

Application No: 21/00458/FULL Full Application

Site: Orchard House, Middle Road, Tiptoe, Lymington, SO41 6FX

Proposal: Alterations to roof of proposed conservatory.

Applicant: Mr & Mrs Lloyd

Case Officer: Emma Shaw

Parish: SWAY

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
SP17 Local distinctiveness
DP18 Design principles
DP36 Extensions to dwellings
SP11 Climate change

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway Village Design Statement
Design Guide SPD

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

Sway Parish Council: Recommend permission for the reasons listed below:

- The committee has no objection to the proposal and sees many positives.
- The amendments are supported by the dark skies policy and will reduce

the heat loss.

- The floorspace is a given, with the permission previously granted, and the committee takes a pragmatic standpoint and considers that the application does no material harm and in fact quite the opposite, by reducing the volume of upward facing glazing and making aesthetic improvements with the removal of such a large area of glass reaching up to eaves level.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 One representation received, in support of the application, summarised as follows:

- Confirms planning permission 10/95152 has been started.
- Considers current application is preferable to completion of the conservatory approved under 10/95152.
- Lower ridge height and solid roof are considered to be less visually intrusive, less damaging to local character, more energy efficient with less light pollution and overall a better fit to Local Plan policies than the extant permission.

10. RELEVANT HISTORY

10.1 Two storey extension; conservatory (10/95152) granted subject to conditions on 10 June 2010.

11. ASSESSMENT

11.1 The application site contains a detached, two-storey dwelling with two detached outbuildings adjacent to the eastern boundary. The dwelling, which has cream rendered walls and a slate roof, is set back from the frontage of the site. The site is partially screened from the highway by a fence and hedgerow. The surrounding area is semi-rural in character; the application site is adjoined by residential dwellings to the east and west, and backs onto agricultural land.

11.2 This application seeks consent for an amendment to the conservatory roof approved under planning permission 10/95152. A solid roof is proposed to match the roof material on the existing dwelling (slate). The approved conservatory proposed high-level glazing that would oversail the point of connection. The current proposal would avoid this element (due to the incorporation of a recessed box gutter) and the highest point of the roof would be 3.7 metres compared to the 4.7 metre height of the high-level glazing in the approved scheme.

- 11.3 By way of history, consent was granted in June 2010 for the two-storey extension and a conservatory. The two-storey extension extended the dwelling to the maximum permitted under the relevant Local Plan policy at the time. The conservatory was permitted as an 'exception' under the former 'saved' NFDC conservatory policy – whereby the policy allowed conservatories to be added to residential properties in addition to the 30% floorspace threshold, subject to them not exceeding 20sqm in floor area and being conditioned to remain as a predominantly glazed conservatory. Such a condition was imposed in 2010 and limits its construction to a conservatory of the size and type proposed with no subsequent alteration to the walls and roof. The two-storey extension has been built but the conservatory element has not. However, because the extension to the dwelling has been implemented, the planning permission for the conservatory (subject to the condition) remains extant.
- 11.4 The key considerations in this case are:
- Policy DP36 (Extensions to dwellings);
 - Design;
 - The impact on the landscape; and
 - The impact on neighbouring amenity.

Policy DP36

- 11.5 In relation to Policy DP36, the property lies outside the defined New Forest villages and is not a small dwelling. As such, any extension must not increase the floorspace of the existing dwelling by more than 30% (when the Authority adopted its first National Park wide Local Plan in December 2010 the former 'conservatory exemption' was not carried forward in the revised policy for extensions to dwellings). As stated above, the property has been extended by 30%; the conservatory element, granted as an exemption, comprises a further 14.5 square metres. The proposed amendment to the roofing materials and form would mean that the structure would not fall within the definition of a conservatory. The argument put forward by the applicant is that the conservatory could be erected, which is true, and that the only consideration therefore would be its changed appearance. However, it currently does not exist, and therefore the revised proposal must now be considered as a further extension to the dwelling which would exceed the floorspace restrictions, resulting in an increase of 46% of the 'existing' floorspace in conflict with Policy DP36.
- 11.6 Policy DP36 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 New Forest is subject to intense development pressure. Its location and accessibility has led to house prices being the highest of any of the English National Parks. It is clear

that unless firmly controlled, the wish of residents to enlarge their properties would result in the Forest becoming an area of substantial houses.

- 11.7 The 'base point' for calculating the floorspace of the property is the dwelling that existed on 01 July 1982. A policy that sets a proportionate limit on enlargement to dwellings must have a base date and this must apply to all proposals, whether extensions or replacements. Paragraph 7.79 of the Local Plan expands upon the reasoning behind Policy DP36 and the limitations imposed upon extensions:

'Proposals to incrementally extend dwellings in a nationally designated landscape can effect the locally distinctive character of the built environment of the New Forest. In addition, extensions can over time cause an imbalance in the range and mix of housing stock available. For these reasons it is considered important that the Local Plan continues to include a clear policy to guide decisions for extensions to dwellings. Successive development plans for the New Forest have included such policies which strike an appropriate balance between meeting changes in householder requirements and maintaining a stock of smaller sized dwellings'.

- 11.8 Policy DP36 of the Local Plan has been carried forward through successive local plans for the New Forest over the last 30 years (although as mentioned above, the Authority did not carry forward the earlier 'conservatory exemption'). When the National Park's Local Plan was adopted in 2019, the Inspector endorsed this Policy as a useful tool in ensuring extensions did not cumulatively erode the modest scale and rural character of the dwellings within the National Park. The policy therefore remains as valid now as it has over the preceding years. The Local Plan Inspectors raised no objection to the restrictive nature of the policy either during the Examination or in their report. Other National Parks in England have similar floorspace restrictions, including Exmoor National Park and the South Downs National Park.

- 11.9 Section 15 of the National Planning Policy Framework (NPPF) confirms, in paragraph 172, that great weight should be given to conserving the landscape and scenic beauty of the National Parks, designations which enjoy the highest status of protection. It is also the statutory duty of all English National Parks to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park (being the first statutory purpose as set out in the Environment Act 1995).

Design and Impact

- 11.10 The agent has put forward the argument that the previously approved conservatory would be fully double-glazed, heated and lit to provide family living space and would therefore comprise

habitable floor space. The agent further sets out that the proposal would be of a higher quality design through removal of the glazed oversail element and would comprise a more sustainable solution being more energy efficient.

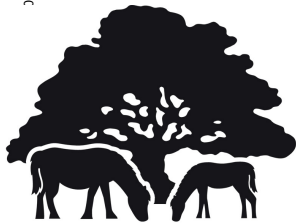
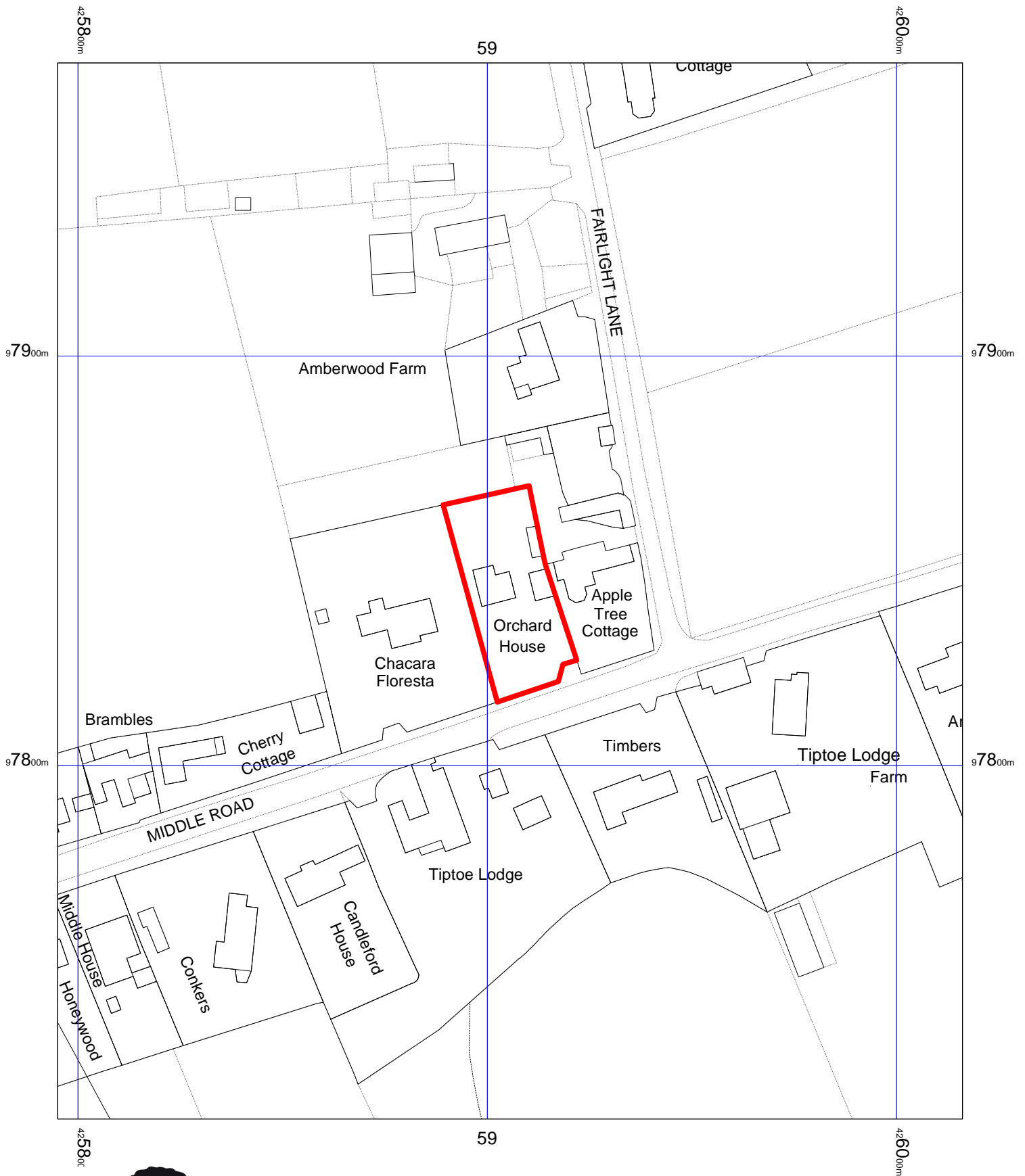
- 11.11 One representation has been received, from the occupant of the neighbouring dwelling of Appletree Cottage, in support of the application. The Parish Council are also in support of the application, for reasons relating to reduction in light pollution and reduction in heat loss.
- 11.12 The planning policy position has materially changed since the earlier 2010 planning permission was granted. Conservatories have not been permitted as an exemption to the floorspace restrictions for the last 11 years and whilst it is acknowledged that the 2010 conservatory can still be built, it does not oblige the Authority to condone its replacement with a more permanent structure that would take the floorspace of the 'existing' dwelling over 30%. This position has been supported on appeal in other similar cases and any further permitted enlargement of the dwelling would be contrary to Policy DP36 and as such it is recommended that the application be 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 DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019) 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.



NEW FOREST
NATIONAL PARK

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Date: 03/08/2021

Ref: 21 00458

Scale: 1:1250

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