove and Ashdene Road. The site is located within the defined village boundary, and is a small dwelling for the purposes of applying Policy DP36.
- 11.2 By way of background, planning permission was granted in 2020 for a single storey rear extension which in terms of floorspace, met the 100 square metre floorspace restriction for small dwellings. Permitted development rights were removed as part of the permission as there would be scope for the dwelling to be further extended beyond the 100sqm limitation should they remain intact. The imposition of this condition was challenged at appeal, and was dismissed, with the Inspector considering that there was a "clear policy basis to prevent the further extension of the dwelling...accordingly, [I find] there is clear justification for removing permitted development rights". Despite the extant permission, an extension was constructed under the belief that it constituted permitted development. Due to the fact that the extension adjoins an original side wall, as well as it being timber clad, the extension does not meet the limitations of permitted development. Further, it is understood that the two outbuildings were installed with the belief that they adhered to the limitations of

permitted development, however, a site inspection highlighted that, due to their proximity to the boundary and height, and also in relation to the 'store', its relationship with the main dwelling, being to the side, neither met the limitations of permitted development.

- 11.3 This application therefore seeks planning permission for the erection of a single storey rear and side 'L' shaped extension which wraps around the original north eastern corner of the dwelling, as well as for two outbuildings within the rear garden. The extension would project a maximum of approximately 5.1 metres from the rear elevation, to include an eaves overhang upon the rearmost elevation, supported by braces. The eaves height would match that of the main dwellinghouse, and the ridge would also match the height of an existing diminishing element. The extension has been constructed using brick and dark stained, horizontally-hung timber cladding. The outbuilding adjacent to the rear and side boundaries would be used as a home office, and would be clad in vertically hung timber, with a flat roof. The outbuilding located in closer proximity to the dwellinghouse comprises a container which would be timber clad to appear similar to the home office outbuilding. As all elements exist, the application is therefore retrospective in nature.
- 11.4 As aforementioned, the property is a small dwelling, with a floorspace of 67.3sqm on the baseline date of 01 July 1982. As such, it is limited to a maximum of 100sqm. It is calculated that the extension (which would result in a total floorspace of 99.8sqm) meets, but does not exceed this limitation, and is therefore policy compliant in this respect. As the extension obscures the entire original rear, there is no scope for any further extension under permitted development, and therefore there is no requirement to remove permitted development rights via the imposition of a condition.
- 11.5 The Parish have recommended refusal of the application and in relation to the extension, have commented that it is not considered to be appropriate to the existing dwelling as it is not appropriate or sympathetic in scale. Irrespective of whether a proposal is compliant in respect of floorspace, the additional floorspace that can be added is not an entitlement, and there are circumstances where an extension which utilises the entire additional floorspace (in this case, up to 100sqm) may not be appropriate. In terms of its design, the extension would not exceed either the eaves or ridgeline of the main dwellinghouse, and would not project towards either side boundary. The presence of a fully glazed gable end is not normally encouraged in more sensitive locations due to light pollution and the impact upon the dark night skies of the National Park, however, due to the single storey nature of the extension, the inclusion of an eaves overhang to limit upward light transmission and the location of the property within a defined village, in this instance, it is considered acceptable. The use of brick or a painted render would be

appropriate, and whilst the use of the dark stained timber cladding is not a common treatment upon dwellings within the area and creates a stark contrast with the main dwellinghouse, compounded by the use of black fascia boards, it is not considered to result in an unacceptable appearance. Overall, the extension, whilst utilising the entirety of the 100sqm, is not considered to appear overly dominant or be of an inappropriate design.

- 11.6 An objection has been received by the occupier of a neighbouring property in relation to overlooking and loss of privacy as a result of the glazed gable end. As aforementioned, the ridge height of the extension is lower than that of the main dwellinghouse, which is a single storey bungalow. Internally, the ceiling is vaulted, with no floorspace within the roof. The window is therefore set well above eye level, and, whilst it may be visible from within the neighbouring property, it does not provide any opportunity for overlooking. Similarly, it is not considered that the extension appears unduly overbearing, nor does it result in any significant loss of light; therefore, it is not considered that the extension results in any significant adverse impact upon neighbouring amenity.
- 11.7 In relation to the proposed detached outbuildings, Policy DP37 of the Local Plan sets out that domestic outbuildings will be permitted where they are proportionate and clearly subservient to the dwelling they are to serve in terms of scale and design; located within the residential curtilage; would be used for purposes incidental to the main dwelling and not include any habitable accommodation; and would not reduce the private amenity space or parking provision around the dwelling to an unacceptable level. In this instance, the outbuildings would be clearly subservient in their scale and design in comparison to the main dwellinghouse. Whilst the store building would be partially visible within the street scene, it would not appear overly prominent or dominant. The use of the outbuildings would be for incidental purposes, and there would be no impact upon parking provision or private amenity space. The Parish have raised concerns that the home office is not adjacent to the main dwelling. This is not a criteria of the policy; it is well located within the curtilage, and due to the modest sized plot, is well related to the main dwellinghouse. Overall, it is considered that the proposal accords with the criteria of Policy DP37.
- 11.8 It is therefore recommended that permission be granted subject to conditions, as the proposal is in accordance with Policies DP2, DP18, DP36, DP37 and SP17 of the adopted Local Plan 2016-2036.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 Development shall only be carried out in accordance with drawing nos: 869.PA01 A, DR1, DR2.

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

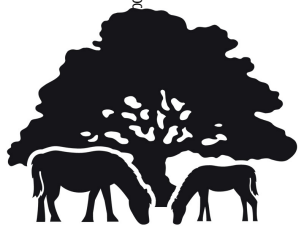
Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 2 The outbuildings 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 DP36 and DP37 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

Informative(s):

- 1 The Authority has considered the application in relation to its adopted Local Plan, 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.



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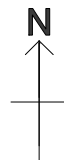
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Date: 04/10/2021

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