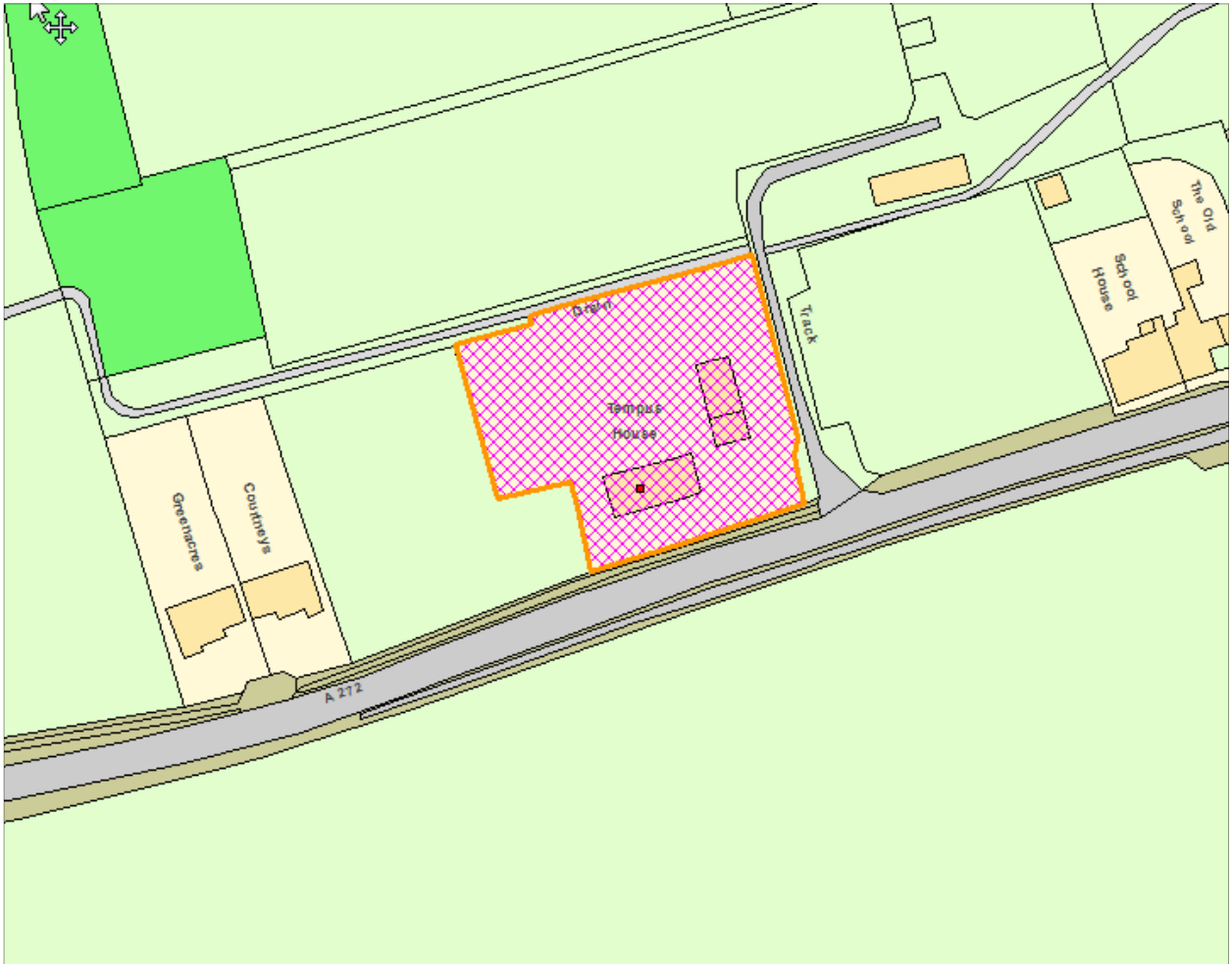


**Case No:** SDNP/18/02995/CND  
**Proposal Description:** Removal of condition 4 of approved permission W105401/04LB  
**Address:** Tempus House, Petersfield Road, Hinton Ampner, Alresford Hampshire. SO24 0JT  
**Parish, or Ward if within Winchester City:** Bramdean  
**Applicants Name:** Mrs Caroline Young  
**Case Officer:** Charlotte Fleming  
**Date Valid:** 04 June 2018  
**Recommendation** Application Refused



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## **General Comments**

This application is reported to the Planning Committee due to the number of Representations that have been received contrary to the Officer's recommendation.

### **1 Site Description**

Tempus House is a late 18th century grade II listed detached house located in a cluster of development outside Hinton Ampner Village which is designated countryside, and within the South Downs National Park. A detached annex was approved in 2000 and is subject to this application.

The Annex was built in 2001 and pays separate council tax. It has been redundant since October 2017 since the relative occupying the annex passed away, the current owners of Tempus House have no other family members able to move into the annex able to keep it maintained and avoid deteriorations, therefore they wish to keep annex in Tempus House ownership, but relax the condition so it can be let out to local people.

The dwelling is set back from the main road (Petersfield Road/A272) and forms part of a cluster of dwellings separated by fields outside Hinton Ampner centre.

### **2 Proposal**

Removal of condition 4 of approved permission W105401/04LB (00/01628/LIS)

"Condition 4 - The detached annex hereby permitted shall not be occupied at any time other than for the purposes ancillary to the residential use of the existing dwelling. The dwelling house extended as hereby permitted shall only be used as a single unit of accommodation and shall not be subdivided, separated or altered in any way so as to create two or more separate units of 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."

### **3 Relevant Planning History**

98/00365/CHU - Change of use from agricultural building to research & development use (B1b) - RETROSPECTIVE.  
PER 9th June 1998.

00/00102/LIS - Alterations to provide single storey rear extension with attached single storey annexe and conversion of car port to provide study and garden store.  
WDN 4th May 2000.

00/00105/FUL - Single storey rear extension with attached single storey annexe and conversion of car port to provide study and garden store.  
WDN 4th May 2000.

00/01627/FUL - Single storey side extension, bay window, alterations to fenestration, rebuild chimney, construction of detached annexe to provide additional ancillary accommodation and garages with room in roof.

PER 23rd October 2000.

00/01628/LIS - Single storey side extension, alterations to fenestration, rebuild chimney, internal alterations and demolition of car port. Construction of detached annexe to provide ancillary accommodation and garages.

PER 23rd October 2000.

SDNP/13/01330/LIS - Replace chimney stack

STATUS: APP 29th July 2013.

#### **4 Consultations**

##### **WC - Historic Environment Team**

No comments received

##### **Parish Council**

The Parish Council fully appreciates the change of circumstances which has led the applicant to seek removal of the condition which currently restricts the usage of the annexe at this property and has some sympathy with the arguments presented.

However, as the application is contrary to the current policy which governs the use of annexes the Parish Council is regretfully unable to support the request to remove the condition.

The Parish Council would comment that a review of the policy to include provision for cases where the genuine need for ancillary accommodation has come to an end would be timely.

#### **5 Representations**

6 letters of support have been received for the following reasons:

- fully support idea
- Real shortage of rented affordable housing in this area
- Previous family occupant drove a car - so cannot see how a new tenant could possibly cause any problems e.g. extra traffic or noise
- Local people are unable to buy/rent house near where grown up.
- 2001 condition is out of date and should be removed.
- Farmers are converting stables/unused buildings into accommodation in the South Downs.
- The property arrangement means vehicles do not cause annoyance to neighbours
- Having the annex lived in gives a sense of security and community
- The annex needs to be inhabited else will decay
- Community needs younger inhabitants
- Need to help support the National Parks aims of fostering the economic and social wellbeing of local communities.
- The owners family do not live/work local so are unable to occupy the annex.
- Cannot envisage that the proposal would have any adverse consequences for other Hinton Ampner residents, or for the village more generally
- There is a national housing supply shortage, and a corresponding drive to bring as many dwellings as possible back into use; this application is very much in the spirit of that policy.

#### **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)
- South Downs National Park Local Plan - Submission 2018

Other plans considered:

- Bramdean and Hinton Ampner Village Design Statement (2001)

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
- NPPF 15- Conserving and enhancing the natural environment
- NPPF 16 - Conserving and enhancing the historic environment

Paragraph 2 states that planning permission 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
- HE14 - Alterations to Historic Buildings

- CE23 - Extension and Replacement Dwellings
- T4 - Parking Standards

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
- MTRA3 - Other Settlements in the market Towns and Rural Area
- MTRA4 - Development in the countryside

The following policies of the **South Downs National Park Local Plan - Submission 2018** are relevant to this application:

- Strategic Policy SD12 - Historic Environment
- Development Management Policy SD13 - Listed Buildings
- Strategic Policy SD25 - Development Strategy
- Development Management Policy SD31 - Extensions to existing dwellings, and provision of annexes and outbuildings
- Development Management Policy SD32 - New Agricultural and Forestry Workers' Dwellings

#### 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
- General Policy 50

#### The Draft South Downs National Park Local Plan

The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the **saved policies within the Winchester District Local Plan Review (2006)**, the policies within the **Submission South Downs Local Plan (2018)** are currently afforded **considerable** weight, depending on the level of objection received on individual policies.

### Principle of development

The application site lies within the countryside and therefore the principle of a new dwelling in the countryside is contrary to policy MTRA4 of the Winchester District Local Plan Joint Core Strategy, unless there is an essential need for it to be there such as housing for rural workers.

This application is for the removal of the annex occupation condition, that the annex shall be ancillary to the residential use of the existing dwelling and not separated from the main house to create two separate units of accommodation. This application is for the granting of a new independent dwelling in the countryside which has no attachment to the main Tempus House.

The annex is adjacent to a Grade II listed building and any alterations or additions should be sympathetic to the building and not adversely affect its architectural or historic character or damage or remove historic fabric.

The principle of development is contrary to policy MTRA4 and the Bramdean and Hinton Ampner VDS.

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

The proposed alterations to the use of the annex will not alter the appearance of the annex, but may create additional traffic in the area.

The annex is set back from the road, and adjacent to agricultural fields, however the provision of a new dwelling within Hinton Ampner along the A272 it would conflict with the purposes of the South Downs National Park and the Bramdean and Hinton Ampner 2001 Village Design Statement which resists infill developments as it loses the agricultural land frontage to the roads and would not have a generous plot size as typified by the village.

Any new development, in this case as a stand alone dwelling, (due to the removal of the ancillary to the residential use of the existing house condition) should reflect massing and scale in the immediate environment.

### Impact on Neighbours

Set away from other neighbouring properties, so not thought to have any detrimental impact, and letters of support have been raised.

## **9 Conclusion**

The application is contrary to national and local plan policies and is not consistent or compatible with the character of the area and therefore it is recommended for refusal.

## **10 Reason for Recommendation and Conditions**

It is recommended that the application be Refused for the reasons set out below.

01 The proposal would introduce market residential development in an unsustainable countryside location and is therefore contrary to policy policies MTRA4, CP19 and CP20 of the Winchester District Local Plan Part 1 - Joint Core Strategy policies and saved countryside policies of the Winchester District Local Plan Review 2006 and guidelines in the Bramdean and Hinton Ampner VDS and the statutory purposes of the South Downs National Park, contrary to policies SD25 of the submitted SDNPA Local Plan.

02 The proposal represents development which is not consistent with or compatible with the character of the area and is therefore contrary to policy policies MTRA4, CP19 and CP20 of the Winchester District Local Plan Part 1 - Joint Core Strategy policies and saved policy DP3 of the Winchester District Local Plan Review 2006 and guidelines in the Bramdean and Hinton Ampner VDS and the statutory purposes of the South Downs National Park, contrary to policies of the submitted SDNPA Local Plan.

**11. Crime and Disorder Implications**

It is considered that the proposal 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. 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.

**14. Proactive Working**

Discussion regarding policy issues occurred with the agent, however in this case the issues were unable to be resolved.