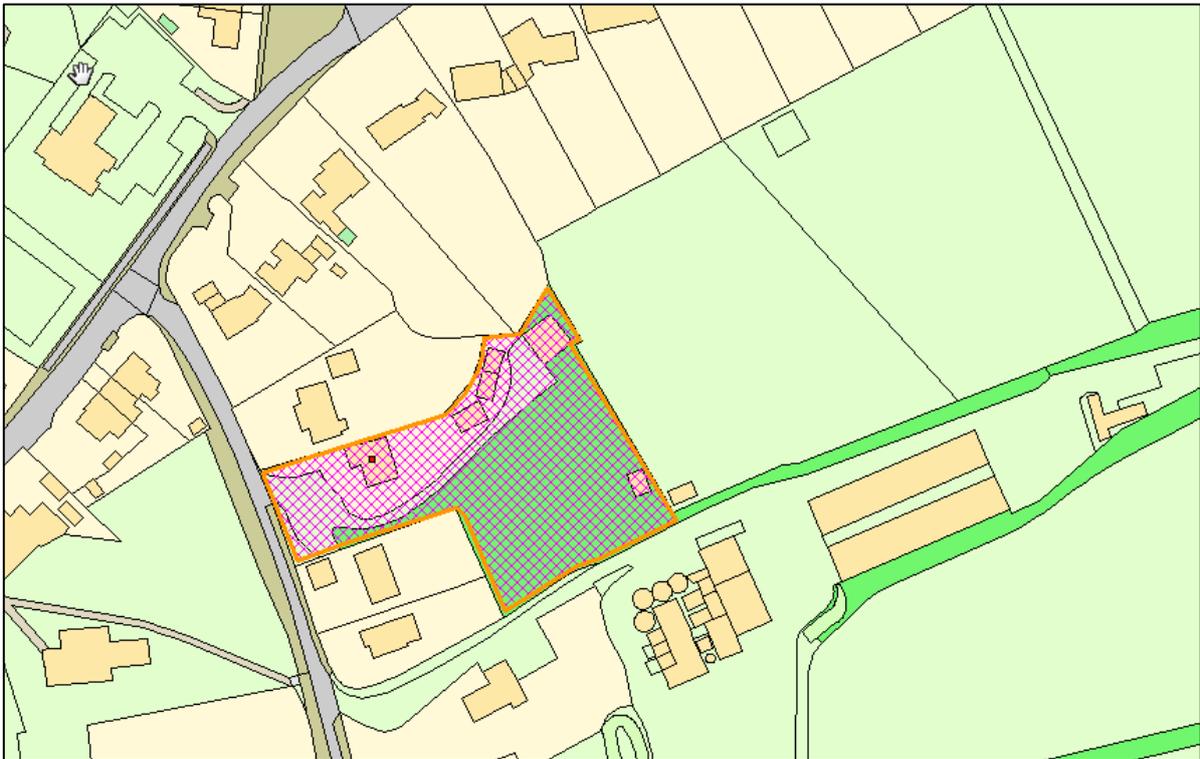


**Case No:** SDNP/20/04221/HOUS  
**Proposal Description:** Ground floor and first floor rear extension.  
**Address:** Long Ash  
Pitcot Lane  
Owslebury  
SO21 1LR  
**Parish, or Ward if within Winchester City:** Owslebury  
**Applicants Name:** Mr Churcher  
**Case Officer:** Ms Charlotte Fleming  
**Date Valid:** 01 October 2020  
**Recommendation:** Application Approved



### General Comments

This application is reported to the Planning Committee at the request of the Parish Council which is appended to this report.

## **1 Site Description**

Long Ash is a large detached two and a half storey dwelling granted permission in 2015. It is located within the South Downs National Park and the settlement boundary of Owslebury, however the wider garden and annex is outside the settlement boundary.

The property is modern in design with brick and cladding walls, and large windows and existing balconies. The site as a whole slopes away from the road, with an annexe and garage set halfway down the existing rear garden plot off a driveway, beyond which is a lower less formal garden. There is a public footpath and access track running along the property boundary to the south of the site.

The dwelling is set back from the road (Pitcot Lane) and forms part of a small linear development of houses in a variety of styles and plot sizes.

## **2 Proposal**

Ground floor and first floor rear extension.

## **3 Relevant Planning History**

SDNP/14/02567/FUL - Demolition of bungalow and replacement three storey dwelling

STATUS: REF 24th July 2014.

SDNP/15/00814/LDE - Single storey rear extension (CERTIFICATE OF LAWFULNESS)

STATUS: APP 13th May 2015.

SDNP/15/03445/FUL - Application for the demolition of the existing bungalow and erection of a two storey replacement dwelling (RESUBMISSION)

STATUS: APP 23rd November 2015.

SDNP/18/03893/PRE - Proposed new house.

STATUS: PRE 23rd November 2018.

SDNP/18/04776/HOUS - Balcony over permitted development single storey rear extension

STATUS: APP 9th November 2018.

SDNP/18/05427/HOUS - Change of use from light industrial B1 connected to existing house to domestic annex associated with existing house

STATUS: APP 29th January 2019.

SDNP/19/03770/HOUS - Retrospective permission for alterations to the annexe under the approved plans under application ref:

SDNP/18/05427/HOUS

STATUS: APP 19<sup>th</sup> December 2019

## **4 Consultations**

### **Parish Council Consultee**

Owslebury Parish Council opposes this planning application on the following grounds:

The Parish Council feels that this planning application is not in keeping with the area. This started out as a small bungalow and is now a large family home. The Parish Council feels that the dwelling is now too big for the area it is situated. It is overbearing and the Parish Council feel that the existing dwelling has now been over-extended and has an adverse impact on the character and appearance of both the settlement and the countryside. As per section 7.91 of the SDNP local plan.

The Parish Council believe that the dwelling is now over the 30% increase compared with the original house and the annexe which has been built in the garden. The SDNP generally seek modest proposals, the Parish Council feel that this is not a modest proposal.

Since 2015 there have been 6 planning applications for this site, the Parish Council feel that this shows again the overdevelopment of this site.

The Parish Council would like this planning application to be referred to the planning committee, where the Parish Council can speak due to the following reasons:

- Over development of the site.
- The application will increase the size of the dwelling and annexes to over 30% compared to the original planning application.
- It is not in keeping with the area.

## **5 Representations**

Two neighbours neutral representations have been received, summarised as follows:

- The proposed rear projection of the building extends past the building line established under PA SDNP/18/04776/ HOUS, which was consistent with the original extended bungalow. The rear building outline will project significantly beyond those of the adjacent dwellings, affecting privacy – request a condition to prevent further future extension of the house in the easterly direction.
- Concerns over loss of privacy from balcony even with side screening
- Not aware of any flat roof extensions in Owslebury.
- Landscape and Visual Impact Assessment, references the wrong character area.
- Floor area has been increase by 23% since 2019, let alone the original bungalow to house conversion completed in 2016 – request limit to prevent future enlargement.

## **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 South Downs Local Plan 2014-2033 and any relevant minerals and waste plans.

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 on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should 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:

- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural 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 South Downs National Park Local Plan - are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design

- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Strategic Policy SD20 - Walking, Cycling and Equestrian Routes
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD27 – Mix of Homes
- Development Management Policy SD31 - Extensions to existing dwellings, and provision of annexes and outbuildings

#### 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 3
- General Policy 50

## **8 Planning Assessment**

### Principle of development

Policy SD25 of the South Downs Local Plan (SDLP) sets out situations where development can be supported within settlement boundaries, provided that development: Is of a scale and nature appropriate to the character and function of the settlement in its landscape context, it makes best use of suitable and available previously developed land in the settlement; and the development makes efficient and appropriate use of land.

Policy SD31 of the SDLP covers extensions to existing dwellings, and provision of annexes and outbuildings. The policy allows an applicant to expand or build outbuildings of up to approximately 30% of the main dwelling's original floor area.

The original floor area is based on the dwelling as of December 2002 - this excludes detached outbuildings and detached garages. In 2002 the property was a 85sqm 1 bed bungalow which was lawfully extended (SDNP/15/00814/LDE) to a 130sqm 3 bed bungalow in 2015. The three bed bungalow was replaced by a large detached (338sqm) three storey 5 bed house and quadruple garage (SDNP/15/03445/FUL), along with the conversion of a former outbuilding to an annexe (SDNP/18/05427/HOUS). The principle of these applications were approved prior to the adoption of the SDLP (July 2019). Since then a retrospective amendment to enlarge the annexe (SDNP/19/03770/HOUS) has been approved under current SDNP planning policy.

Paragraph 7.91 of the SDLP states that the purpose of policy SD31 'is to avoid the over-extension of existing dwellings and the adverse impact that this has on the character and appearance of both settlements and the countryside.' The policy also seeks to protect the limited supply of small and medium-sized homes in the National Park.

As a result of the 2015 replacement dwelling application, the property now reads as a large detached house, so the previous annexe development did not result in the loss of a small or medium sized home. The house alone, as approved in 2015, had a floor area of 338sqm, with the house extensions built and the current proposal the total house floor area would be 443sqm. However, in this particular case, given the size of the host dwelling the proposal is not considered to be at conflict with the underlying purposes of policy SD31, which are to protect the supply of smaller homes and to protect the landscape character of the National Park.

#### Design, scale and impact on the character of the area

Policy SD5 sets out that new development is acceptable provided that it is appropriate in scale and design and does not have an adverse impact on the character of the area or on surrounding uses and properties. Alterations to the rear elevation are not considered to appear out of scale with the existing property, the materials complement those of the existing house and therefore it is not considered that the proposal would have a significant impact on the character of the existing large property. The works would be seen against the size and bulk of the existing dwelling and would not detract from the special qualities of the landscape.

The proposal extends out and replaces a previously approved balcony using matching materials to the house and reusing the existing 2m high side screening. The balcony railings to the front edge appear 1m high and the same as previously approved. The criteria of policy SD5 are met as the extension is in keeping with the existing character of the property and has no adverse impact on the character of the area, subject to conditions.

The site is in between residential and an open arable landscape which must wherever possible be protected to conserve its distinctive character. The proposal has no greater impact than the existing property and extension on the amenity value, tranquillity and views from non-motorised travel routes of the Park (Policy SD20).

In view of the existing large modern style dwelling, balcony and outbuildings on the site, there is no objection in principle to the proposed extensions and the primary considerations relating to its impact on the character of the existing dwelling and impact on the landscape of the South Downs National Park.

#### Impact on Neighbours

There are detached residential properties to the north and south of Long Ash, with open countryside to the rear. To the north is Downlands, a chalet style dwelling, Pitcot House is to the south. Both properties are smaller than Long

Ash and occupy more modest plots which are not as deep as the application site. Long Ash is set back in its site with its rear elevation (including the existing balcony), sited beyond that of both of its immediate neighbours. Therefore, with no new side windows and with the moving of the 2m high privacy side panels from the existing balcony onto the new balcony and conditioned as such, any views from the balcony are funnelled to the rear without overlooking of Downlands and Pitcot House, except for possible restricted views to the lower end of their rear gardens. It is not considered that the existing balcony or its extension, as proposed, would result in an unacceptable level of overlooking or have a detrimental impact on the residential amenities of Downlands or Pitcot House or other properties in the area.

#### Other matters

*Dark Night Sky* - the site is on the edge of the defined settlement of Owslebury, and within an International Dark Sky Reserve (Policy SD8). Although within the defined 'transition zone' of the reserve, the windows from the previously approved scheme have changed significantly at ground floor and are now larger and looking out over the countryside. A condition regarding mitigation measures to minimise light spillage in the dark sky reserve is recommended.

*Ecology and Biodiversity* - Although the extensions are on a modern dwelling, there are known protected species on the wider site which receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). Proposed environmental and biodiversity enhancements to the site include recycling rainwater, landscaping the garden and installation of bird boxes, all of which are supported in line with Policies SD2 and SD9.

## **9 Conclusion**

The application 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 for the reasons and 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 of the Town and Country Planning Act 1990 (as amended).

2. 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. All external materials used in the construction of the development hereby approved shall match the type, texture, composition, colour, size and profile of those used on the existing building and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area.

4. The balcony screen shall be fitted on both sides of the balcony in accordance with the approved plans. The balcony screen shall be retained thereafter.

Reason: To protect the amenity of the neighbouring property and to accord with the terms of the application.

5. The extensions conversion hereby permitted shall not be occupied until details (including timings of operation) of automatic black out blinds, or specifications for low transmittance/tinted glass which reduce light pollution to the windows on the rear elevation are submitted to and approved in writing by the Local Planning Authority. The black out blinds/glazing shall be installed and operated in accordance with the approved details and retained thereafter at all times.

Reason: To minimise light intrusion in the South Downs National Park which is a designated International Dark Sky Reserve.

6. Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles) and hours of operation. The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the landscape character of the South Downs National Park from light pollution and to minimise the impact on surrounding habitats.

7. The actions outlined within the eco systems services statement (received 30/09/2020) shall be implemented within one month following the completion of the development hereby approved or, in the case of soft landscaping, during the next available planting season following the completion of the development, and thereafter retained.

Reason: To ensure an overall positive impact on the ability of the natural environment to contribute goods and services, in accordance with policy SD2 of the South Downs Local Plan.

## **11 Informative**

### **1. Crime and Disorder Implications**

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

### **2. 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.

### **3. Equality Act 2010**

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

### **4. In reaching this decision the local planning authority has worked with the applicant in a positive and proactive way, in line with the NPPF.**

### **5. 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.**

### **6. Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000 and Wildlife and Countryside Act 1981 (as amended) and in particular to Sections 1 and 9.**

These make it an offence to:

- kill or injure any wild bird,
- damage or destroy the nest of any wild bird (when the nest is being built or is in use),
- damage or destroy any place which certain wild animals use for shelter (including all bats and certain moths),
- disturb certain wild animals occupying a place for shelter (again, all bats and certain moths).

The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September. You are advised to contact Natural England for further information (tel: 0845 601 4523).

### **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	Date Received	Status
Plans - AMENDED STAGE 1 - SURVEY, STAGE 2 - DESIGN	1721/01_200_C	10.11.2020	Approved
Plans - PLANS & ELEVATIONS	1721/01_200_B	30.09.2020	Superseded

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

## Parish request to be heard at committee

**From:** Owslebury Parish Council <[owsleburyparishcouncil@gmail.com](mailto:owsleburyparishcouncil@gmail.com)>  
**Sent:** 21 October 2020 10:50  
**To:** Charlotte Fleming <[CFleming@winchester.gov.uk](mailto:CFleming@winchester.gov.uk)>  
**Subject:** Planning Application SDNP/20/04221/HOUS

Dear Charlotte,

### **PLANNING APPLICATION SDNP/20/04221/HOUS**

Owslebury Parish Council opposes this planning application on the following grounds:

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Kind regards

Juanita Madgwick  
Clerk and RFO  
Owslebury Parish Council