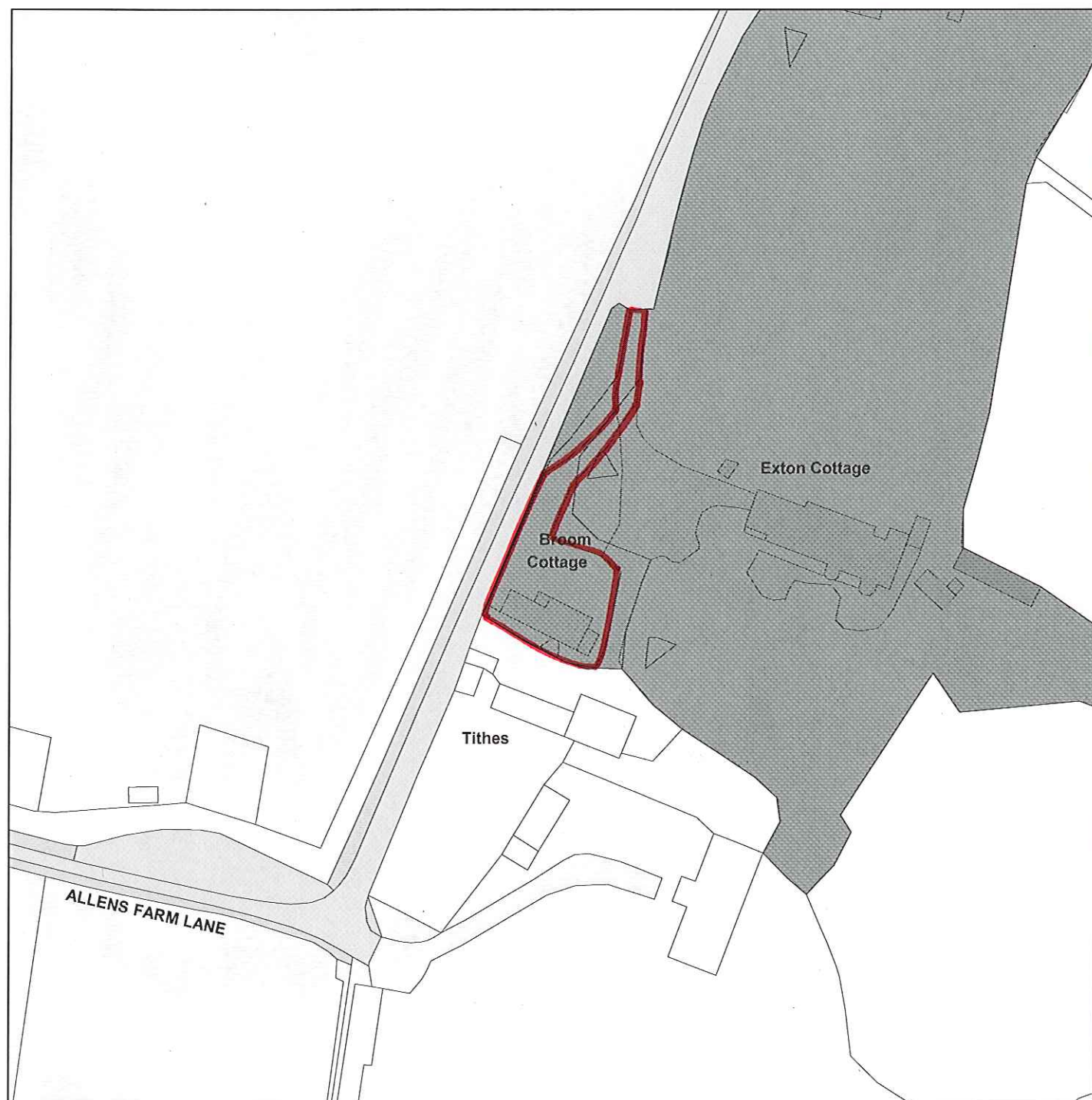


# Exton Cottage, Allens Farm Lane, Exton

SDNP/12/03026/FUL



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Scale : 1:1111

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Organisation	South Downs National Park Authority
Department	WCC Planning
Comments	
Date	07 August 2013
SLA Number	Not Set



Agenda Item	SDNP 1
Report to	Planning Committee
Date of Committee	22 <sup>nd</sup> August 2013
By	Head of Development Management
Local Authority	Winchester City Council
Application No:	SDNP/12/03026/FUL
Validation Date	27 November 2012
Target Date:	22 January 2013
Applicant:	Mr & Mrs Frere-Cook
Proposal:	Refurbishment and conversion of cottage outbuilding into residential dwelling to include demolition of two sections of the building and replace with single storey extension
Site Address	Exton Cottage, Allens Farm Lane, Exton, Southampton, Hampshire, SO32 3NW
Purpose of Report	The application is reported to Committee for a decision

**Recommendation: That the application be refused for the reasons and subject to the conditions set out in paragraph 10.1 of this report.**

## **1. Site Description**

The application site is located in the village of Exton on the east site of Allens Farm Lane. The site comprises Exton Cottage, a grade II listed building, which is a large two storey house with attics, set back approximately 40m from the road at a perpendicular angle.

The application refers to a separate, curtilage listed, outbuilding on the southern boundary, around 40m from the principle house, which is in a poor state of repair. Historically, the building is believed to have been used as staff accommodation for the coachman, harness room and trap storage. It is understood that the building has for many years been used as storage ancillary to Exton Cottage.

The structure comprises a main two storey building with handmade clay tiled cat-slide roof with an historic lower 1.5 storey section on the west side with tiled cat-slide roof, a 20th century single storey hipped extension to the west and a timber lean-to extension to the east.

Permission was granted in July this year for construction of a 3 bay garage and storeroom between the main house and this outbuilding.

The whole site is approximately 1.2 hectares, the development area is approximately 0.08 hectares, with a 160m road frontage defined by a low flint wall, with trees and shrubs behind. The site is located in Exton's Conservation Area and the South Downs National Park.

## **2. Relevant Planning History**

88/02317/OLD - Conversion of out building to 2 dwellings and erection of garages for 4 cars - permitted 17/2/89;

02/01573/FUL - Conversion of and minor alterations to derelict stables and change of use to one dwelling - Refused 19/8/02;

02/01575/LBC - Alterations to derelict stables to create a single dwelling, minor extensions and demolition of parts - Refused 19/8/02.

SDNP/12/03025/HOUS – Three bay garage with store – Permitted 5/7/2013.

## **3. Proposal**

The application seeks to refurbish and convert an outbuilding currently used as domestic storage in the grounds of Exton Cottage to an independent dwelling. The building is in a poor structural state due to the removal of the first floor in the main building which has caused movement of the front and rear elevations. The cutting of rafters has compromised the effectiveness of the roof trusses. The roof structures sag significantly and the walls are bowing as a result. The timber lintels over all the openings are undersized causing cracking within the inner skin of the brickwork.

The proposal seeks to restore and change the use of the building from an ancillary outbuilding to an independent and separate residential unit with its own drive and gardens. This would include two floors of accommodation with a dining hall, kitchen/breakfast room, sitting room, shower room and separate wc and bedroom/study at ground floor and potentially 3 bedrooms at first floor (annotated 2 bedrooms plus dressing room and two bathrooms). The total floor area (measures externally) would be approximately 207sq.m.

The site would be accessed from the existing vehicle access serving Exton Cottage. The access would run along the flint boundary wall with Allens Farm Lane with parking proposed informally in a gravel driveway. A garden area south east of the building is proposed and lawn and stone terrace to the south west adjacent to Allens Farm Lane.

## **4. Consultations**

Parish Council Consultee: No response received.

Engineering (Highways): Initial objection on the basis that the visibility at the site access is somewhat limited due to the existing flint wall fronting the site and the mature vegetation planted behind it. It would seem that visibility at this access could not be satisfactorily improved, without the wall being affected. In view of the substandard nature of the highway access and in the absence of any supporting justification as to why the access would be acceptable in safety terms, I find the application to be unacceptable from a highway point of view.

Following the submission of more detailed information which was previously unavailable when the application was originally submitted, I am satisfied that if permitted, the development will not result in any material harm to highway safety. As such I will be raising NO OBJECTIONS to the planning application, subject to the payment £3745 for a Transport Contribution, under the terms of the adopted Transport Contributions Policy.

Drainage Engineer: The applicant proposes to use a cesspool to dispose of foul water, this is the least desirable disposal method and can only be used if it can be proved that a mini treatment plant is not workable due to poor ground porosity. Storm water to go to soakaways. It has not been demonstrated that the best method for the disposal of foul effluent has been considered. They have gone straight for a cesspool which is the least favoured disposal method.

Head of Landscape - Trees: No objection subject to conditioning the Arboricultural Report.

WCC Historic Environment Team: If residential conversion is the only feasible option I would then raise no objections in principle to the proposals for conversion, demolition and extension of this property as the proposals would, in principle, enhance the appearance of the conservation area. However, there is no evidence given that other uses could be sought for the property and design improvements could be made in accordance with local plan policies for conserving and enhancing the historic environment in accordance with the NPPF.

Southern Water: The applicant is advised to consult the Environment Agency directly regarding the use of a cesspit. The owner of the premises will need to empty and maintain the cesspit to ensure its long term effectiveness. The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

Southern Water's current sewerage records do not show any public sewers to be crossing the above site. However, due to changes in legislation that came in to force on 1 st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

Environment Agency: No response received.

## **5. Representations**

Cllr Norma Bodtger request for the application to be determined by the Planning Committee:

Asks that Members consider a site visit;

Site falls within the historic settlement area as defined in the Village Design Statement. It is a compact nucleated village in the Upper Meon Valley with large properties in proportionate gardens are set back from the lanes. The history of the building deems it to have been living accommodation in the past.

Cllr Bodtger's full request is appended to this report.

Cllr Bodtger has been provided with 20 signatures in support of the application:

18 signatures in supporting the view that Exton Cottage is "within the village of Exton"

12 letters supporting the proposal "to renovate the property to create a two bedroom house"

1 letter of support: The outbuilding in question has been disused for many years and the application to convert it into residential accommodation is to be applauded. Furthermore, as a Trustee of the adjacent Broom Cottage I will be delighted to see the outbuilding being refurbished in such a way - this will be very welcome within the village.

## **6. Policy Context**

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the Winchester District Local Plan Part 1. The relevant policies to this application are set out in section 7, below.

### National Planning Policy Framework (NPPF) and Circular 2010

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

## **6.2 National Park Purposes**

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

## **7. Planning Policy**

The following policies of the Winchester District Local Plan Part 1 are relevant to this application:

- DS1, MTRA4, CP3, CP7, CP10, CP11, CP16, CP19, CP20, CP21
- DP3, DP5, CE17, CE24, HE4, HE5, HE8, HE14, RT16, DP3,10,

## 8. Planning Assessment

### Principle of development

The Government's policy as set out in the National Planning Policy Framework (NPPF) is that all new residential dwellings in the countryside should be strictly controlled. In exceptional circumstances planning policy allows for new residential accommodation for essential rural workers or affordable housing to meet a local need. Planning policy also provides for the residential reuse of heritage assets (where this is optimal viable use) or where reuse would lead to an enhancement of the immediate setting of the building (paragraph 55 NPPF).

Winchester District Local Plan Part 1 (LPP1) Policy MTRA4 is the policy for development in the countryside. It stipulates that development will be limited to that which has an essential need to be located in the countryside. This may include development which is necessary for agriculture, horticulture or forestry. This policy also supports proposals for the reuse of existing buildings in the countryside for employment, tourist accommodation, community use or affordable housing (to meet a local need) provided the building is of permanent construction and capable of reuse without major reconstruction. The conversion of buildings to market housing does not accord with this policy. It is acknowledged that MTRA4 is not entirely consistent with the NPPF but this matter was addressed by the Local Plan Inspector and he was satisfied that the local circumstances justify taking a slightly different approach in Winchester:

"117. Part two of the policy is not entirely consistent with national guidance in para 55 of the NPPF in excluding new residential conversions, unless for affordable housing. However, the relevant special circumstances in the district at present include that proposals for the conversion of existing rural buildings to new market housing only would be very likely to proliferate, due to high demand in an area of attractive landscape, much of which is within the SDNP.

118. For many buildings, this would inevitably be at the expense of alternative schemes for the other potential uses listed in the policy that would normally contribute more to the social and economic well being of the area and the SDNP, as well as positively assisting the implementation of national guidance in para 28 [*Supporting a prosperous rural economy*] of the NPPF. It might also result in the need for more rural buildings across the landscape to meet the requirements of agriculture and other legitimate rural businesses. Accordingly, in these specific local circumstances, including the extent of the SDNP in the district, on balance, the case for a particular policy approach that differs from para 55 of the NPPF to a limited degree is considered sound and consistent with para 28 of the NPPF."

This proposal is for the conversion of a building historically used as ancillary staff accommodation although in recent history used for ancillary domestic storage. The building is in a poor state of repair and is not currently habitable.

The planning history indicates that in 1989 permission was granted to convert this outbuilding to 2 dwellings and additional garaging. This permission was never implemented. In 2002 permission was refused to convert the same building to a

single dwelling on the basis that the external works to convert the building were not considered sympathetic to, or retained the characteristics of, the building. With MTRA4 there is a new policy context that requires alternative economic uses of rural buildings considered worthy of retention to be explored prior to residential conversion. Market housing is only acceptable where the uses specified in the policy are not feasible.

Notwithstanding that the building has, at sometime in its long history, been used as ancillary residential accommodation, this does not mean that it could be converted to an independent dwelling, with separate curtilage, boundary treatments, parking and gardens. In its current condition it is not habitable and it has most recently been used for storage.

Under policies, MTRA4 and CE24 converting such a building to a separate and independent dwelling would only be considered as a very last resort where it is the only method of retaining a building considered worthy of retention. Under such circumstances the development must demonstrate that "all reasonable efforts to secure a reuse for economic development purposes have been unsuccessful". The applicant would need to demonstrate the nature of those efforts, which usually would involve a robust marketing exercise over a reasonable period of time (9-12 months) and the submission of those findings. This exercise has not been undertaken. The supporting information states that the location of the building makes it unsuitable for employment use and that it would be problematic to convert it to commercial/light industrial use and in an inappropriate location. It also points out that the building is in close proximity to Listed Buildings and private residential dwellings of Broom Cottage and Tithes where it states it would be inappropriate for an employment use. Whilst accepting that the building's location may not be well suited to certain business uses, the information provided is not considered sufficiently robust and it does not consider the possibility of reusing the building as tourist accommodation, for example.

The use of this building for tourist accommodation would accord with Policy CP19 which seeks to support development which supports the economic and social well being of the National Park and its community and where proposals are required to comply with the National Park purposes to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public.

Policy HE17 states that changes of use of redundant agricultural and other rural buildings of historic or architectural interest will be permitted provided that the building is incapable of being used in a more suitable way; for example ancillary to an adjoining use. The applicant states that the outbuilding is unsuitable to use as ancillary accommodation to Exton Cottage because of its location, however, permission has just been sought and granted for a large garage and store building approximately 14m from the front elevation of this building and 3m from the proposed residential curtilage. Furthermore, the building has previously been used for ancillary domestic storage.

It has been suggested that the dwelling would be rented to meet a local need for affordable housing, and that it could be conditioned as such. In relation to policies MTRA4 and CP4 allow for affordable housing only where the proposal is suitable in terms of its location, size and tenure to meet an identified local housing need.

The definition of affordable housing in the National Policy Planning Framework (NPPF) advises that such accommodation meet two requirements:

- i it must be provided at an affordable price;
- ii it must be provided to eligible households in housing need (those households who are eligible for social rented housing) whose needs are not met by the market.

Eligibility is determined with regard to local circumstances. Therefore in order for this proposal to be accepted and secured as an affordable house the applicant would need to meet those requirements. On the basis of the information available officers are not satisfied that the proposed unit would meet the policy.

Furthermore, if the dwelling's was to be secured as affordable the application would need to enter into a section 106 legal agreement to ensure that the property is legally established/recognised as an affordable property. This would ensure that the rent was set and reviewed at an agreed level. The legal agreement would also ensure that only people in housing need would occupy the property. Such an agreement has not been offered.

Policies MTRA4, CE24 and HE17 all require that the building is capable of conversion without substantial works, significant structural alterations or changes which would be detrimental to the distinctive character of the building, its historic fabric or features. The Council's Head of Historic Environment has raised objection to the proposal on the basis that there is no evidence given that other more suitable uses could not be found for the property and design improvements could be made to the scheme submitted.

#### Impact on the character and appearance of the area

A number of trees have been felled in accordance with a submitted arboricultural report. The impact of the tree loss and pruning is not considered detrimental to the character of the Conservation Area although it does open up views into the site. The proposed access will follow the line of the garden wall to the north elevation of the building providing an informal parking area. Some additional planting is shown either side of the new access. There is no objection to this development in terms of its impact upon the character and appearance of the area or landscape quality of the National Park.

#### Impact on the character and appearance of the building

The Head of Historic Environment objections to the proposal are based on there not being any evidence provided that other uses could not be found for the property. Design improvements could also be made to the scheme for residential conversion. Her consultation response states that "consideration should be given to finding another use which could mean that a 'lighter touch' could be involved in the building's conservation." Concerns have been raised over the details and in particular:

- The form of the catslide roof will be harmed by the interruption of two rooflights over the proposed stairs and dressing room;
- The form of the main roof on the north elevation should be retained as existing, the slope of how the existing roof falls over the rear lean-to should be replicated when forming;

- The window proposed at the western half-hipped end of the building should be reduced in scale to a double casement rather than the tri-partite design proposed;
- There is no justification for relocating the internal opening between the proposed dining hall to the sitting room as the existing internal door is wider than today's standard openings and would help to retain character whilst still providing permeability through the property.

Whilst these issues may not be insurmountable they do illustrate that the development does not accord with the Council's policies. Policy HE17 relates to the conversion of buildings worthy of retention and states that the building should be capable of conversion without alterations which would be detrimental to the distinctive character of the building, its historic fabric or features. In particular paragraphs 5.55 and 5.56 state that "the character of many farm buildings is derived from their simplicity, openness of the interior, lack of window openings and an uninterrupted roof plane..... Conversion to a more economically attractive use would often result in harm to their character and compromise in the alterations required for their adaptation." It is considered that this scheme, in its current form, fails to meet this policy.

#### Impact on the neighbouring properties

The proposal is unlikely to have any adverse impacts on the neighbouring dwellings. Windows on the south elevation of the building are already in existence. They would serve a study/bedroom, dining hall, sitting room and would overlook the shared driveway and parking area of Tithes and Broom Cottage. Given the shared utility-nature of this area and its existing open characteristics, it is not considered that the provision of residential living accommodation with windows opening onto this area would be detrimental to the occupiers of those existing dwellings.

#### Affordable housing and other contributions

Policy CP3 requires that all new residential development in the district makes provision for affordable housing. On small sites such as this where it is not possible to provide the affordable housing as part of the development a financial contribution is sought. This figure is £54,800 representing 40% of the cost of providing a 3 bed affordable home. Whilst the applicants have expressed willingness to make a financial contribution towards public open space (£2,628) and highways (£3,745) at the time of writing this report there was no commitment to address the affordable housing contribution.

## **9. Conclusion**

In conclusion, the building is located outside the defined settlement boundary and in the countryside where there is a presumption in principle against new market housing development. Whilst it is accepted that the building is worthy of retention, the proposal has not adequately demonstrated that the building is incapable of being used for an ancillary function to the main house. Other alternative uses for the building, such as commercial use or tourist accommodation, or even affordable housing, have not been adequately explored. The building is within the South Downs National Park and a tourism use of this

building would support the Park's designated purposes to promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

## **10. Recommendation**

### **1. It is recommended that the application be Refused for the following reason(s):**

1. The proposed change of use of the outbuilding to a separate residential dwelling is contrary to policies MTRA4, CE24 and HE17 of the Winchester District Local Plan Part 1 and Winchester District Local Plan Review 2006 for the following reasons:

i the building is located outside any defined settlement boundary and in the countryside where there is a presumption in principle against new residential dwellings;

ii it has not been adequately demonstrated that the building is incapable of being reused for alternative uses which would accord with Policy MTRA4 namely; employment, tourist accommodation, community use or affordable housing;

iii a residential conversion would be less likely to be sympathetic to the building's character than non-residential uses which would meet Policy MTRA4. Furthermore the proposed conversion works by virtue of the insertion of roof-lights, the fenestration detail on the first floor west elevation, alterations to the form of the main roof on the northern elevation and the alterations to the internal openings between the proposed dining hall and the sitting room are considered detrimental to the historic character of the building.

2. The proposal is contrary to Policy CP3, CP7 and CP21 of the Winchester District Local Plan Part in that it fails to make adequate provision for:

i. affordable housing;

ii public recreational open space to the required standard, and would therefore be detrimental to the amenities of the area;

iii. improvements to transport and the highway network in accordance with Hampshire County Council's Transport Contributions Policy 2007, such provision being required in order to mitigate for the additional transport needs and burden imposed on the existing network arising from this development.

3. Contrary to DETR Circular 03/99 it has not been adequately demonstrated that the best method for the disposal of foul effluent has been considered. A cesspool is the least favoured disposal method.

## **11. Crime and Disorder Implications**

It is considered that this planning application does not raise any crime and disorder implications.

## **12. Human Rights Implications**

This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

## **13. Equalities Act 2010**

Due regard, where relevant, has been taken of the National Park Authority's equality duty as contained within the Equalities Act 2010.

### **Case Officer Details**

Name: Jane Rarok

Tel No: 01962 848 247

Email: [jrarok@winchester.gov.uk](mailto:jrarok@winchester.gov.uk)

**City Councillor's request that a Planning Application be considered by  
Planning Development Control Committee**

<b>Request from Councillor:Norma Bodtger</b>
<b>Case Number:SDNP/12/03027/CON</b>
<b>Site Address:Exton Cottage Allens Farm Lane Exton Southampton Hampshire SO32 3NW</b>
<b>Proposal Description</b> Refurbishment and conversion into residential dwelling to include demolition of two sections of the building and replace with single story extension.
<b>Requests that the item be considered by the Planning Development Control Committee for the following material planning reasons:</b>  The application the officer Jane Rorak is going recommend a refusal on the grounds that it falls in to category MTRA4. I would ask the members to consider a consultation and site visit before this action taken  Exton Cottage falls within the settlement area of Exton Village as it is referenced in the VDS Exton is described as the only compact nucleated village in the Upper Meon Valley ( the rest are linear)", but the large properties do lie in proportionate gardens and are set back from the lanes.  The properties on Allens Farm Lane are deemed to be within this historic settlement area.  The history of the building deems it to have been living accommodation in the past. On a site visit I found no evidence of it being otherwise.  There local 20 signatures in support of their application.  The application was presented November 2012 and not determined until early June2013.

- Whilst requests will be accepted up to the determination of the application, Members should make their request as quickly as possible and preferably within the publicity period of the application. Otherwise