

**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 Appeal against non-determination withdrawn.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.

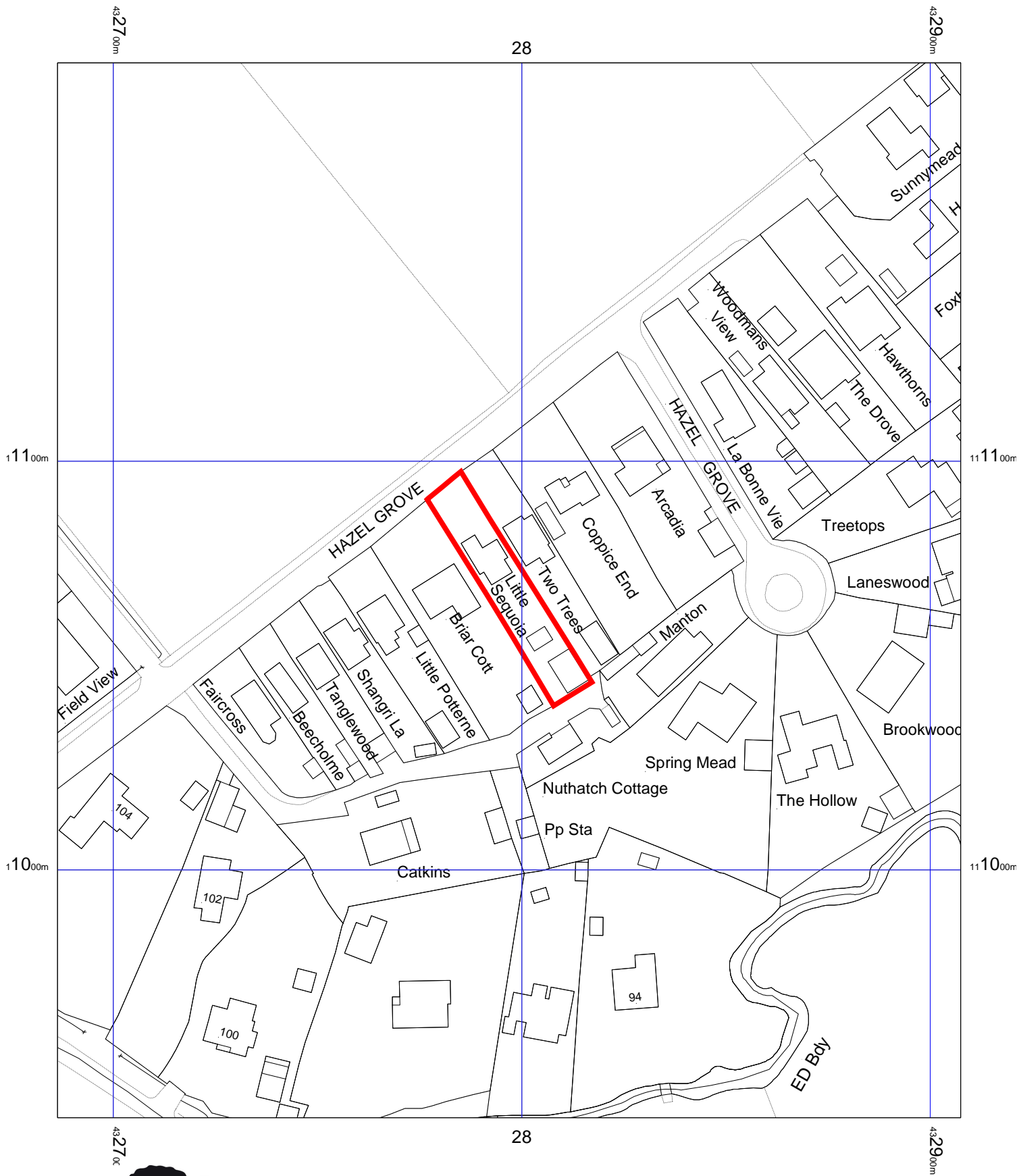
- 11.8 It is also noted that the non-material amendment application sought to regularise the application of the cedar cladding upon the majority of the dwellinghouse. Not only does the application of any type of cladding require planning permission within a National Park, the use of this particular material 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.



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

Tel: 01590 646600 Fax: 01590 646666

Date: 27/09/2021

**Ref: 21/00733**

**Scale: 1:1250**

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