

**Application No:** 23/00689FULL Full Application

**Site:** Candys, Burley Lawn, Burley, Ringwood BH24 4DL

**Proposal:** Ground and first floor single storey extensions; 2no. additional dormers; alterations to doors and windows; terrace; demolition of existing single storey extensions; infill pond

**Applicant:** Mr & Mrs Townsend

**Case Officer:** Claire Woolf

**Parish:** Burley Parish Council

**1. REASON FOR COMMITTEE CONSIDERATION**

Application from relative of Officer

**2. POLICIES**

**Development Plan Designations**

Conservation Area

**Principal Development Plan Policies**

DP2 General development principles  
 DP18 Design principles  
 DP36 Extensions to dwellings  
 SP15 Tranquillity  
 SP16 The historic and built environment  
 SP17 Local distinctiveness

**NPPF**

Sec 16 - Conserving and enhancing the historic environment  
 Sec 12 - Achieving well-designed places  
 Sec 15 - Conserving and enhancing the natural environment

**3. MEMBER COMMENTS**

None received

**4. PARISH COUNCIL COMMENTS**

Burley Parish Council: Happy to accept the decision reached by the National Park Authority's Officers under their delegated powers.

## **5. CONSULTTEES**

Ecologist: No objection subject to condition. The conclusions reached and recommendations for mitigation and compensation seem proportionate and sufficient to achieve legal compliance.

## **6. REPRESENTATIONS**

One objection from neighbouring property on the following grounds:

- Privacy of rear of property and rear garden would be compromised by new first floor extension.
- Additional screening and obscure glazing requested.

## **7. RELEVANT HISTORY**

Single storey extension (demolition of existing) (14/00181) granted on 08 May 2014.

Orangery (demolition of existing conservatory) (13/98525) granted on 26 July 2013.

Demolition of single storey side extension; Replacement single storey extension (08/93389) refused on 17 November 2008.

Car port (06/87131) granted on 22 March 2006.

Single-storey rear extension (04/82556) granted on 21 October 2004.

Single-storey rear extension; two dormers (04/80667) granted on 07 April 2004.

Conservatory (00/70409) granted on 08 December 2000.

Two-storey addition (NFDC/93/51494) refused on 01 April 1993.

Single & 2-storey additions (NFDC/90/44419) granted on 06 April 1990.

Rebuilding of part of stable block and car port (NFDC/81/20704) granted on 24 November 1981.

## **8. ASSESSMENT**

### **Application Site**

- 8.1 Candys is a late Victorian, two-storey detached dwelling located in the Burley Conservation Area. The property has an external appearance of red brick, render, wood and tile hanging. The property is accessed from the north of Burley Lawn via a long gravel track. A large single storey domestic outbuilding is located to the front of the dwelling.

## **Proposed Development**

- 8.2 Permission is sought for a first-floor extension above an existing boot room on the east of the dwelling and to construct a single storey extension to the rear and north of the dwelling. To facilitate the additions, the single storey extension on the north elevation would be demolished. The form of the proposed development would take that of a two-storey side addition, with matching features and materials to the existing dwelling. The two-storey addition would be the same width as the existing single storey part of the property. It would have a dormer on the south-west and north-east elevation. Two dormers are proposed on the north west elevation. The single storey extension would replace an existing single storey mono-pitch brick-built addition and conservatory. A terrace area would be located where a pond was once situated and would wrap around the kitchen and dining room. An existing door would be altered into a window on the north-east elevation.

## **Consideration**

- 8.3 The key issues to assess are:
- Accordance with Policy DP36;
  - The impact upon the character and appearance of the conservation area;
  - The impact upon neighbouring amenity (Policy DP2 e); and
  - The impact on ecology.
- 8.4 Candys is located outside of the defined New Forest villages and is not a small dwelling. Policy DP36 sets out that extensions to dwellings will be permitted provided they are appropriate to the existing dwelling and curtilage and, in the case of dwellings which are not small dwellings, the extension must not result in a total internal habitable floor space exceeding 30% of the floorspace on 1st July 1982. From the Authority's records, the property has been extended since this date. The application seeks to demolish an existing lean-to containing the dining room, and an orangery granted in 2013, and for it to be replaced by a smaller single storey flat roof extension with parapet and rooflight. Two dormers would be added at first floor level. Adjoining the master bedroom would be a new ensuite and dressing room and flue above the existing utility room and pantry. This would be in the form of a two-storey extension constructed of the same materials as the existing and a pitched roof dormer on the north-east and south west elevation of the dwelling. Taking account of the ground floor demolition at this site, the proposed additions would not result in a floor area exceeding the current floorspace of the property. Subject to a condition securing demolition, the proposed extensions would comply with the requirements of Policy DP36. Permitted development rights have previously been removed via condition in two applications and apply to the property. It is therefore not necessary to remove permitted development rights through this application.
- 8.5 In relation to the character and appearance of the conservation area, the Authority has a duty imposed by section 72(1) of the Planning (Listed

Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. Further, Policy SP17 relates to impacts on the existing character of the National Park and states that development that would erode the existing character of the National Park or have a gradual suburbanising effect will not be permitted. The proposed extension to the southeast elevation of the dwelling would use the form and materials of tile hanging, pitched roof tiles, timber panels and render in-fill to match the existing. The form would include gable roof forms of the same pitch as the existing, it is therefore considered that this part of the development would preserve the character and appearance of the conservation area. In relation to the single storey part of the proposal, the addition would be simple in form and additional glazing has been added, so it would appear less bulky. Whilst the single storey addition would project from the side elevation of the dwelling by 1.7 metres, it is not considered to detract from the character or form of the dwelling or character of the conservation area. The extent of glazing is not excessive and would result in a reduction in glazing and light pollution compared to the existing orangery form. The proposal would adhere to the requirements of these policies and would be appropriate to the core of the dwelling and curtilage in accordance with Policy DP36.

- 8.6 Policy DP2 e) seeks to ensure that development would not result in unacceptable adverse impacts on amenity in terms of additional impacts, visual intrusion, overlooking or shading. The proposal has received an objection from South Cottage to the southeast of the dwelling. The distance between the upper floor window proposed at Candys and the rear wall of South Cottage is 50 metres. Between the curtilage boundaries is a single storey domestic outbuilding and some vegetation. At this distance, it is assessed that there would not be a significant unacceptable adverse effect upon amenity of South Cottage through additional impacts, visual intrusion, overlooking or shading. The rear garden of South Cottage wraps around the side of the curtilage boundary of Candys. The proposed first floor window on the south elevation of Candys would result in some limited overlooking into the very rear garden of South Cottage, however, overall, it is considered that a suitable level of private amenity space would be maintained at South Cottage. Given the spatial relationship between the properties and details outlined it is not considered reasonable or necessary to require the first-floor window to be obscure glazed or that additional planting would be required. The terrace would be located to the northwest corner of the dwelling and would not result in any adverse effects upon amenity. The proposal would therefore comply with the requirements of this policy.
- 8.7 A domestic pond was originally located to the north east of the dwelling between the snug and kitchen. At of the time of the Officer's site visit, the pond had already been removed and the land reverted to earth. The Authority's Ecologist has concluded that, given its current condition, it would not be able to support species, and would likely have offered reduced habitat suitability due to the context and location. For this reason, there is no objection to this area being used for terracing.

- 8.8 The Authority's Tree Officer has considered whether there would be any impact upon trees protected by the Conservation Area designation. The proposed works would not have a detrimental impact on existing trees. The proposal would therefore adhere to the requirements of Policies DP2 c) and SP16.
- 8.9 A preliminary bat survey has been provided to support the application, concluding that bats and swifts were present in/on/around the building and for this reason further survey works were carried out. A comprehensive ecological survey has been undertaken and identifies the presence of bat roosts within the dwelling and that a European Protected Species licence will be required. The Authority must therefore be satisfied that the three tests for obtaining such a licence would be met. The first and second tests relate to the work being in the public interest (this is met by its being in compliance with adopted Policy) and there being no satisfactory alternative (the development is the appropriate means of meeting the homeowners' requirements). The third test relates to the maintenance of the conservation status of the population of protected species. The Authority's Ecologist has confirmed that if the works are carried out in accordance with the recommendations of the ecology report and the requirements of a licence, this test is capable of being met. Conditions to secure the recommendations of the ecological report and requiring a post development report to be submitted to the Authority are appropriate. The report also sets out enhancement measures to be undertaken which, subject to the implementation of these measures, and which can be controlled by means of appropriate conditions, will improve the biodiversity of the area. The proposed development would therefore be in accordance with Policy SP6.

### **Conclusion**

- 8.10 It is therefore recommended that planning permission is granted subject to conditions.

## **9. 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.

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.

2. Development shall only be carried out in accordance with

Drawing numbers: 9949.100 Rev P5, 9949.102 Rev P4

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. The external facing materials to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.

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).

4. All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest, Ramsar, Special Area of Conservation and Special Protection Area in accordance with Policy SP6 and Policy SP5 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. Within 3 months of commencing the extensions hereby approved, the development edged in red on drawing no: 9949.102 Rev P4 shall be fully demolished to ground level, with the affected elevations (north-east and north-west) made good with matching materials in accordance with drawing no: 9949.102 Rev P4.

Reason: In order to ensure that no additional habitable floorspace is

created, in order to comply with the requirements of Policy DP36 of the New Forest National Park Local Plan 2016 - 2036 (adopted 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 abbas ecology report 'Ecological Impact Assessment Report: Bats' dated August 2023 and abbas ecology Bat Preliminary Roost Assessment reports hereby approved. The specified measures shall be implemented and retained at the site in perpetuity.

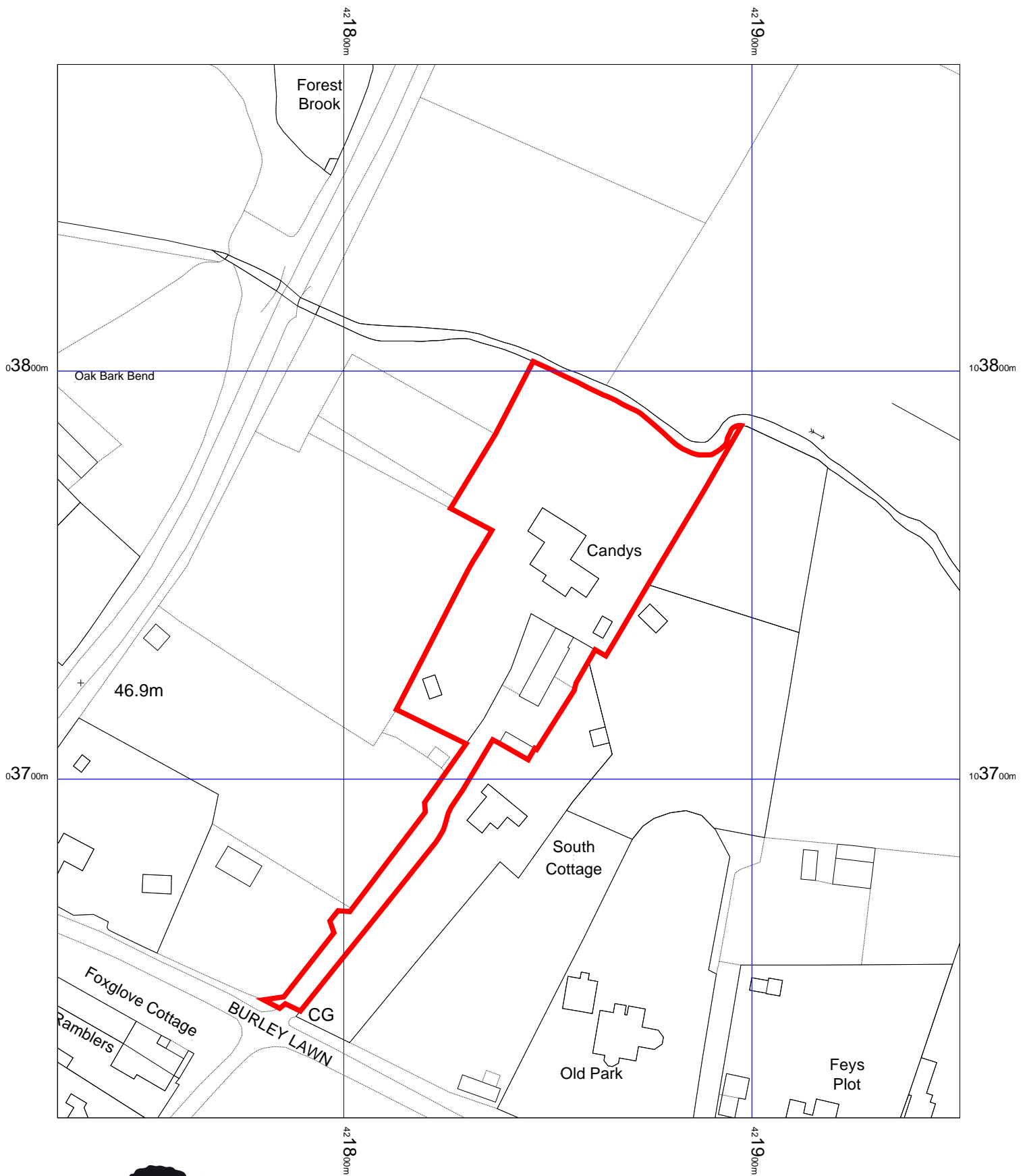
Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

8. Within three months of the completion of the development the ecological mitigation and enhancement measures shall be inspected by the Ecologist to ensure that they are functional and in accordance with the requirements of the submitted reports (as set out within the abbas ecology report 'Ecological Impact Assessment Report: Bats' dated August 2023 and abbas ecology Bat Preliminary Roost Assessment dated 31st May 2023 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). Written confirmation of these measures shall be provided to the Local Planning Authority.

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).

**Informative(s):**

1. It is noted nesting swifts are located in the vicinity. Swifts are a migratory species, only present in the UK for a short period and whose population is threatened. All wild birds are protected under the Wildlife and Countryside Act 1981. It is an offence to: kill, injure or take wild birds; take, damage or destroy the nests of species that reuse them, such as osprey; take, damage or destroy a nest that's in use or being built; take or destroy the egg of any wild bird; possess or control any wild bird (alive or dead), possess or control an egg or any part of an egg of a wild bird. Additional protection applies to birds listed in schedule 1 of the Wildlife and Countryside Act 1981. It is an offence to intentionally or recklessly disturb a schedule 1 bird: on or near a nest containing eggs or young; when it's building a nest; or its dependent young.



NEW FOREST  
NATIONAL PARK

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