

FOXGLOVES, POWNTLEY COPSE,
ALTON, HAMPSHIRE, GU34 4DL

PLANNING STATEMENT

**PREPARED ON BEHALF OF MS N FLETCHER & MR P WILLIAMS
BY FREDRICK ADAM LTD**



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PLANNING STATEMENT

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CONTENTS

PAGE NUMBER

1. INTRODUCTION	4
2. THE SITE AND SURROUNDINGS	5
3. THE MAIN PLANNING ISSUES	7
4. PLANNING POLICY CONTEXT	8
5. THE PROPOSALS	10
6. PLANNING ASSESSMENT	11
7. CONCLUSIONS	12

APPENDICIES

APPENDIX 1: SITE PHOTOGRAPHS

1.0 INTRODUCTION

- 1.1 This application is submitted on behalf of Ms N Fletcher and Mr P Williams in support of a planning application at Foxgloves (“the site”).
- 1.2 Foxgloves is located on a private road within the parish of Upton Grey. The road comprises twenty-six large detached properties set within their own grounds. As illustrated on drawing number FA-R-22-10-A-100, the site measures 2.037 acres. The area identified as ‘residential curtilage’ measures 1.107 acres.
- 1.3 Planning permission is sought for the following:
- “Demolition of the rear conservatory, detached single storey garage, lean-to and shed structure. Erection of a two storey replacement garage with accommodation incidental to the enjoyment of the dwellinghouse above. Erection of an outdoor structure to cover the existing outdoor kitchen.”**
- 1.4 Photographs of the site are enclosed at **appendix 1**.
- 1.5 In the determination of this application, the main planning matters are identified as follows:
- 1) Is the demolition work acceptable?
 - 2) Is the erection of a replacement garage acceptable?
 - 3) Is the erection of an outdoor structure acceptable?
 - 4) Is the design acceptable, specifically with regard to the character and qualities of the area, views in and out of the site and neighbouring amenity.
- 1.6 This statement explains the proposal and confirms its merits when assessed against the provisions of the Development Plan (DP).

2.0 THE SITE AND SURROUNDINGS

- 2.1 The planning unit is illustrated on drawing number FA-R-22-10-A-100 and measures 2.037 acres.
- 2.2 The application site is located within the residential curtilage of the dwellinghouse.
- 2.3 The residential curtilage is defined on drawing number FA-R-22-10-A-100 and measures 1.107 acres.
- 2.4 The existing accommodation comprises a detached four bedroom dwellinghouse and benefits from a detached single storey garage with pitch roof located forward of the principal elevation.
- 2.5 The property is the penultimate dwelling located at the western end of the private road.
- 2.6 The driveway to the property is long and leads to an area of hardstanding to the front of the dwelling and garage. The hardstanding extends down the eastern side of the property. A shed is located in this area.
- 2.7 Residential garden surrounds the dwellinghouse to all sides.
- 2.8 There is a difference in levels across the site of some 9.5m from the access road to the rear of the site.
- 2.9 The existing dwelling measures 161 square metres GIA. The garage measures 35.77 square metres GIA and the shed measures 10.75 square metres GIA.
- 2.10 The site is well screened and there are limited views of the site from the immediate and wider area.
- 2.11 Since the most recent aerial photographs on 'google' a number of trees have come down naturally¹. The topographical survey shown on drawing number FA-R-22-10-A-102 confirms existing tree positions.
- 2.12 The closest residential dwelling is located some 11.6 metres to the east². There are no properties to the north or south. Folly House is located to the west, approximately 48 metres away.
- 2.13 A review of the adopted Local Plan Proposals Map confirms the site is located outside any defined Settlement Policy Boundary (SPB) and is not covered by any site-specific designations.

¹ To ensure trees are retained along the road there is a covenant to protect the forest trees that is overseen by the Local Residents Association

² Broom Cottage

- 2.14 The existing garage is located over 20 metres from the Ancient Woodland to the north and further from the Site of Scientific Interest and Site of Importance for Nature Conservation³ (SINC).

³ Powntley Copse - Site Ref: BD0748

3.0 THE MAIN PLANNING ISSUES

3.1 We have identified the main planning issues to be as follows:

- 1) Is the demolition work acceptable?
- 2) Is the erection of a replacement garage acceptable?
- 3) Is the erection of an outdoor structure acceptable?
- 4) Is the design acceptable, specifically with regard to the character and qualities of the area, views in and out of the site and neighbouring amenity.

3.2 We address these issues in the context of DP policy and other material considerations at section 6.

4.0 PLANNING POLICY CONTEXT

4.1 For decision-taking, section 38(6) of the Planning and Compulsory Purchase Act (2004) as amended requires that if regard is to be had to the Development Plan (DP) for the purposes of determination, then that determination must be made in accordance with the DP unless material considerations indicate otherwise.

4.2 For the purpose of a planning application, the DP comprises the following:

- The Adopted Basingstoke and Deane Local Plan (2011 to 2029) (adopted May 2016).
- The Adopted Policies Map.

4.3 A Neighbourhood Plan (NP) has not been adopted.

4.4 The relevant DP policies are as follows:

Policy SD1: presumption in favour of sustainable development.

Policy CN9 (a-j): transport.

Policy EM1 (b)(e): landscape.

Policy EM4 1(a-f) & (3)(4): biodiversity, geo-diversity and nature conservation.

Policy EM10 2(a-f): delivering high quality development.

DEVELOPMENT PLAN - POLICY SUMMARY

BASINGSTOKE & DEANE BOROUGH COUNCIL LOCAL PLAN

4.5 **Policy SD1** reflects paragraph 11 of the National Planning Policy Framework (NPPF, December 2023) which seeks to take a positive approach that reflects the presumption in favour of sustainable development. Planning applications that accord with the policies in the Local Plan should be approved without delay, unless material considerations indicate otherwise.

4.6 **Policy CN9** confirms that development proposals will be permitted that:

- (a) **“Integrate into existing movement networks;**
- (b) **Provide safe, suitable and convenient access for all potential users;**
- (c) **Provide an on-site movement layout compatible for all potential users with appropriate parking and servicing provision; and**
- (d) **Do not result in inappropriate traffic generation or compromise highway safety.”**

4.7 **Policy CN9** seeks to ensure that development is of a high quality and of sustainable design, construction and layout.

- 4.8 **Policy EM1** confirms that development will be permitted where it can be demonstrated that the proposals are sympathetic to the character and visual quality of the area. The policy requires development to respect, enhance and not be detrimental to the character or visual amenity of the landscape likely to be affected.
- 4.9 **Policy EM4 (1)** seeks to ensure that development proposals do not significantly harm biodiversity or geo diversity and where this isn't possible the development is adequately mitigated. Criterion 3 require applications to include adequate and proportionate information to enable a proper assessment of the implications for biodiversity and geo diversity. Criterion 4 seeks to promote opportunities for biodiversity improvement.
- 4.10 **Policy EM10** requires all development to be of a high quality, based upon a robust design-led approach.

MATERIAL CONSIDERATIONS

- 4.11 Weight will also be given to material considerations. The amount of weight is a matter for the decision-maker.
- 4.12 For the purpose of section 70(2) of the 1990 Act, we understand the following will be given weight as “material considerations”:
- Previous planning decisions and appeal decisions⁴.
 - The National Planning Policy Framework, 2023 (NPPF).
 - The Environment Act, 2021.
 - Supplementary Planning Documents (SPDs) and Planning Policy Guidance (PPG).
 - Any realistic fallback position presented by the existence of permitted development (PD) rights.
- 4.13 Whilst we consider significant weight should be given to the NPPF, it cannot displace the primacy given by the statute and policy to the DP. It must be exercised consistently with, and not to displace or distort the statutory scheme⁵.
- 4.14 We consider moderate weight should be given to SPDs. SPDs must not conflict with the adopted DP, cannot supersede DP policy and are merely “material considerations”.
- 4.15 Consistency in planning decisions is also clearly important. We understand that significant weight will be given to other relevant decisions for similar proposals
- 4.16 The following sections describe the proposed scheme and provide an assessment of the proposals against the DP policies and material considerations where relevant.

⁴ R (on the application of Davidson) v Elmbridge BC [2019] EWHC 1406 (Admin)

⁵ Paragraphs 224 and 225 of the NPPF

5.0 THE PROPOSALS

5.1 The proposals are illustrated on the following application drawings:

- **Drawing Number FA-R-22-10-A-100:** Site Location Plan.
- **Drawing Number FA-R-22-10-A-101:** Existing Site Block Plan.
- **Drawing Number FA-R-22-10-A-102:** Existing Topographical Survey.
- **Drawing Number FA-R-22-10-A-103:** Existing Buildings Plans.
- **Drawing Number FA-R-22-10-A-104:** Existing Building Elevations.
- **Drawing Number FA-R-22-10-A-105:** Proposed Site Block Plan.
- **Drawing Number FA-R-22-10-A-107H:** Proposed Ground Floor Plan.
- **Drawing Number FA-R-22-10-A-108H:** Proposed First Floor Plan.
- **Drawing Number FA-R-22-10-A-109H:** Proposed Roof Plan.
- **Drawing Number FA-R-22-10-A-110H:** Proposed Elevations 01.
- **Drawing Number FA-R-22-10-A-111:** Proposed Outdoor Kitchen Structure.
- **Drawing Number FA-R-22-10-A-112B:** Proposed Garage Plans.
- **Drawing Number FA-R-22-10-A-113B:** Proposed Garage Elevations.
- **Drawing Number FA-R-22-10-A-114:** Site Photos Document.

5.2 In summary, the scheme is as follows:

- Demolition of the rear conservatory, internal changes⁶ and the insertion of sliding doors across the rear elevation.
- Demolition of the existing detached single storey garage and lean-to.
- Demolition of the shed structure.
- Erection of a two storey garage with accommodation in the roof space.
- Erection of an outdoor structure over the existing outdoor kitchen area to the rear of the property and extension of the existing wall around two sides.

⁶ Internal changes would not require planning permission.

6.0 PLANNING ASSESSMENT

- 6.1 This section provides an assessment of the scheme against the planning issues identified at paragraph 1.5, the provisions of the DP and other material considerations.

DEMOLITION

- 6.2 The existing dwelling house is not listed and the site is not located within a designated Conservation Area (CA).
- 6.3 The existing conservatory makes no positive contribution to the appearance of the site or locality.
- 6.4 The demolition of the structures illustrated on drawing numbers FA-R-22-10-A-102 and FA-R-22-10-A-103 should be considered acceptable.

PRINCIPLE & DETAILED DESIGN

- 6.5 The site is located outside the defined SPB, in open countryside.
- 6.6 Foxgloves is located on a generous plot, set well back from the public highway with limited views from public areas.
- 6.7 The proposed design is considered to be sympathetic to the rural location and character and design of the host dwelling.
- 6.8 The replacement garage would be located in a similar location to the existing and would not impact on the Ancient Woodland.
- 6.9 Due to the proposed position of the replacement garage in relation to neighbouring properties, its size, scale and inclusion of accommodation - incidental to the enjoyment of the host dwelling, is not considered to impact on the amenity of neighbours.
- 6.10 Due to the existence of an outdoor kitchen already and the proposal being simply to cover it, its size and scale is not considered to impact on the amenity of neighbours.
- 6.11 The replacement garage would provide parking and secure space for the storage of bikes and garden machinery. Sufficient space is retained for parking within the residential curtilage of the host dwelling.
- 6.12 No trees would be removed to facilitate the proposal and the proposal would not impact on existing trees. If required, the applicants would install bat and bird boxes on existing trees to support and improve biodiversity.
- 6.13 We respectfully contend the principle and design of the proposal should be considered acceptable.

7.0 CONCLUSIONS

- 7.1 We consider the proposed scheme to comprise sustainable development for the purpose of Policy SD1 of the Local Plan and paragraph 11 of the NPPF. Respectfully, we put forward the presumption in favour of sustainable development set out at paragraph 11 (c) applies.
- 7.2 We consider the proposed scheme to be in accordance with the Development Plan as a whole. Respectfully if the Council disagree, it is established in *Cornwall Council v Corbett [2020]* that conflict with a Development Plan policy does not necessarily deprive a proposal of the ‘statutory presumption in favour of the development plan’⁷.
- 7.3 The proposed scheme replaces an existing detached garage, with a new high-quality garage, which will enhance the quality of the site and host dwelling.
- 7.4 The proposed structure over the existing outdoor kitchen scheme will enhance the natural environment and will not impact on the integrity of protected habitats or upon neighbouring amenity. In addition, the scheme will seek to re-use and make use of local materials.
- 7.5 Should the Council find conflict with one or more Development Plan policies, we respectfully contend there is overwhelming compliance with other relevant Development Plan policies, and that when taken as a whole, the NP should find firmly in favour of the proposal⁸.
- 7.6 The scheme is of a high quality design and is appropriate and sympathetic in terms of scale, appearance, form, siting and layout.
- 7.7 In addition to the above, we have not identified any relevant parts of the NPPF which would require permission be refused.
- 7.8 We respectfully request planning permission is granted.

⁷ Cornwall Council V Corbett [2020] EWCA Civ 508

⁸ Inquiry Appeal Decision dated 11 February 2022 in respect of Land to the North East of Broad Piece, Soham: PINS Ref: APP/V0510/W/21/3282449