

Application No: 21/00676/FULL Full Application

Site: Lisle Court House, Lisle Court Road, Lymington, SO41 5SH

Proposal: Two storey extension; single storey extension; 2no. single storey outbuildings; alterations to doors and windows; roof, chimney and dormer alterations; cladding; associated landscaping; demolition of attached garage annexe; demolition of porch

Applicant: Mr & Mrs McGrigor

Case Officer: Carly Cochrane

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
DP18 Design principles
DP36 Extensions to dwellings
DP37 Outbuildings
SP16 The historic and built environment
SP17 Local distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Boldre Parish 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

Boldre Parish Council: Recommend refusal. This ostentatious proposal is out of character with the neighbouring dwellings and would have a harmful urbanising impact on both Lisle Court Lane and the coastal scene in this very sensitive part of the Boldre Conservation Area. Light pollution is always of concern particularly with the Solent shipping being a factor as well as the proximity of the coastal SSSI.

8. CONSULTEES

8.1 Building Design & Conservation Area Officer: No objection subject to condition.

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 Two storey extension; single storey extension; basement; single storey outbuilding incorporating ramp to underground parking/basement; garden pavilion; alterations to doors and windows; roof, chimney and dormer alterations; cladding; associated landscaping; demolition of attached garage annexe; demolition of porch (21/00762) withdrawn on 28 October 2021

10.2 Two storey extension; single storey extension; basement; two storey outbuilding; alterations to doors and windows; roof, chimney and dormer alterations; associated landscaping; demolition of attached garage annexe; demolition of porch (21/00222) refused on 06 May 2021

10.3 Application for a Certificate of Lawful Development for Existing use of outbuilding as a residential unit (09/94157) Approval without conditions 17 September 2009

10.4 Conversion of cottages into single house with addition of bedroom, dressing room and bathroom, dining room and kitchen and garage (existing outbuildings to be demolished) (NFR/XX/16240/1) granted on 10 February 1971

11. ASSESSMENT

11.1 The application site of Lisle Court House is located to the southern side of Lisle Court Road and comprises a detached dwellinghouse within a moderately sized, elevated plot, surrounded by agricultural land to its south and east, and the property benefits from extensive views towards the Lymington River. A gravel track runs along the west boundary of the site and beyond this lies a neighbouring residential property. The property originally comprised two cottages prior to their conversion in the

1970s. The historic elements of Lisle Court House are constructed of local red bricks and clay tiles, with hanging tiles to the first floor gable of the early C20 alteration, representing Arts and Crafts detailing of this time. The property is therefore considered a non-designated heritage asset, and lies within the Forest South East Conservation Area.

- 11.2 By way of background, planning permission for a two and single storey extension, large basement, a two storey outbuilding and alterations to the roof and fenestration was refused earlier this year, for the following reasons:
- 1. The proposed extensions and replacement outbuilding would, by virtue of their scale, form and fenestration, fail to preserve the historic character of the existing building or its setting. Furthermore the overall amount of built development proposed would have a harmful and suburbanising impact which would be harmful to the special qualities of the New Forest National Park. The development would therefore be contrary to Policies DP2, DP36, DP37, SP17 and SP16 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019), along with the requirements of the Design Guide SPD.*
- 2. Based upon the information available the conservation status of the species cannot be ascertained and it has therefore not been demonstrated that the proposal would avoid or adequately mitigate unacceptable harm to bats. The proposed development would therefore be contrary to Policy SP6 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019) and paragraph 175(a) of the National Planning Policy Framework indicates that in the absence of avoidance or adequate mitigation of harm to biodiversity, planning permission should be refused.*
- 11.3 Following the refusal, an amended scheme was submitted at pre-application stage, and a site meeting was held between the applicant's agents, the Planning Officer and Conservation Officer. The proposal now reflects the on-site discussions, however the basement element of the proposal has since been omitted, during the course of this application. Further, a Phase 2 Bat Survey has been undertaken.
- 11.4 This application therefore seeks permission for the erection of a two storey side extension upon the eastern elevation; a single storey extension wrapping around the south western corner of the dwelling; a single storey outbuilding to the front of the dwellinghouse for use as a garage; a single storey outbuilding within the rear garden, for use as a home office; alterations to the roof including the addition of a flat roofed dormer window to match that existing; the application of cladding, and alterations to the fenestration.

- 11.5 The property is not a small dwelling, and is not located within a defined New Forest village. As such, it is subject of the additional 30% floorspace limitation of Policy DP36. The proposal would not exceed this limitation and is therefore policy compliant in this respect. However, a section of original rear elevation would remain intact, and therefore it is considered reasonable and necessary to remove permitted development rights to ensure that the dwelling is not further extended, contrary to policy.
- 11.6 Whilst the previous application was also compliant in respect of the floorspace limitation, it was also noted that the Local Plan states that the 30% limit is not an allowance or an entitlement, and it is important to emphasise that although an extension may comply with the criterion on size, there could be other harmful impacts which would make the proposal unacceptable. In all cases the Authority will have regard to the scale and character of the core element of the addition (rather than subsequent additions) in determining whether or not a proposed extension is sympathetic. Following on from this, the Design Guide Supplementary Planning Document recognises that many traditional small dwellings echo small-scale characteristics special to the Forest. Their modest features need not be lost in extensions or new building. The key point is to retain the essence of these qualities, concealing additional volume. The Design Guide states that extensions should be compatible with the main building, avoiding significant impact on the scale of the core or original element. Extensions which close the space between buildings, and conspicuously wrap around existing dwellings are also recognised as harmful.
- 11.7 It is evident from the planning history of the site that the original building (which would have consisted of two cottages) comprised a simple, linear form. Whilst additions have been added previously to the building and the original windows have been replaced, the original form of the property remains clearly legible and the dwelling continues to make a positive contribution to the character of the area. In terms of site context, the Forest South East Conservation Area Character Appraisal notes that modern development, mainly within the Forest edge settlement areas has, on the whole, respected small plot layouts but recognises that its historic character is now under pressure. This has led to the loss of some of the smaller cottages through their expansion or being replaced by large modern houses which do not respect the vernacular character or materials of the area. Ongoing incremental changes to traditional buildings also threaten the special character of the area. The designation of the conservation area seeks to ensure that the rural qualities and character of the area are preserved, with all new development respecting the special character of the area, and with historic and architectural features retained. The more modern buildings south of Lisle Court Road have generally been constructed in traditional materials and blend in reasonably well with the historic elements of the

character area and do not have an adverse impact on views into the conservation area from the Solent. The farm workers cottages, such as those at Lisle Court House which are scattered throughout the character area and are generally located alongside roads, enhance this particular part of the character area as they represent good local vernacular detailing and reflect the cultural history of the area. In relation to the application property, despite having been altered and extended over time, key features, such as the chimney stacks, clay tile roof and the important eastern aspect are still clearly discernible as a historic elevation.

- 11.8 In relation to the proposed extensions, the design and scale of which have been altered since the previous application and following a site visit, it is considered that these would appear sufficiently subservient so as not to detract from the character of the main dwellinghouse or appear overbearing or dominant. The proposals now reduce the impact upon the historic features of the dwelling in comparison to the refused scheme, as well as seek to rectify and improve upon the inappropriately designed additions constructed pursuant to the 1971 permission. The proposals therefore retain the historic character of the dwelling, as well as address the previous concerns raised. Overall, it is considered that the proposed extensions would be appropriate to the dwellinghouse, and would not result in any significant adverse impact upon the non-designated heritage asset or conservation area.
- 11.9 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 small home office outbuilding within the rear garden is considered to be modest in scale, appropriate in its design and materials, and would be used for incidental purposes. The proposed outbuilding to the front of the dwellinghouse would comprise a double garage and store, and form a courtyard area. The ridge height would be similar in height to the eaves of the main dwellinghouse, however its overall scale would not compete with that of the main dwelling, either in its current or extended form. Its use is considered incidental, and it would not result in any impact upon parking provision within the site. Overall, it is considered that the proposal accords with the criteria of Policy DP37.
- 11.10 Due to the separation of the site from its neighbouring properties, it is not considered that any element of the proposal would result in an adverse impact upon neighbouring amenity.

- 11.11 A Phase 1 Survey was submitted with the previous application, and identified the need for further survey work to be carried out in relation to protected species at the site. A Phase 2 Bat Survey has been undertaken, which confirms the presence of a bat roost for Common Pipistrelles within the roofspace of the dwellinghouse. As the proposal results in the disturbance and destruction of known roosts, the local authority should consider the three tests of a European Protected Species (EPS) Licence prior to granting planning permission. Failing to do so would be in breach of Regulation 9(5) of the Conservation of Habitats and Species Regulations (2010) which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.
- 11.12 The first test is effectively whether the proposal is in accordance with the Local Plan. It is considered that the proposal does accord with Policies DP2, DP18, DP36, DP37, SP16 and SP17, and therefore the proposal meets the first test. The second test is whether there is any alternative. A previous scheme was refused due to it failing to preserve the historic character of the dwelling and its setting, and having a harmful suburbanising impact. The locations upon which an extension could be sited are therefore limited in order to minimise disruption and harm to the heritage assets. Pre-application discussions have been held, and the current proposal the subject of this application is a result of these discussions. Whilst there may be other alternatives and designs possible, the Authority cannot be prescriptive with regard to design in this instance. Therefore, the development is also considered to be in accordance with this test. The third test is whether the conservation status of the species would be affected. The Phase 2 Bat Survey makes recommendations for mitigation, compensation and enhancement in relation to bats, including the incorporation of new bat boxes upon the gable ends, a new eaves/soffit box and the retention of the gaps within the hanging tiles. It is therefore likely that a Licence would be granted so the proposal is considered to meet with the Habitats Directive and thus the proposal would accord with Policy SP6.
- 11.13 It is therefore recommended that permission be granted, as the proposal is in accordance with Policies DP2, DP18, DP36, SP6, SP16 and SP17 of the adopted Local Plan 2016-2036.

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; or

The carrying-out of any further extension or enlargement to the dwelling otherwise permitted under Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order subsequently revoking or re-enacting that Order;

whichever is the sooner.

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 and to ensure the dwelling remains of an appropriate size in accordance with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 2 Development shall only be carried out in accordance with

Drawing nos: 8033/P01B, 8033/P04D, 8033/P05E, 8033/P06G, 8033/P07G, 8033/P10D, 8033/P13A, DR1 Rev B, MCG 0221 GP Rev C, MCG 0121 Rev G, MCG 0221 GPD.

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).

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4 No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

Reason: To ensure an acceptable appearance of the building in

accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 5 No windows/doors shall be installed until the following details have been submitted to, and approved in writing by the New Forest National Park Authority.

- a) Typical joinery details including window/doors, eaves, verge, bargeboards.
- b) Any other detail relevant to the case

Development shall only take place in accordance with those details which have been approved.

Reason: To protect the character and architectural interest of the building in accordance with Policies DP2, DP18 and SP16 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 6 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).

- 7 Unless otherwise agreed in writing by the National Park Authority, development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the Vesper Conservation & Ecology Limited 'Phase 2 Bat Survey' (dated 09 July 2021) hereby approved. The specified measures shall be implemented and retained at the site in perpetuity.

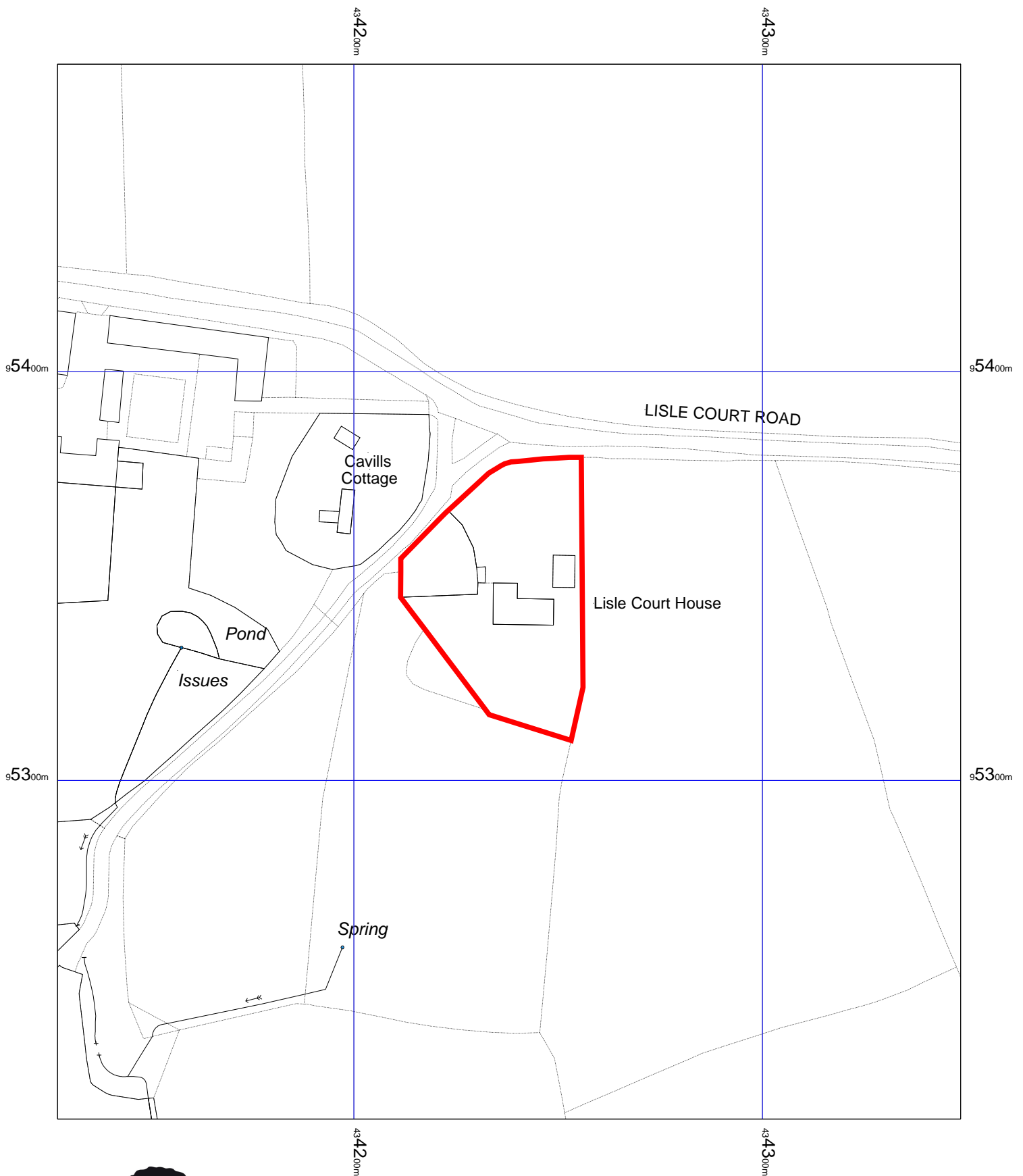
Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 8 Upon completion of the development, confirmation of the installation of the ecological mitigation, compensation and enhancement measures as set out within the Vesper Conservation & Ecology Limited 'Phase 2 Bat Survey' hereby approved, shall be submitted to the Authority. This should be undertaken by a professional ecologist, and can be in the form of an email/photos.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 9 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST
NATIONAL PARK

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