



Head of Development Control
New Forest National Park Authority
Lymington Town Hall
Avenue Road
Lymington
Hampshire SO41 9AD

19th August 2021

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 – HOUSEHOLDER PLANNING APPLICATION FOR RETENTION OF REPLACEMENT OUTBUILDING AND DECK AT UPPER BUDDLE, BUDDLE HILL, NORTH GORLEY SP6 2PF

Background

When the applicant took ownership of Upper Buddle he inherited a dilapidated outbuilding within the domestic curtilage. He does not have a record, from the vendors, of when it was installed however, judging from its appearance, he would estimate it to have been in situ for at least 10 years.

After briefly considering renovating it, and the existing deck on which it sat, given their poor state of repair he decided to replace the outbuilding and renovate the deck and, not uncommonly, did not appreciate that this would constitute development in planning terms. In this belief, he set about dismantling the existing outbuilding, ordering a replacement of similar dimensions, and reconstructing the stilted 'deck' on which it sat.

Following a site visit by the NPA's officers, in connection with application 21/00412 (for a domestic swimming pool), it was brought to the applicant's attention that the building would require planning permission.

The building itself (as distinct from the deck, which does require planning permission) is capable, in my opinion, of being permitted development - being to the rear of the dwelling, satisfying the other relevant requirements of Schedule 2, Part 1, Class E of the GDPO 2015 (as amended), and sitting upon rather than being structurally part of the deck. However the NPA has informally come to a different view. Therefore, given the proposals would appear to accord with the relevant planning policies and he is keen to regularise the matter, the applicant is content to make a planning application and to also include the deck.

The proposals

The dwelling's 'side garden' comprises a level area which steps up to a gently sloping area of ground to the east (the 'upper side garden'), before banking up towards the tree lined rear boundary. A 'front garden' extends towards the roadside.

The outbuilding sits within this 'upper side garden', atop a level, stilted deck, and the applicant intends to use it as a garden room.

As he assumed that a 'like for like' replacement would be acceptable, the applicant has aimed to replicate the previous set up. Although the deck has been completely renovated with new timber frame, posts and joists, it has utilised the existing pads and has not been enlarged beyond its original extents. The applicant has put the completion of the deck on hold until the application has been determined then, if approved, he proposes to clad the frame with timber decking as shown on the submitted plans. The outbuilding is an 'off the shelf' model, selected to closely match the dimensions of the previous building and it now sits in a similar position on the deck.

Policy matters

The proposals would comply with the aims of policy DP37 in that it is proportionate to the dwelling, located within the residential curtilage and would not reduce amenity space to an unacceptable level given the relatively extensive garden land that would remain available, even taking into account the pool proposed under 21/00412. Neither is there any loss of parking provision.

Policy SP7 deals with landscape character and Policy SP16, which deals with the historic and built environment, is also relevant as the site lies within the Western Escarpment Conservation Area.

Although the outbuilding is located in the 'upper side garden', it is still more than adequately screened and appears well below the ridgeline of the dwelling, with limited views obtainable from outside the site. At the time of the officer's visit, the building had been very recently installed and was untreated. It is now stained 'Forest Green' to blend with its surroundings – again, in a similar way to its predecessor.

It is, of course, incumbent on the LPA to consider the potential impact of the development on the nearby trees. As the trees to the rear co-existed happily with the previous arrangement and no excavation has been undertaken - merely the replacement of the deck timbers - and as no pruning or removal of trees has been involved in the renovations and replacements, it is suggested that a tree report is not necessary in the circumstances. But the applicant would, of course, be happy for the Tree Officer to visit and make their own assessment.

Policy SP6 deals with the natural environment. The site lies adjacent to the SSSI but is not subject to any specific nature conservation designation and, as the outbuilding sits within an area of domestic lawn on a previously developed area, no removal of habitat has occurred and the applicant has already taken steps to enhance biodiversity with wildflower planting within the 'front garden'. No external lighting is proposed.

Policy SP17 deals with local distinctiveness. Domestic outbuildings are, of course, a common feature in the Forest and this is a suitably simple and subordinate structure, which would sit discretely within the site and have no tangible effect upon local distinctiveness.

In terms of impact upon neighbour amenity, the outbuilding is set some 20m from the boundary to the garden of Buddle Cottage, its nearest neighbour, and is not raised to a level that would enable views into this or any other neighbouring property.

Conclusion

In conclusion, no harmful impacts appear to have been caused by the previous arrangement and, when considered on its own merits, the replacement outbuilding would comply with prevailing planning policy.

It remains suitably modest in proportion to the dwelling, with no loss of habitat or vegetation and would have a neutral impact upon the Conservation Area given its discrete location.

In the circumstances, it is submitted that planning permission can reasonably be granted.

Yours sincerely

A solid black rectangular box used to redact the signature of Jerry Davies.

Jerry Davies

JPD
JPC

Previous arrangement, show with deck partially dismantled



Current arrangement, shown as existing at point of submission

