



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

4th May 2022

Dear Sir/Madam

RE: TOWN AND COUNTRY PLANNING ACT 1990 – HOUSEHOLDER PLANNING APPLICATION FOR ALTERATIONS TO ROOF OF PROPOSED CONSERVATORY (VARIATION TO EXSTANT PLANNING PERMISSION 10/95152)

Introduction and background

I attach an application for a householder planning application. This application is submitted within 12 months of the refusal of a previous application for a similar development, hence no further fee is understood to be due.

Following the refusal of 21/00458 the proposal is resubmitted in order that it can be considered in light of the NPA's updated advice on the interpretation of policy DP36 regarding conservatories that were permitted under the previous 'exemption' policy.

As the context and justification for the proposals remains unchanged, the Design and Access Statement submitted with application 21/00458 is not included again with this application, but the LPA will of course refer itself to the planning history. However, in summary, the background is as follows.

The extant permission 10/95152 included a conservatory which benefited from the 'legacy' NFDC conservatories exemption policy and is still capable of being implemented as approved – this is not in dispute. Application 21/00458 sought to replace the glass roof of the approved conservatory with a solid roof which, although presenting a perceived policy conflict as regards policy DP36, would produce planning gains in line with other policy aims, most notably policies SP11 and SP15.

The reduction in light pollution that would arise from the proposal was key to Sway Parish Council's support of application 21/00458 however the application was recommended for refusal by Officers on the basis of the perceived conflict with policy DP36.

In recognition of this tension between the desire to uphold the policy aims of DP36 and prioritise sustainability the NPA was, at the time, in the process of drafting an update to its 'Planning Information Leaflet' (PIL) in respect of domestic extensions. However this had not yet been adopted

and, after some debate at Committee, Members supported the recommendation and application 21/00458 was refused.

The first reason for refusal was related to the floorspace increase exceeding the 30% limit set out in policy DP36. The second reason for refusal reinforced the first, also setting out why the fallback position was not considered to outweigh the policy objections in respect of policy DP36 and the related strategic policy SP17 (local distinctiveness).

No objections were raised in relation to design or other matters, either in the decision or the Committee Report and debate. Indeed it is fair to say that the design was considered to be an improvement upon that approved in 2010.

Whilst it was frustrating for the applicants that the NPA could not see its way to an approval at the time, they accepted its desire to clarify the interpretative points at stake in published guidance and were pleased to see this happen in the revised PIL which was supported by Members at the January Planning Committee meeting and subsequently published.

The proposals and policy matters

In the intervening months, the applicants have revisited the proposals and decided to introduce elements of timber cladding to the side walls of the conservatory, which I outline below. Otherwise, there are no differences between the dimensions, design, or materials proposed under 21/00458.

The advice now in place enables a different interpretation of policy DP36 to that which was applied previously. As the policy considerations outlined in the previous Design and Access Statement remain the same, I will not repeat these here but summarise below the key points in relation to the current guidance.

‘...in light of sustainability and tranquility considerations , a revised approach of allowing their adaption or replacement with a more solid roof and/ or external walls may be considered acceptable, subject to the footprint, scale and siting of the adapted/replaced ‘conservatory’ being the same as before with no increase in floor area.’

The proposals adapt the approved conservatory by introducing a solid, slate roof and timber cladding panels to part of the external walls, providing a significant reduction in light pollution and improvement in thermal efficiency. Its footprint, floor area and siting remains the same as previously approved. The timber cladding would match that used on the example shown in the attached 3D images.

‘Any increase in height of the adapted/replaced ‘conservatory’ must be kept to the absolute minimum and limited to what is reasonably required to achieve the necessary thermal insulation to the roof.’

No increase in height is proposed.

‘In circumstances where adaptations to, or replacement of, a previously exempt conservatory are permitted, the floorspace of the former conservatory will continue to be excluded from the floorspace calculations in consideration of future proposals to extend and/or replace the dwelling. This will be made clear through an informative attached to any planning permission granted’.

This last point is understood and accepted by the applicants. I trust, then, that the proposals can now be considered favourably and that planning permission can now be granted.

Kind regards



Jerry Davies

