

Application No: 24/01096FULL Full Application

Site: Bramshaw House, Penn Common Road, Lyndhurst SO43 7JL

Proposal: Erection of bungalow; garage; outbuilding; demolition of existing bungalow (AMENDED PLANS)

Applicant: Mr R Bull

Case Officer: Ben Gilpin

Parish: Bramshaw Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view.

2. POLICIES

Development Plan Designations

Conservation Area

Principal Development Plan Policies

SP1 Supporting sustainable development

SP6 The natural environment

SP7 Landscape character

SP15 Tranquillity

SP16 The historic and built environment

SP17 Local distinctiveness

DP2 General development principles

DP18 Design principles

DP37 Outbuildings

DP35 Replacement dwellings

DP36 Extensions to dwellings

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 12 - Achieving well-designed places

Sec 15 - Conserving and enhancing the natural environment

Sec 16 - Conserving and enhancing the historic environment

3.

MEMBER COMMENTS

None received

4.

PARISH COUNCIL COMMENTS

Bramshaw Parish Council: Recommend refusal for the reasons listed below.

We do not believe the proposed design is consistent with the character of the other buildings in the area. It is not clear which direction the steps go, whether up or down, nor is there sufficient information relating to the height of the roof ridge.

If the steps go down and the ridge is high enough, we are concerned that a mezzanine may be installed at a future point and by so doing create an increase in the habitable floor space in the future.

We are concerned about the overhangs and possible future infilling. The chimneys are very elaborate and not in keeping with rural design. It is not clear if there are fireplaces and therefore if the chimneys serve any purpose. The area is dark and there are no streetlights. We are concerned that the amount of glazing could cause light pollution.

5.

CONSULTEES

Tree Officer: No objection subject to condition.

Bramshaw House is situated in a designated conservation area therefore all tree species with a stem diameter of 75 mm or greater when measured at 1.5 m from ground level are protected. The proposed dwelling is to be situated further east than the existing bungalow this way providing a greater degree of separation between the building and existing front boundary, high amenity trees. To facilitate this re-positioning and associated landscaping, several small ornamental trees require removal. The removal of these trees will not have a detrimental impact on public visual amenity while the larger trees on site are shown to be retained and protected for the duration of both demolition and construction.

Building Design and Conservation Officer: Subject to issues with the design of the replacement dwelling being addressed, overall, the proposed scheme is considered appropriate to the conservation area setting.

Ecologist: No objection subject to conditions in relation to lighting; biodiversity mitigation, enhancement and compensation; and construction mitigation.

6.

REPRESENTATIONS

Two objections on the following grounds:

- The design is out of keeping (notably to the height of the original chimney stacks and their ornate style);
- Percentage increase of the development; and

- Noise (ASHP) and light pollution (glazing).

7. RELEVANT HISTORY

Appeal against enforcement notice (without planning permission the erection of a building) dismissed on 09 December 2022

Outbuilding (garage/workshop); demolition of existing (20/00858) refused on 03 February 2021

Replacement dwelling (Demolition of existing dwelling) (20/00602) refused on 24 November 2020

Application for a Certificate of Lawful Development for Existing outbuilding (20/00558) objections raised on 23 October 2020

Replacement dwelling (Demolition of existing dwelling) (19/00356) withdrawn on 12 November 2019

Water treatment plant (19/00064) granted on 04 April 2019

8. ASSESSMENT

Application Site

8.1 The site is a single storey detached dwelling (bungalow), set within a reasonably sized plot. The bungalow and garage are positioned to the western side of the site.

8.2 The site is outside of the defined New Forest village boundaries. To the north of the site are mature trees and hedgerow, with open heath beyond. To the east is an enclosed paddock. To the south is woodland and to the west is the neighbouring residential property.

8.3 The site is located in the Forest Central (North) Conservation Area.

8.4 The property proposed for demolition is not a non-designated heritage asset. Immediately adjacent to the site (north) is the New Forest SSSI, SAC, SPA and Ramsar ecological designations.

Proposed Development

8.5 The application seeks planning permission for a replacement bungalow; garage; outbuilding; and the demolition of existing bungalow.

8.6 The replacement dwelling, as amended during the course of the application, would be sited east of the current building's position. The current dwelling is 12.3m wide by 8.9m deep and is 2.6m high (eaves) / 5.85m high (ridge). The replacement dwelling would be 2.55m high (eaves) / 6.3m high (ridge). The building proposed would comprise of three sections, being the central core and two side wings. The wing to the west would include cover for the main point of access and set back circa 2.5m from the line to the front of the building. The wing to the east would be smaller and set back circa 4m from the line at the front of the

building. The building seeks to include a bespoke designed chimney, that seeks to incorporate artistic brick work.

8.7 The current proposal, being an amendment to the original submission, has reduced the number of ornate chimney stacks from three, down to two, and has lowered the height of the stacks so they are now 2.6m tall (they were proposed to be 3.6m tall).

8.8 The design incorporates two roof windows, that span the ridge, to allow natural light into the communal area of the dwelling.

8.9 The dwelling would include brick walls and clay pantile roof, with timber clad aluminium windows and would have a maximum width of 13.5m and depth of 15m.

8.10 The replacement outbuildings (the existing garage is to be demolished as part of this proposal), would include a single-storey, open fronted 'cart lodge' (two-bay garage building), with attached open lean-to for wood storage. This building, set back from the principal elevation of the proposed replacement single-storey dwelling, would be finished to a reclaimed oak, horizontal timber cladding (on a low-level brick plinth), and clay pantiles to the roof.

8.11 This building would be 6m deep by 7m wide, and 2.5m high (eaves) / 3.7m high (ridge). The lean-to element would be to the eastern side and would be 3m wide by 1.5m deep and would be 1.7m high (eaves) / 2.3m high (ridge (single plane roof)).

8.12 In addition, an office building, for incidental use, would be positioned to the rear of the replacement bungalow. This building would be 5m wide by 3m deep, and 2.5m high (eaves) / 3.7m high (ridge). It would only have electrical connection, with no internal plumbing for a water closet or taps. It would be finished to reclaimed oak, horizontal cladding on a brick plinth for the walls (glazed on the south facing elevation) and clay pantiles for the roof.

Consideration

8.13 The key issues to assess are compliance with Policies DP35 and DP36; whether the proposed development would be in character with its location within the National Park and conservation area; any impact on ecology, heritage and whether there would be any unacceptable adverse impacts upon neighbour amenity.

Principle of Development

8.14 Policy DP35 sets out that replacement dwellings can be permitted except where the existing dwelling is the result of a temporary or series of temporary permissions or the result on an unauthorised use; or if it makes a positive contribution to the historic character and appearance of the locality.

8.15 Bramshaw House is not an unauthorised or a temporary dwelling. The property on site, being a uniform, brick-built bungalow, is not considered to make a positive contribution to the historic character or appearance of the locality and the dwelling is not locally listed. The principle of a replacement dwelling is therefore considered acceptable in this instance.

8.16 The existing bungalow is not a small dwelling for the purposes of Policies DP35 and DP36. Policy DP35 states that a replacement dwelling located outside of the defined villages should be of no greater floor space than the existing dwelling. However, as set out in the Authority's Planning Information Leaflet (revised January 2022), should there be scope to extend the existing dwelling before it is replaced, then as a pragmatic approach, an extension that would be compliant with Policy DP36 may be allowed at the same time as the replacement, providing it reads as an "extension" and the additional floor space does not increase the overall bulk of the replacement dwelling. The proposed replacement bungalow would result in a 29% increase in floor space which would fall within the 30% restriction contained within Policy DP36.

8.17 With regards to justification for repositioning the dwelling on the site, the environmental benefits of re-siting include the improved level of separation from the property to the west (so enhancing their amenity and environment); the proposed location of the replacement dwelling will allow for improved solar gain during winter months and allow for passive shading during summer months, employing the warmth of the sun and appropriate design to heat or cool the building at the relevant times of the year; and the retention of the concrete slab that sits below the existing garage ensures embodied carbon is not wasted, with this concrete being used to deliver a robust and long lasting access track into the site. In this instance the proposed replacement dwelling would accord with Policy requirements and is considered acceptable.

Design and Impact on Heritage Assets

8.18 In respect of the proposed design, there is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. The Authority's Building Design and Conservation Officer has commented that while not traditional, the overall design concept is aesthetically more pleasing and architecturally more interesting than the existing bungalow. The design also seeks to be sustainable, incorporating SIP construction, locally sourced / reclaimed facing materials, an air source heat pump, solar panels, and MHRV and in accordance with Policies SP1 and SP14. However, amendments to some design elements were suggested (notably the scale / height of the proposal and reduction in the number of chimney stacks).

8.19 The original design sought three ornate chimney stacks. The amended scheme reduces this to two. The height of the original stacks was 8.2m. This has been reduced to 6.7m. The height of the original

design was 7.6m to ridge. This was amended to 6.5m to ridge. The width of the original design was 15.6m. This was reduced to 15.2m wide.

8.20 In relation to the amended design, it is accepted that the design is unique, with the level of roof pitch proposed. Although, the ridge height is similar to that of the previously refused proposal at the site, the design is such that it has sought to remove the second storey element, which would be at odds with the other properties to the west (which are themselves single storey, 'modern' bungalow styled properties), and seeks ground level living accommodation. This, plus the fact that the most visible wing, being to the eastern side, would be set back a suitable distance from the principal elevation, is considered to reduce the appearance of scale and, more importantly, bulk of the proposed replacement dwelling.

8.21 The proposal now includes only two chimneys, with stack height of 6.7m. Comments regarding the appearance and style of the chimneys are noted. It is also noted that such ornate chimneys would not be unique within the conservation area, with examples of comparable ornate chimneys existing on brick-built buildings (such as Rouds Cottage, Red Hill Lodge, and 1 and 2 Memorial Cottages, all of which are within the same Conservation Area). On balance, it is not considered reasonable to seek refusal on the grounds of the chimney style as proposed.

8.22 Overall, it is considered that the scheme, with the removal of the current building, which does not contribute positively to the character and appearance of the conservation area, and its replacement with a non-traditional but architecturally more interesting design would preserve and enhance the character and appearance of the conservation area. The current application and its design have provided an opportunity to enhance the character of the heritage asset and, subject to planning conditions, is considered to achieve this, in accordance with the requirements of Policy SP16 and the NPPF.

8.23 The proposed outbuildings would be located within the residential curtilage, subservient to the dwelling and for incidental uses. The outbuildings would accord with the requirements of Policy DP37.

Ecology and Trees

8.24 With regards to Biodiversity Net Gain (BNG) provision, as the application form states the development would qualify as a self-build project, the proposal falls within those types of development that are exempt from needing to provide BNG.

8.25 However, the proximity of the site to protected ecological areas means any works proposed, at the scale as detailed in this application, would need to be suitably managed and mitigated.

8.26 Bats surveys have been undertaken, and the presence of bats has been detected. In this instance, the Bat Roost Survey (ENIMS – September 2023 – commissioned after the advice contained in the

Preliminary Ecological Appraisal (ENIMS – June 2023) advises that prior to works being undertaken, the requisite licence from Natural England would need to be secured. 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 recommended that final details of ecological mitigation, compensation and enhancement are secured by pre-commencement condition. If the works are carried out in accordance with the details then submitted and the requirements of a licence, this test is capable of being met. Subject to the inclusion of conditions, the proposed development would therefore be in accordance with Policy SP6.

Other

8.27 In relation to impacts upon amenity, Policy DP2 sets out that development which would result in unacceptable adverse impacts on amenity in terms of additional impacts, visual intrusion, overlooking or shading will not be permitted. The property that has the potential to be directly affected by this proposal would be Oakwood (to the west).

8.28 In this case, the replacement dwelling would be moved a short distance further to the east of this property (than that of the current dwelling). This repositioning and retention of the single-storey design would ensure there would be no resultant sense of overbearing or over shadowing to the neighbouring residence. Furthermore, the western elevation of the replacement dwelling would have no windows that could legitimately result in intervisibility between neighbouring habitable rooms. In summary, it is not considered that the replacement dwelling would impact or result in overlooking into the neighbouring property or their outdoor amenity space, and as such the development would adhere to the requirements of Policy DP2.

8.29 Comments received also include concerns in relation to noise and light emissions. In relation to the proposed air source heat pump (ASHP), to be positioned to the rear of the cart house, Class G, Part 14, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO), allows for one ASHP to be affixed to a rear wall of a dwelling, without the need for formal planning permission (when they are in conservation areas). As the ASHP forms part of this application, it is considered reasonable to request details of noise emissions, prior to it being installed. This can be secured by way of a planning condition. The proposed ASHP would comply with Policy SP14.

8.30 In relation to potential light emissions, the proposed level of glazing is not excessive and the roof includes areas of overhang to reduce upward light emissions. The proposal includes two roof lights and, in the context of this site, it is considered reasonable to include a planning

condition requiring details and specification standards on the roof lights to be used, evidencing measures to mitigate for light emissions during times of darkness.

Conclusion

8.31 In conclusion, the replacement of the dwelling and proposed outbuildings, with the amendments as have been made, are considered to accord with Policies DP2, DP18, DP35, DP36, SP6, SP7, SP15 and SP17 of the adopted Local Plan and the NPPF. Permission is recommended 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 nos:

422-PL-01;
422-PL-02 Rev A;
422-PL-03 Rev A;
422-PL-04 Rev A;
422-PL-05 Rev A;
422-PL-06;
422-PL-07;
422-PL-08 Rev A
SV ARB Tree Constraints Plan (September 2023)

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. No development shall take place above slab level until samples or exact details of the facing and roofing materials (including glazing for roof lights, to minimise light emissions) for the dwelling and outbuildings 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 Policies DP2, SP16, SP17 and DP18 of the New Forest National Park Local Plan 2016 - 2036 (August 2019).

4. No development shall take place above slab level until full details of all proposed door and window joinery for the dwelling and outbuildings, at scale 1:10 elevation and 1:5 section, have been submitted to, and approved in writing by, the Local Planning 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 Policies DP2, SP16, SP17 and DP18 of the New Forest National Park Local Plan 2016 - 2036 (August 2019).

5. The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted SV Arb Arboricultural Report and Tree Constraint Plan dated September 2023 while in accordance with the recommendations as set out in BS5837:2012.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, and to accord with Policies DP2 and SP16 of the New Forest National Park Local Plan 2016 - 2036 (August 2019).

6. 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 in accordance with Policy SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

7. 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, garage or other outbuilding (including alterations) otherwise approved by Class E 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).

8. The outbuildings hereby approved 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.

No external alterations shall be made without express planning permission being granted.

Reason: To protect the character and appearance of the countryside in accordance with Policies SP16 and DP37 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

9. Prior to installation, details / specification of noise levels associated with the approved Air Source Heat Pump (ASHP) shall be submitted to, and approved in writing by, the Local Planning Authority, and the ASHP shall thereafter be installed in accordance with such specifications and retained thereafter.

Reason: In the interests of neighbouring amenity and to accord with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

10. No exterior lighting shall be installed, unless details are submitted to, and approved by, the Local Planning Authority in writing.

Such exterior lighting details are to be compiled and take the form of a professionally informed lighting assessment, to include specifications of additional lighting, demonstrating accordance with the Institute for Lighting Professionals Guidance note 8 – Bats and artificial Lighting. Any such exterior lighting, as approved, shall be maintained in accordance with the specifications thereafter.

Reason: In the interests of neighbouring amenity and ecology, and to accord with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

11. Prior to the commencement of the development hereby approved, details of biodiversity mitigation, compensation and enhancement shall be compiled by a competent person, and such details shall be submitted to, and agreed in writing by, the Local Planning Authority.

The details should include at a minimum, a method statement for demolition and vegetation clearance (timings, pre-demolition checks and supervision as necessary) as well as provision of compensation features including 5 bat tubes or crevice access opportunities, as well as 2 bird boxes. Suitable post completion monitoring check shall be undertaken and confirmation of satisfactory delivery provided to the Local Planning Authority by a competent person prior to occupation.

Reason: In the interests of wider ecology, and to accord with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

12. Prior to the commencement of the development hereby approved, a Construction Environment Management Plan (CEMP) shall be submitted based on the submitted construction logistics plan (drawing number 422-PL-08 Rev A) and including measures managing encroachment risks to the adjacent designated sites by ensuring all fencing and hoarding is within the property boundary and off the designated sites.

Development shall proceed strictly in accordance with the plan unless otherwise agreed in writing by the Local Planning Authority.

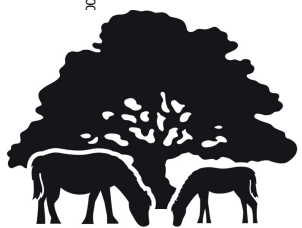
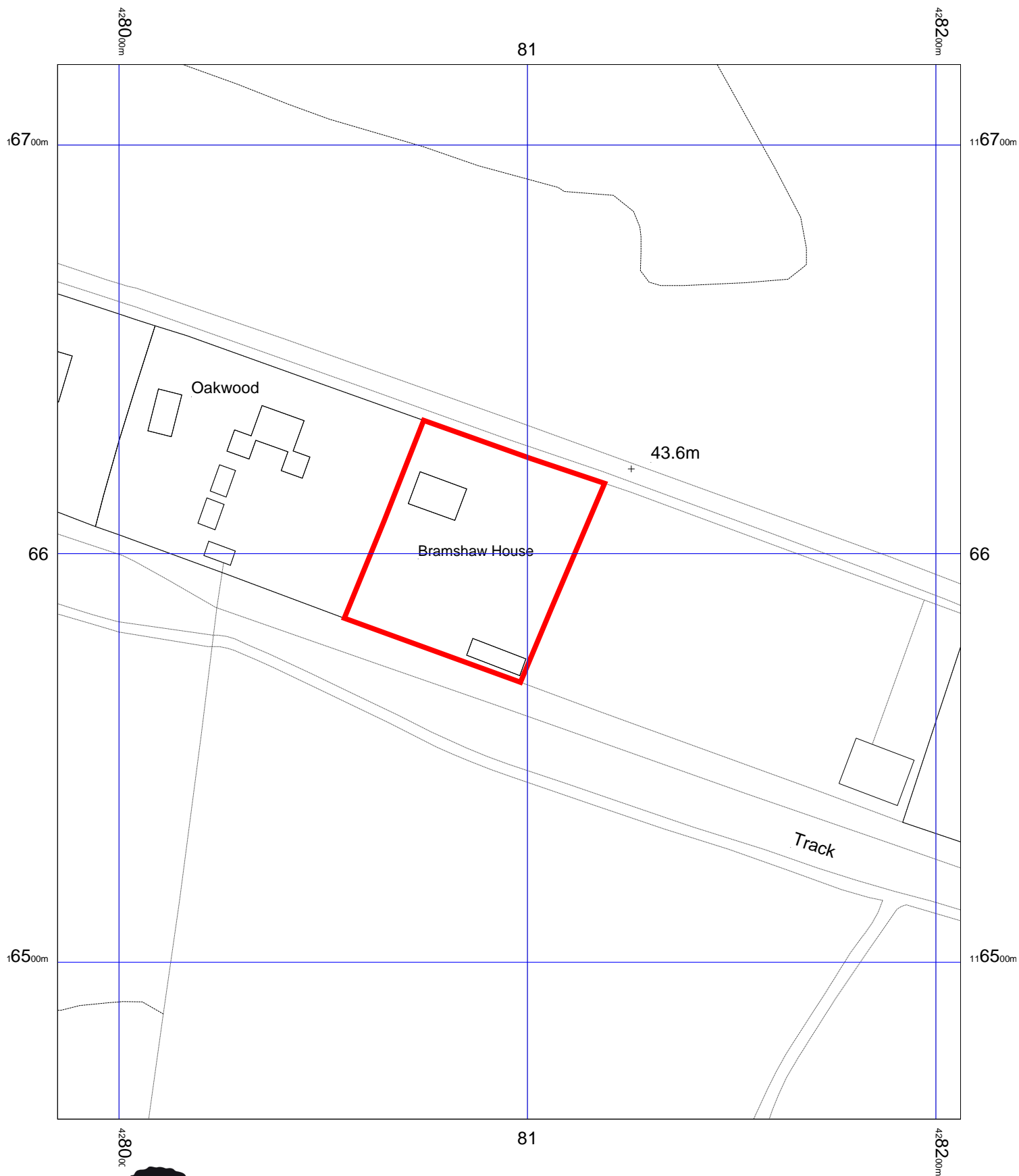
Reason: In the interests of wider ecology, and to accord with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

13. The areas covered by overhang as shown on the approved plans shall at no point be in-filled or incorporated into the main dwellinghouse.

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 New Forest National Park Local Plan 2016-2036 (adopted August 2019).

Informative(s):

1. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is 0300 060 3900.



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 06/03/2025

Ref: 24/01096FULL

Scale: 1:1250

© Crown copyright and database rights 2025 Ordnance Survey 100014703

