

DELEGATED REPORT

PROPOSAL	Conversion and extension of garage to habitable accommodation and raise roof and conversion of roof space to form habitable accommodation (amended description).		
LOCATION:	Karaka, Paice Lane, Medstead, Alton, GU34 5PT		
APPLICATION TYPE	Householder		
REFERENCE NO:	59356/002	PARISH:	Medstead
APPLICANT:	Ms House		
CONSULTATION EXPIRY DATE:	02 August 2022		
APPLICATION EXPIRY DATE:	06 June 2022		
COUNCILLOR(S):	Councillor J May, Councillor D B Tennyson, Councillor I C Thomas		
SUMMARY RECOMMENDATION:	PERMISSION		

Site and Development

Karaka is a detached single storey three bedroom dwelling with an attached garage which is located within a spacious plot on the south side of Paice Lane. There is no defined character to the dwellings within this area of Paice Lane, they vary greatly in scale and appearance.

The site is located outside the settlement policy boundary for Medstead but lies within the designated area of the Medstead and Four Marks Neighbourhood Plan.

Permission is sought to part convert and extend the attached garage and to convert the existing roofspace of the dwelling. The proposals would create two additional bedrooms and an ensuite within the roofspace and would provide a kitchen/dining room at ground floor level.

Relevant Planning History

59356/001 - Lawful Development Certificate for Proposed Development - Erection of front porch and side and rear extensions - Granted 2022.

Development Plan Policies and Proposals

The Draft version of the Local Plan (2017 -2036) was published under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation from 5 February to 19 March 2019. Paragraph 48 of the NPPF (2021) sets out the circumstances when emerging planning policies may be given weight in determining planning applications. Based on the current early stage of preparation, the draft Local Plan policies are currently afforded no weight.

East Hampshire District Local Plan: Joint Core Strategy (2014)

CP1 - Presumption in favour of sustainable development
CP2 - Spatial Strategy
CP19 - Development in the countryside

CP27 - Pollution
CP29 - Design
CP31 - Transport
CP21 - Biodiversity

East Hampshire District Local Plan: Second Review (2006)

H16 - Maintaining a Range of Dwelling Sizes outside Settlement Policy Boundaries
HE2 - Alterations and Extensions to Buildings

Medstead and Four Marks Neighbourhood Plan (2016)

Policy 1 – Spatial Plan

Residential Extensions and Householder Development SPD July 2018

Vehicle Parking Standards SPD July 2018

Planning Policy Constraints and Guidance

National Planning Policy Framework (NPPF) July 2021

In this instance the following sections of the NPPF are considered to be particularly relevant to the consideration of the development;

12. Achieving well-designed places

Consultations and Town/Parish Council comments

HCC Ecologist - No objection, subject to informative notes.

Medstead Parish Council - As long as the Planning Officer is content that there being sufficient room for parking, following the loss of the garage, no objection, and a condition should be included to prevent the new extension being subject to separate accommodation in the future. *Officer note: planning permission would be required for the use of the extension as separate accommodation, as such, a condition to control this is not considered necessary.*

Representations

None received.

Determining Issues

1. Principle of development
2. Impact on the amenity of neighbouring properties
3. Impact upon scale and character of dwelling and impact on the character of the area
4. Highway implications
5. Ecology

Planning Considerations

1. Principle of development

Policy 1 of the Medstead and Four Marks Neighbourhood Plan states that land outside the Settlement Policy Boundaries (SPBs) will be regarded as countryside and Policy CP19 of the Joint Core Strategy will apply.

Policy CP19 of the East Hampshire District Local Plan; Joint Core Strategy (JCS) sets out that permission will only be granted for development within the countryside provided it meets several criteria, one of which is that there is a proven need for a countryside location. In this instance, the proposal is for a domestic extension in connection with a dwelling which is located within the countryside, as such, the existing siting necessitates the need for the location.

The proposal lies outside any SPB, and as such any residential development for an extension of an existing dwelling is subject to accordance with the criteria set out in saved Policy H16 of the Local Plan: Second Review 2006

Policy H16 restricts extensions to dwellings of this size to 50% of their original floor area as at 1 April 1974, in order to maintain a range of dwelling sizes in the countryside.

Original dwelling = 126sqm (including attached garage)

Proposed extensions = 140sqm

Total proposed = 266sqm

The proposal would equate to an 112% increase in floor area which does not comply with policy H16.

Accordingly, the proposal would conflict with Policy H16, which aims to retain a range of dwelling sizes within the countryside. However, consideration needs to be given as to whether there are any material considerations that may outweigh this policy position. The key consideration is the fallback position presented by the application in terms of possible permitted development (PD) alterations including the erection of front porch and side and rear extensions, and whether such a fallback position is realistic. The extensions benefit from the current permitted development regimes for dwellings (see planning history above 59356/001). The granting of 59356/001 established that 68sqm of additional floorspace could be implemented, in theory without express planning permission being sought. To date, the extensions have not been implemented.

To provide a robust fallback position the Council accepts that it is not necessary for PD extensions to have been built out. However, it is important to assess whether the fallback position would be likely to be built out if permission was refused for the application scheme. In this instance the fallback position relies partly on PD extensions to the side and rear of the property, and a porch. Having regard to the existing internal layout, and the size and position of the PD extensions it is considered that they would provide a practicable means of extending the dwelling. Consequently, officers are of the opinion that there is a reasonable prospect that the fallback position with regard to the side extension may be built out. Therefore, the permitted development fallback position is a material planning consideration, and consequently the fallback position can be afforded considerable weight. The above established PD fall back position secures 68 sqm of additional floor space which leaves 72 sqm of additional floor space.

The main ridge height of the dwelling would not be increased by the proposal so the existing roofspace of the dwelling could be used as accommodation served by roof lights under permitted development rights, and consequently, this floorspace is a material consideration. The existing floor area of the roofspace equates to approximately 70 sqm. The lawfully established PD fallback position of 68sqm would already exceed to 50% uplift limit, therefore, allowing the use of the existing floorspace of the roofspace would not alter the established fallback position in terms of breaching the 50% uplift limit. Furthermore the resultant dwelling would have a floor area of 266sqm which would remain within the same range of dwelling sizes (between 67sqm and 267sqm) that a 50% uplift would result in. Consequently, it would be reasonable to allow the additional 72 sqm of floor space being sought.

Having regard to the above fallback position, on balance in this instance, the increase in floor area is acceptable.

2. Impact on the amenity of neighbouring properties

Policy CP27 of the JCS requires that developments would not have an unacceptable impact on the amenity of the occupiers of neighbouring properties through loss of privacy or excessive overshadowing. Policy CP29 criterion (d) requires development to be sympathetic to its setting in terms of scale, height, massing and density, and its relationship to adjoining buildings, spaces around buildings and landscape features. Section 12 Paragraph 130(f) of the NPPF requires that places should be created with a high standard of amenity for existing and future users.

The only immediate dwelling is Woodbury, which is to the west of the site. No first floor windows are proposed in the west elevation of the proposal and the 45 degree views from the front and rear windows of Woodbury would not be impinged upon. The roof height would be increased by 0.5 metres, however, it would be pitched away from the shared boundary and the detached garage of Woodbury would be between the proposal and Woodbury itself.

Having regard to the above and the orientation of the neighbouring dwellings, the proposal would be sufficiently distanced, orientated and designed so as not to have an unacceptable effect on the amenities of the neighbouring properties, in particular to their outlook, privacy or available light.

Having regard to the above, the proposal is compliant with policies CP27 and CP29 of the JCS.

3. Impact upon scale and character of dwelling and impact on the character of the area

Saved Policy HE2 of the Local Plan requires that alterations and extensions to buildings are designed to take account of the design, scale, and character of the original building, its plot size and its setting.

Policy CP29 of the JCS seeks to ensure that development proposals are of exemplary standards of design and architecture, with a high quality external appearance that respect the area's particular characteristics. It requires that developments are sympathetic to their setting in terms of scale, height and massing, and their relationship to adjoining buildings, spaces around buildings, and that development should make a positive contribution to the overall appearance of the area.

The proposal would result in a front facing gable which would appear as the most prominent part of the dwelling. However, the existing dwelling has no particular architectural merit and the resultant dwelling would be more attractive. Furthermore, the dwelling is set well back from the highway and there is no defined character to the dwellings within the immediate or wider streetscene, they vary greatly in scale, character and appearance.

Having regard to the above, the proposal is compliant with policy CP29 of the JCS and policy HE2 of the Local Plan.

4. Highway implications

Policy CP31 of the JCS requires that regard is had to any impact on the safety and convenience of the public highway. The parking requirements would increase from two to three and there is room for three parking spaces to the front of the dwelling and one in the garage, ensuring there would be no highways impact.

Having regard to the above, the proposal is compliant with policy CP31 of the JCS.

5. Ecology

Policy CP21 of the JCS requires that development proposals maintain, enhance and protect the District's biodiversity and its surrounding environment.

The County Council Ecologist, raised concerns and request the submission of a phase 1 habitat survey. This was submitted, and concluded that there was no evidence of bats, and as such the County Council Ecologist has raised no objections.

Having regard to the above, subject to condition, the development accords with policy CP21 of the JCS.

Conclusion

Having regard to the permitted development fallback position demonstrated within the proposal, the floor area is acceptable. The development would be in scale and character with the dwelling, would not detract from the character and appearance of the area, nor would it have an unacceptable impact on the amenities of neighbouring properties or have an adverse effect on the safety and function of the highway network. As such, the proposal is in compliance with the relevant policies of the Medstead and Four Marks Neighbourhood Plan, the East Hampshire District Local Plan: Joint Core Strategy, and the East Hampshire District Local Plan: Second Review.

RECOMMENDATION

PERMISSION subject to the following conditions:

- 1 The development hereby permitted shall be begun **before the expiration of three years** from the date of this planning permission.
Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2 Notwithstanding any indication on the approved plans, the resultant dwelling shall not have a total habitable floor area greater than 266 square metres gross external measurement. Upon implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any order revoking, re-enacting or modifying that Order) there shall be no additions to or extensions/enlargement of the dwellinghouse to which this application relates without a grant of planning permission from the Local Planning Authority.
Reason - The property lies outside of any recognised settlement where the Local Planning Authority seeks to retain a range of dwellings, and therefore wishes to control any further alterations, extensions or conversion of the roof space.

3 The development hereby permitted shall be constructed in accordance with the materials specified within the approved details, unless details of other suitable materials are otherwise agreed in writing by the Local Planning Authority.
Reason - To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

4 The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:

Application form
CIL form 1
CIL form 7
Location plan
Block plan
Proposed plans and elevations
Existing and proposed roof plan

Reason - To ensure provision of a satisfactory development.

Informative Notes to Applicant:

1. In accordance with paragraphs 38 and 39 of the NPPF East Hampshire District Council (EHDC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
 - offering a pre-application advice service,
 - updating applicant/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this instance the application was acceptable as submitted and no further assistance was required.

2. 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 2017. 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.

3. To enhance the biodiversity of the site the applicant is advised to consider the installation of a bird box onto a mature tree/building with nearby scrub/overgrown vegetation, at a height of 2-4m, facing south or south-west such that they do not face prevailing wind or direct sunlight for too long and should avoid artificial illumination.

The following plans and specifications were considered when making the above decision:

Application form
CIL form 1
CIL form 7
Location plan
Block plan
Proposed plans and elevations
Existing and proposed roof plan

Any variation or departure from the approved plans will require the prior approval of the Planning Authority before works commence.