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Rev	Date	Description



C3 Design Limited
124 Greenhill Road
Winchester
SO22 5DU

T 0845 458 1544

site

Apple Tree House, Beauworth
ALRESFORD SO24 0NZ

title

Location Plan

date

Oct'16

scale

1:1250@A4

job drawing no

653 /L01

rev

Item No: 07
Case No: SDNP/16/05171/HOUS
Proposal Description: Two storey extension to side, first floor extension to rear, and associated alterations. (Amended plans received 13.12.2016, amended description)
Address: Apple Tree House
Beauworth Road, Beauworth. SO24 0NZ
Parish, or Ward if within Winchester City: Beauworth
Applicants Name: Mr & Mrs Townsend
Case Officer: Mrs Bev Harding-Rennie
Date Valid: 24 October
Site Factors: Countryside
Recommendation: That the application be approved.

Executive Summary

This application is reported to committee as a result of the number of objections contrary to the officers recommendation.

1 Site Description

Apple Tree House is a detached modern dwelling constructed of traditional materials. The property is two storey, with the upper floor rooms within the roof slope. There is an existing garage building to the side, which is linked at ground floor.

The dwelling sits on a wide shallow plot and there are mature trees to the front of the site. The building is located close to the rear of the site, adjacent to the boundary and the land slopes up towards the west, with the existing dwelling cut in to the site. The property is located within the village of Beauworth and is bounded by listed buildings

2 Proposal

The application proposes a two storey extension to the side, a first floor/roof rear extension and associated alterations to the fenestration.

3 Relevant Planning History

93/01446/OLD - Replacement dwelling and pitched roof over existing garage: Westwood, Beauworth. Permitted 6th July 1993.

4 Consultations

Parish Council Consultee

No comments have been received

5 Representations

1 letter of support has been received stating that the proposal appears a sympathetic appropriate development

1 letter of comment has been received raising the following points:

- The proposal would enlarge the volume of the house but the footprint of the extension would not be excessive
- There would be an impact to neighbours
- The proposal might result in a more attractive building
- Concern regarding setting precedent and the impact to the character of the village

10 Letters of objection have been received raising the following concerns:

- The scale of the extension is excessive and unsuitable for the rural location
- The scale of the proposal is too large for the site
- Impact to neighbour amenity/Overlooking to neighbouring properties
- Impact to the setting of the adjacent listed buildings
- Out of keeping with the historic village
- Impact to the historic village centre and the character of the village
- Historic groups of buildings should be retained in an unchanged condition if at all possible
- Proposal and proposed scale will increase the impact of a modern house in this historic setting
- The village should be considered a heritage asset
- Other large extensions have been resisted
- Impact to dark night skies
- Development should be to the rear only
- Significant increase in footprint
- Precedent for further development
- Loss of garage and potential further future development to replace
- Impact of adjoining the garage and house
- Impact to the affordability of the dwelling
- Query regarding consent for roof lights and the use of the garage roof

Following the receipt of amended plans re-consultation was carried out. 9 letters of objection have been received and the following additional comments have been made/concerns raised:

- Acknowledge that the concerns regarding integrating the garage and garage balcony have been addressed
- Use of the upper floor of the garage creates a precedent
- Significant increase in the length of the ridge of the dwelling, in both directions

6 Planning Policy Context

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 Review (2006)** and the following additional plan(s):

- Winchester District Local Plan Part 1 Joint Core Strategy (2013)

The relevant policies to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- 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**

Relevant Government Planning Policy and Guidance

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.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Requiring good design
- NPPF - Conserving and enhancing the natural environment
- NPPF - Conserving and enhancing the historic environment

Paragraph 2 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **Winchester District Local Plan Review (2006)** are relevant to this application:

- DP3 - General Design Criteria
- CE23 - Extension and Replacement Dwellings

The following policies of the **Winchester District Local Plan Part 1 Joint Core Strategy (2013)** are relevant to this application:

- CP19 - South Downs National Park
- CP20 - Heritage and Landscape Character

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 1
- General Policy 9

The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2nd September to 28th October 2015.

The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

8 Planning Assessment

Principle of development

The site of the proposed development is located in an area which is designated as countryside where the proposal is subject to policy CE23. The existing property however has a floor area greater than 120 square metres so the size restrictions which relate to this policy do not apply.

Notwithstanding the above, policy CE23 permits extensions to dwellings within the countryside provided that they do not significantly change the character of the existing dwelling or result in increased visual intrusion by increased size and or unsympathetic design.

Concerns were initially raised regarding the two storey extension to link the dwelling with the garage, which was considered to result in a detrimental impact to the character of the property as a result of the proposed design and resultant increase in the length of the dwelling. Concern was also raised regarding the addition of a dormer window and balcony to the front of the garage and the scale of the fenestration to the side extension.

Amended plans have been received removing the proposed extension adjacent to the garage, removing the dormer window proposed to the garage and amending the fenestration to the side extension.

Design, scale and impact on the character of the area and the adjacent listed buildings

The application proposes extensions to the side and rear elevations to provide additional accommodation at first floor and an extension to the family/dining area on the ground floor.

Whilst the increase in the footprint of the dwelling is modest, given the one and a half storey nature of the dwelling, as well as the form of the extensions, the proposal results in a more significant increase in the scale of the roof. The scale of the dwelling as extended however is considered to remain appropriate and to be proportionate to the size of the site. Whilst the ridge height of the existing dwelling is retained, both the two storey extension and first floor extension are modest in depth and width and the proposal as amended is considered to balance the existing roof form and to appear appropriate in design for the character of the existing dwelling.

The materials for the extensions have been conditioned to match those of the existing dwelling, as shown on the submitted plans and the fenestration, as amended, is considered to be appropriate in scale and design.

The application also proposes to formalise the use of the roof space of the garage, providing an internal staircase along with a bathroom on the ground floor and a bedroom at first floor. No external alterations are proposed and the use of an existing outbuilding for ancillary accommodation is considered to be acceptable in principle and has been conditioned to remain as ancillary. The proposal will result in the loss of part of one of the garages, however the submitted parking plan indicates that sufficient parking will be retained and the application is therefore considered to be acceptable in this respect.

It is acknowledged that the village contains a large number of listed buildings and that the site itself is bounded by listed buildings. Advice was sought from the Historic Environment Team regarding the proposal and given the set back of the extensions from the adjacent listed buildings, the proposed development was not considered to result in a detrimental impact to their settings.

The dwelling and proposed extensions are set back from the road, screened in part by the existing landscaping. Whilst the roof slopes and additional gables will be visible, given the design, scale and materials proposed, the development is not considered to result in detrimental impact to the character of the area or conflict with the purposes of the South Downs National Park. The property is an existing residential dwelling, bounded by other residential dwellings and whilst additional windows are proposed, given the scale of the fenestration as amended, it is not considered that the proposed development would result in an increased detrimental impact to dark night skies.

Impact on Neighbours

The windows to the side elevation, facing the boundary with Beauworth Cottage have been reduced and the proposed balcony to this elevation has been removed. The proposed first floor bedroom window replaces an existing bathroom window to this elevation approximately 4 metres closer to the boundary. Whilst the built form and fenestration will be closer to the boundary with Beauworth Cottage given the distance retained to the neighbouring dwelling, of approximately 21 metres to the boundary and 27 metres to the dwelling, the proposed development is considered to be acceptable and to not result in a significant detrimental impact to neighbour amenity.

Trees

Following a verbal consultation with the Tree Officer, a condition has been applied requiring tree protection measures for the tree adjacent to the proposed replacement steps, to ensure that it is protected from and during development.

Ecology

There are records of bats within the vicinity of the site however given the age of the property and the information provided in the landscape and visual impact assessment and biodiversity checklist, it is not considered that further information would be required. An informative regarding protected species has been applied.

Other matters

Shortly after the permission was granted a minor amendment was approved to reduce the pitch of the garage roof. At the time the Parish Council wrote to the Local Planning Authority to enquire as to whether consent had also been sought for three roof lights to the rear of the garage. The Parish were advised by the planning officer that in this instance planning consent was not required for the roof lights.

9 Conclusion

The application as amended is therefore considered to be acceptable and is recommended for approval.

10 Reason for Recommendation and Conditions

It is recommended that the application be approved subject to the conditions set out below.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of development, a plan indicating the position of the mature tree to the south of the proposed development and the details of the protective measures to be used to protect its root area from construction and/or material storage damage, shall be submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the advice set out in BS5837:2012.

The protection measures shall be installed in accordance with the approved details prior to any demolition, construction or groundwork commencing on the site and shall be retained throughout the course of development.

Reason: To ensure protection and long term viability of retained trees and to minimise impact of construction activity.

4. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.

5. The ancillary accommodation within the garage building, hereby permitted, shall not be occupied at any time other than for purposes ancillary to the residential use of the existing dwelling Apple Tree House and shall not be used as an independent unit of living accommodation.

Reason: To accord with the terms of the application since the site lies within an area where additional residential properties would not normally be permitted and to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.

11. **Crime and Disorder Implications**

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. **Human Rights Implications**

12.1 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. **Equality Act 2010**

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

The applicant was advised of the concerns regarding the submitted proposal and amended plans have been received

15. Informatives

- 1 Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.
- 2 All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
- 3 During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - LOCATION PLAN	L01		14.10.2016	Approved
Plans - EXISTING PLANS	P01		14.10.2016	Approved
Plans - EXISTING ELEVATIONS	P02		14.10.2016	Approved
Plans - EXISTING BLOCK & ROOF PLAN	P03		14.10.2016	Approved
Plans - PROPOSED PLANS	P04		14.10.2016	Superseded
Plans - PROPOSED ELEVATIONS	P05		14.10.2016	Superseded
Plans - PROPOSED BLOCK & ROOF PLAN	P06		14.10.2016	Superseded
Plans - PROPOSED SITE PLAN	P07		14.10.2016	Superseded
Plans - PARKING PROVISION	P08		14.10.2016	Superseded
Plans - PROPOSED SITE PLAN	P07	A	13.12.2016	Approved
Plans - PROPOSED PLANS	P04	A	13.12.2016	Approved
Plans - PARKING PROVISION	P08		13.12.2016	Approved
Plans - PROPOSED ELEVATIONS	P05	A	13.12.2016	Approved
Plans - PROPOSED BLOCK AND ROOF PLAN	P06	A	13.12.2016	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.