

Application No: 22/00222/FULL Full Application

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

Proposal: Installation of external lift shaft; replacement conservatory roof

Applicant: Mr Clarke

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 - believe there are mobility issues which make this a special case and it is understood the applicant has made amendments since the original application.

8. CONSULTEEES

No consultations required

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

- 10.1 Two storey extension; demolition of existing conservatory (21/00733) refused on 19 October 2021
- 10.2 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
- 10.3 Conservatory (Revised design to application ref 93865) (12/97797) refused on 22 October 2012. Appeal allowed on 16 January 2013
- 10.4 Conservatory and utility room (Modification of Planning Permission 96588) (11/96588) deemed refusal on 27 October 2011. Appeal against non-determination withdrawn.
- 10.5 Replacement dwelling and garage (09/93865) granted on 27 April 2009
- 10.6 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 on appeal in 2012, and an application for a non-material amendment was submitted in 2021 seeking to make a number of changes to the dwelling, including the conservatory; this was not granted as the changes sought constituted development in their own right and as such were not considered to be non-material. Planning permission for a two storey rear extension was refused in October last year as it was contrary to Policy DP36.
- 11.2 This application seeks permission for an extension to provide an external lift shaft upon the rear elevation in order to facilitate

access to the first floor, and a change in the material of the conservatory roof, from a glazed structure to a solid roof.

- 11.3 In relation to floorspace, the property is a small dwelling and is therefore limited to a maximum of 100 square metres (sqm) of floorspace. For clarity in relation to floorspace, the original dwelling, being that which existed prior to its replacement, was a single storey structure 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 a maximum of 100sqm by virtue of it being a 'small dwelling'.

- 11.4 The conservatory permitted 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 its size and the amount of glazing, and was subject to the following condition:

"The conservatory shall only be constructed to the design and materials shown on the approved plans. No alteration shall subsequently be made to the external walls and roof of the building, notwithstanding the provisions of the Town and Country Planning Act 1990 or the Town and Country Planning (General Permitted Development) Order 1995.

Reason: Permission would not normally have been granted for an addition to this property as this would have been contrary to policy NF-H4 and of the adopted New Forest District Local Plan First Alteration. The New Forest National Park Authority considers that an exception could reasonably be made for a conservatory of the size and type proposed."

A conservatory which did not meet the definition or design requirements was subsequently allowed on appeal (12/97797) however was not subject to the above exemption condition. This resulted in the dwelling having a floorspace of 120sqm. The roof design of the conservatory in-situ is neither as per 12/97797 or 09/93865. As the existing conservatory is not subject of any restrictive condition with regard its construction, in principle, it can be replaced or altered subject to there being no net increase in floorspace. The replacement roof as proposed, using slate to match that used on the main roof, is considered acceptable.

- 11.5 The proposal would add a further 2.2 sqm of floorspace. Whilst this is a small figure in itself, as the dwelling is already in excess of its respective floorspace restriction, the proposal to further increase the floorspace by virtue of the addition of the chair lift shaft would be contrary to policy.
- 11.6 The Parish Council have recommended approval of the application on the basis that they believe there to be mobility issues, making the application a 'special case'. Following the refusal of the previous application, pre-application advice was sought in relation to the creation of a lift shaft, and it was advised by officers that its installation within the footprint of the dwelling be explored fully as any external enlargement to facilitate the lift shaft would result in an increase in floorspace and any such application would not be supported. No supporting information has been submitted as part of this application which sets out that this option has been investigated.
- 11.7 Secondly, no such case for special circumstances, as mentioned by the Parish Council, has been put forward. 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.
- 11.8 Whilst no information has been submitted in relation to a genuine family need as part of this application, it is reasonable to presume that the requirement for the lift shaft is as per the reasoning submitted in support of the previous 2021 application. This was not considered to meet the test of a genuine family need as set out in policy, and even if a genuine need was identified, the proposed floorspace exceeds that which could be allowed on the basis that the dwelling already has a floorspace of 120 sqm. 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 120 sqm. The proposal therefore remains directly contrary to policy.

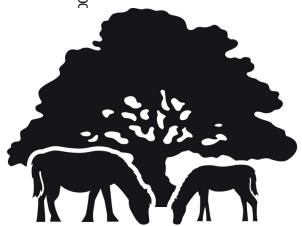
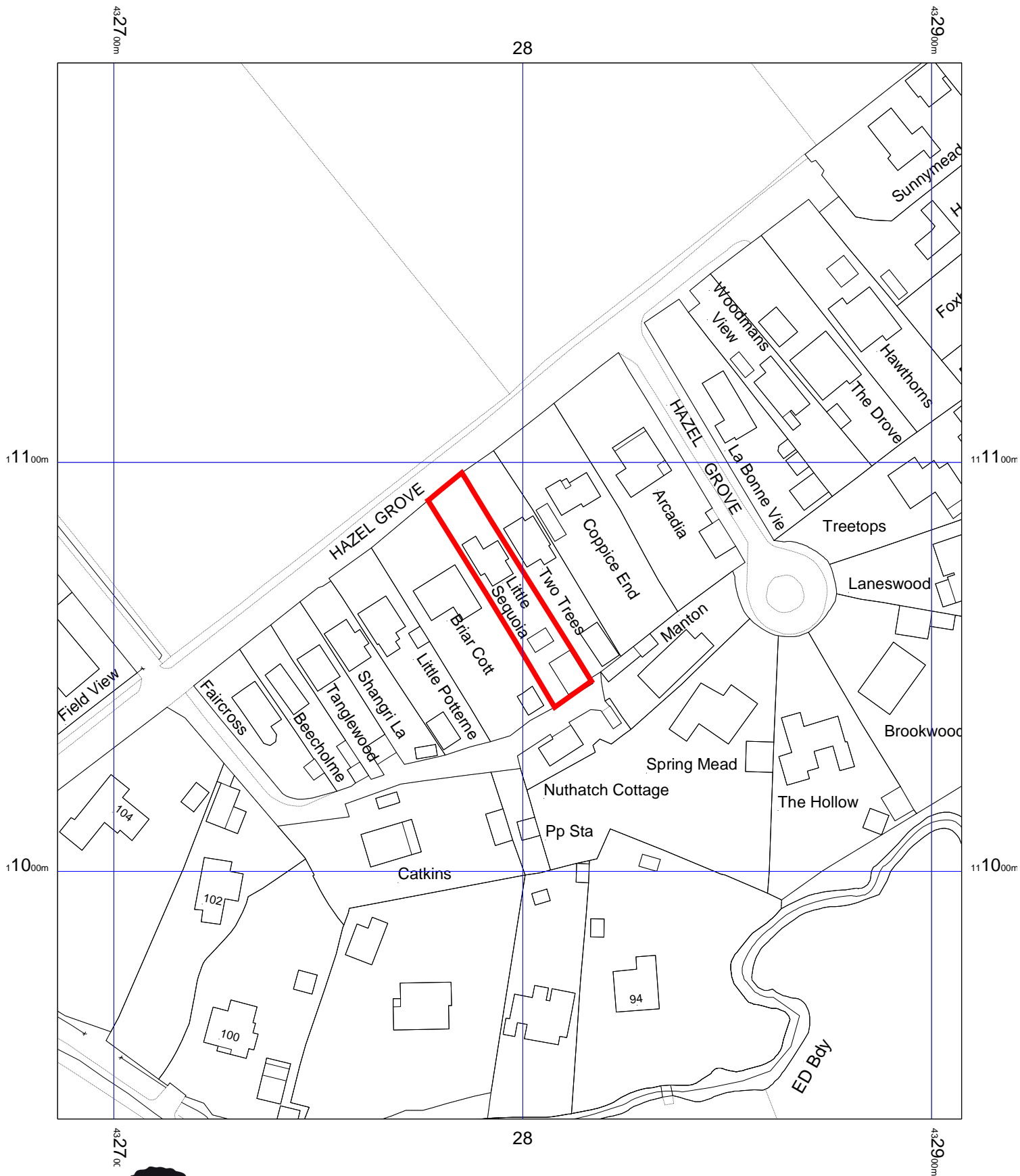
11.9 It is therefore recommended that the application be refused.

12. RECOMMENDATION

Refuse

Reason(s)

- 1 The proposal would, as a result of the proposed additional floorspace, be in direct conflict with the floorspace limitation of Policy DP36, being 100 square metres for a small dwelling. No case for an exceptional circumstance has been put forward, however the proposal would also exceed the additional floorspace limitation which such a circumstance could allow, being 120 square metres. 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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