

Item No: 01
Case No: SDNP/18/04564/HOUS
Proposal Description: (Amended Plans) Side and rear single storey extension to existing house
Address: Metlands Farm, Dean Lane, Bishops Waltham, Southampton, Hampshire, SO32 1FW
Parish, or Ward if within Winchester City: Bishops Waltham
Applicants Name: Mr & Mrs Penson
Case Officer: Mrs Sarah Tose
Date Valid: 14 September 2018
Recommendation: Application Approved



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

Metlands Farm is a two storey 17th century period property situated in large grounds in a valley setting between Dean Lane and The Hangers, to the north of Bishops Waltham. The site lies within the designated countryside in the South Downs National Park. The site extends to approximately 15 acres/ 6 hectares in size.

The dwelling is located on the east side of the site and forms part of a complex of restored farm buildings arranged in two courtyards, adjacent to Dean Land. These buildings include equestrian stables, ancillary storage/garaging and a holiday cottage. The farmhouse and associated outbuildings are not Listed and the site does not fall within a Conservation Area. There is also a menage and a number of paddocks within the grounds. The farmhouse is surrounded to the north, east and south by the fields of the farm.

There are two accesses to the site from Dean Lane with the holiday accommodation accessed from the northern most access. A public footpath runs through the farmyard along part of its northwest boundary and along its southern boundary towards The Hangers. The site is well screened along all four boundaries by mature hedgerows and trees.

The closest neighbouring property lies to the north on Dean Lane, approximately 70m away from the proposed development, with other properties to the west/northwest on Beeches Hill and to the southeast on The Hangers all over 100m away.

2 Proposal

The proposal seeks to extend the existing dwelling to the side and rear at ground floor level to create a larger living area. Some existing extensions to the rear of the house are to be removed. The proposed extension is single storey and contemporary in form to contrast with the original house. The extension comprises an open plan kitchen and living dining area, split over two levels in response to the contours of the site.

3 Relevant Planning History

84/01095/OLD -Change of use of farm building to craft pottery. Permitted 19th November 1984.

91/00808/OLD - Equine Clinic Unit including stable block menage and car park plus associated residential accommodation for two grooms. Permitted 30th May 1991.

SDNP/15/00429/FUL - Minor external modifications with enhanced facing materials with Change of Use of Vets Clinic Building into C3 Holiday Cottage. Amended plans received 30.04.2015 and 05.05.2015 changing the elm cladding to oak. STATUS: Approved 8th May 2015.

SDNP/16/04083/FUL - Minor External works and change of use from redundant stables and storage to an ancillary office and indoor pool.
STATUS: Approved 10th October 2016.

4 Consultations

Parish Council Consultee

Original plans:

Proposal is contrary to the WCC Local Plan part one Policy MTRA4 Development in the Countryside in that the proposal would cause harm to the character of the landscape of the area. Proposal is also contrary to Policy CP19 South Downs National Park in that the development would not be in keeping with the context and the setting of the SDNP and would have a detrimental impact on the rural character and setting.

It appears that the premises are being used for commercial purposes, so permission for a change of use might be required. If WCC are minded to approve this application, the Parish Council would request a condition limiting the extension to residential use only, with no commercial activity permitted. The application erroneously states that the public footpath (FP31) is along the road. In fact, it traverses the owners land and through the entrance to the farm; there has been no application to divert this footpath.

Amended plans:

Objection - Contrary to the WCC Local Plan part one Policy MTRA4 Development in the Countryside in that the proposal would cause harm to the character of the landscape of the area. Proposal is also contrary to Policy CP19 South Downs National Park in that the development would not be in keeping with the context and the setting of the SDNP and would have a detrimental impact on the rural character and setting. If WCC are minded to approve this application, the Parish Council would request a condition limiting the extension to residential use only, with no commercial activity permitted.

WCC - Landscape Architect

No objection: The submitted details have been reviewed and it is considered that these proposed extensions will not significantly harm the landscape of the SDNP.

WCC - Historic Environment Officer

None of the buildings on the site are listed and are not considered to be of sufficient quality to qualify as a non-designated heritage asset. In addition, the site is located in open countryside and is not located in Conservation Area. Consequently, there are no objections to the existing proposals in Historic Environment policy terms and no special conditions are recommended.

SDNP Dark Skies Ranger (D Oakley)

The amendments address the previous issues raised. No objection.

WCC - Ecologist & Biodiversity Officer

No objection, subject to condition and informative.

5 Representations

Original plans:

12 representations were received from local residents objecting to the proposal for the following reasons:

- noise and disturbance caused by recent events at Metlands Farm including additional traffic generated by these events.
- proposed extensions will be used in association with future events at the premises
- size of the extensions not in character with existing dwelling
- does not respect the character of the local area
- exceeds 30% policy increase limit

Amended plans:

No neighbour representations have been received in response to the amended plans.

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 development plan policies and other material considerations considered relevant 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 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 **South Downs Local Plan** are relevant to this application:

- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- 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

8 Planning Assessment

Background

The application was submitted in September 2018 and originally proposed two storey and single storeys extensions. No pre-application advice had been sought prior to the submission of the application. Officers raised concerns regarding the scale and design of the proposed extensions, and the impact on the character of the dwelling and surrounding area. The Parish Council objected to the proposal and 12 neighbour objections were received.

Following several meetings between officers, the applicant and their agent, the application was amended to omit the two storey element and provide a single storey side and rear extension only. The proposal would also replace some other single storey additions that are considered unsympathetic to the original character of the property. The amended plans were re-advertised and no neighbour

representations have been received. The Parish Council have continued to raise an objection to the scheme.

Principle of development

The principle of providing extensions to existing dwellings within the National Park is permitted by policy SD31, subject to the proposal meeting the following requirements:

- 1.a) the proposal does not increase the floorspace of the existing dwelling by more than approximately 30% unless there are exceptional circumstances;
- (b) the proposal respects the established character of the local area; and
- (c) the proposal is not overbearing or of a form which would be detrimental to the amenity of nearby residents by virtue of loss of light and/or privacy.

This section of the report focuses on part 1.a) of the policy, with parts (b) and (c) considered in other sections below.

The existing dwelling at Metlands Farm has a floor area of approximately 211m². 31m² of the existing floorspace is proposed to be demolished. The proposed extension would provide 163m² of additional floorspace which would represent an approximately 60% increase, contrary to policy SD31 which limits extensions to an approximately 30% increase.

However, it is considered that in this specific case the development is acceptable despite the policy conflict, for the reasons given below.

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.

The existing dwelling at Metlands Farm has a floor area of approximately 211m² and contains three bedrooms, so can be regarded as being a medium-sized home. It is acknowledged that the proposed extension, by virtue of its size, would result in the dwelling becoming a larger home, although the additional accommodation is at ground floor level only and no further bedrooms are proposed.

However, it is important in this case to consider the dwelling in its context rather than as a standalone property. The Metlands Farm site comprises various buildings and uses, including the farmhouse, equestrian stables, ancillary storage/garaging and a holiday cottage. There is also a manege and a number of paddocks within the grounds. The site extends to approximately 15 acres/ 6 hectares.

The purpose of policy SD31 is to retain small and medium-sized homes to ensure that a mix of housing types remains available within the National Park. Without this restriction, there is a risk that dwellings may become over-extended to the point that renders them unaffordable to many potential purchasers. In this case, although the property itself could be considered 'medium-sized', as it forms part of the wider Metlands Farm complex which includes the other buildings and uses

outlined above, it cannot be considered a type of property that is relatively more affordable in the National Park.

The importance of policy SD31 in preventing the over-extension of dwellings is acknowledged, however as each case is judged on its own merits then inevitably the policy will not fit to all situations. In this specific case, the proposal is not considered to be at conflict with the underlying purposes of the policy, which are to protect the supply of smaller homes and to protect the landscape character of the National Park.

Due to the nature of the site it is not considered that the development would have a detrimental impact on the housing stock in the National Park, and as such insufficient harm can be demonstrated in this case. The proposal is therefore considered acceptable in this regard and is recommended for approval.

Policy SD31 part 1.4 states that where permission is granted, future extensions may be controlled by the removal of permitted development rights. It is considered reasonable in this case to remove permitted development rights for Metlands Farm in accordance with policy SD31 as the development would far exceed the approximately 30% increase allowed for by the policy. It is considered important to protect the character of the original dwelling by removing permitted development rights. Condition 7 is therefore recommended to secure this.

Impact on the landscape character of the South Downs National Park

The proposed extension would be partially submerged into the ground and would be single storey in height. It is contemporary in form, comprising a lightweight structure of glazed elevations, timber fascias and a flat sedum roof. The design approach would contrast with that of the existing dwelling, ensuring that its character is preserved by allowing the original form and proportions of the farmhouse to be recognised. The proposed design and materials are considered acceptable. The Council's Historic Environment Officer has raised no objections to the scheme.

The development is significant in scale in terms of its footprint, however it would comprise a lightweight structure and would be single storey only so it is not considered to dominate the host dwelling. The proposed extension would be located to the east of the site behind the existing outbuildings so would be predominantly screened from Dean Lane. There may be glimpsed views of the side elevation from the access between the existing buildings, however such views would be very limited and the extension would be read in connection with the existing development within the site. Glimpsed views from the public footpath to the south of the site would also be possible, however as the proposal is considered acceptable in terms of its appearance then it is not considered to cause any visual harm to the surrounding area.

The Council's Landscape Officer has reviewed the application and considers that the proposed extension will not significantly harm the landscape of the National Park. A Tree Survey and Arboricultural Impact Assessment has been submitted which concludes that the development will not impact on retained trees. The proposed sedum roof is welcomed as it would enhance biodiversity within the site and would help the development to integrate into the landscape. The applicant

has also embarked on a significant tree planting scheme at the east of the site, to soften any potential views of the proposed development from The Hangers. In summary, the proposal is considered acceptable as it would not result in a harmful impact on the landscape character or natural beauty of the South Downs National Park.

Dark night skies

The South Downs National Park is a designated International Dark Sky Reserve. Policy SD8 of the SDLP states that proposals must conserve and enhance the dark night skies and demonstrate that all opportunities to reduce light pollution have been taken.

The SDNP Dark Night Skies Officer had concerns with the original proposals as the design includes a considerable amount of glazing. As part of the revised scheme, a lighting specialist has produced a technical report which incorporates several mitigation measures to avoid light spill, including:

- Black out blinds on the roof lights linked to an astronomical timeclock;
- Tints applied to the windows;
- The extension being partially inset into the landscape.

The applicant's lighting specialist has liaised with the Dark Night Skies Officer who is now satisfied with the scheme, subject to the mitigation measures outlined above which have been secured by recommended condition 4. Condition 5 has also been recommended to ensure that details of any external lighting at the site are submitted for approval prior to their installation.

The development is therefore considered to be acceptable in terms of its impact on the dark night skies of the National Park and would accord with policy SD8 of the SDLP.

Impact on ecology

The Council's Ecologist has raised no objections to the proposal subject to a condition to ensure that the recommendations within the submitted bat survey report are adhered to. Condition 6 is recommended to secure this.

Impact on residential amenity

There are no neighbouring properties in close proximity to the development that could be adversely affected by the proposal in terms of overlooking, overshadowing or overbearing impacts. The proposed extension is not considered to be a type of development that would give rise to any significant noise and disturbance issues.

The Parish Council has requested that if the Council are minded to approve the application that a condition is imposed to limit the extension to residential use only, with no commercial activity permitted. However, the application is for an extension to provide additional living accommodation for Metlands Farm only so it is not considered reasonable or necessary to apply an occupancy condition in this case. If the property is used for commercial activities in the future then a change of use application may be required at that time.

Impact on highways

The site contains ample space for the parking and turning of vehicles in accordance with the Council's adopted residential parking standards, so the development is not considered to result in an adverse impact on highway safety.

9 Conclusion

The application is considered acceptable for the reasons outlined above and is therefore 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 (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. 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. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be carried out in accordance with those specified in Section 03 of the Metlands Farm Design Statement (reference 237, dated August 2019) unless otherwise agreed in writing by the Local Planning Authority.

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

4. The development shall be carried out in accordance with the DfL Lighting Technical Report (reference 1114-DFL-TR-001_B, dated 7th August 2019) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise light intrusion in the South Downs National Park which is a designated International Dark Sky Reserve in accordance with policy SD8 of the South Downs Local Plan (2014-33).

5. 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.

6. The recommendations outlined in the Davidson-Watts Ecology Ltd Bat Survey Report of September 2018 shall be strictly adhered to.

Reason: In order to secure adequate ecological mitigation and enhancement, including with regards to protected species.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development permitted by Class A, B, C or E of Part 1, Schedule 2 of the Order shall be carried out.

Reason: To protect the character of the original dwelling and to accord with the requirements of policy SD31 of the South Downs Local Plan (2014-33) as the development exceeds the 30% floorspace increase limit.

Informatives:

1. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

South Downs Local Plan (2014-33): Policies SD2, SD4, SD5, SD8, SD31

3. In accordance with paragraphs 186 and 187 of the NPPF the Local Planning Authority take a positive and proactive approach to development proposals focused on solutions. The Local Planning Authority work with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service and,
- updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.
- In this instance various site meetings took place with the Applicant/Agent.

4. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

5. All bat species are protected under European Law within the E.C. Habitats Directive and under British law within the Conservation of Habitats and Species Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981. The applicant is advised that should bats be present, works must stop and a Natural England European Protected Species licence may be required before recommencing.

6. 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.

For further advice on this please refer the Construction Code of Practice <http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

7. 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.

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

Worked with the applicant and agent to achieve a positive solution. Amended plans and a lighting strategy were submitted which were considered acceptable.

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 - LOCATION PLAN	237-D-00-C	27.08.2019	Approved
Plans - BLOCK PLAN	237-D-01-C	27.08.2019	Approved
Plans - PROPOSED SITE PLAN	237-D-02-A	27.08.2019	Approved
Plans - PROPOSED SITE PLAN	237-D-03-B	27.08.2019	Approved
Plans - EXISTING GROUND FLOOR PLAN	237-D-04-B	27.08.2019	Approved
Plans - PROPOSED GROUND FLOOR PLAN	237-D-05-C	27.08.2019	Approved
Plans - EXISTING FIRST FLOOR PLAN	237-D-06-B	27.08.2019	Approved
Plans - PROPOSED FIRST FLOOR PLAN	237-D-07-C	27.08.2019	Approved
Plans - EXISTING ROOF PLAN	237-D-08-B	27.08.2019	Approved
Plans - PROPOSED ROOF PLAN	237-D-09-C	27.08.2019	Approved
Plans - SECTION AA	237-D-10-B	27.08.2019	Approved
Plans - SECTION BB	237-D-11-B	27.08.2019	Approved
Plans - FRONT ELEVATIONS	237-D-12-B	27.08.2019	Approved
Plans - SIDE ELEVATIONS	237-D-13-C	27.08.2019	Approved
Plans - REAR ELEVATIONS	237-D-14-C	27.08.2019	Approved
Plans - SIDE ELEVATIONS	237-D-15-C	27.08.2019	Approved
DfL Lighting Technical Report	1114-DFL-TR-001_B	07.08.19	Approved
Metlands Farm Design Statement (dated August 2019)	237	20.08.19	Approved
Davidson-Watts Ecology Ltd Bat Survey Report – 6 th September 2018		17 Sep 2018	Approved

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