

Application Number: 19/10584 Full Planning Permission

Site: 21 THE FALLOWS, ASHLEY, NEW MILTON BH25 5RP
Development: Roof alterations and first floor extension, raise ridge height in association with new first floor; chimney
Applicant: Mr & Mrs Curtis
Target Date: 09/07/2019
Extension Date: 12/07/2019
Link to case file: [view online here](#)

1 SUMMARY OF MAIN ISSUES

The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11 of this report after which a conclusion on the planning balance is reached.

1) Impact on the character and appearance of the area and street scene.

This matter is being reported to Committee because a contrary view has been expressed by the Parish Council and a Councillor.

2. THE SITE

The application site is positioned at the end of a cul de sac. The application dwelling is a single storey dwelling with a lower profile double garage at right angles, located within a small group of 2 storey houses. The application property has a larger footprint than the three other dwellings within this small group of properties. By reason of its position within the cul-de-sac, the property is visible from Cull Lane to the south and Hollandswood Drive to the west.

3. THE PROPOSED DEVELOPMENT

The application seeks permission to construct a first floor to the existing 4 bedroom bungalow, to create a two storey 4 bedroom hipped roofed house. The new first floor would span the majority of the existing ground floor accommodation.

The overall ridge height of the resulting building would be 8.1m, an increase of 2.8m, and there would be an associated increase in eaves height of 5m. A gable feature would be introduced to the front elevation which would have a rendered finish, contrasting with the tile hanging and brick which would also be used on the remainder of the front elevation. The rear elevation would be finished with a mix of brick and render.

4. PLANNING HISTORY INCLUDING NOTES OF ANY PRE APPLICATION DISCUSSIONS

16/11467 Roof alterations and raise ridge height in association with new first floor; chimney Refused 11/01/2017

95/NFDC/57407 Addition of a porch Granted 02/10/1995

NFDC/87/35778 22 dwellings and garages. Granted Subject to Conditions
12/04/1988

Pre application advice was given in July 2016 prior to submission of the last planning application (Ref 16/11467) This advise was that the principle of creating a two storey dwelling was acceptable, however there was a need to reduce the bulk of the extended dwelling to bring it into scale with neighbouring properties. It was suggested that this could be achieved by reducing the first floor so it would not extend beyond the attached garage.

No further pre-application advice has been sought since the refusal in 2017.

5. THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

Core Strategy

CS2: Design quality

Emerging Local Plan

SO3: Built environment and heritage

Policy 13: Design quality and local distinctiveness

Supplementary Planning Guidance And Documents

SPD - New Milton Local Distinctiveness

6. RELEVANT LEGISLATION AND GOVERNMENT ADVICE

National Planning Policy Framework

Chap 12: Achieving well designed places

Para 124

Para 127

Para 130

7. PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: PAR 3 Acceptable (Non delegated)

8. COUNCILLOR COMMENTS

Cllr John G Ward: I have been made aware of the reasoning for wanting to extend the home into a proper long term four bedroom house for their young family.

NMTC supported the previous application, but it was lost at NFDC committee by one vote. I feel that the reworked application is much better. I assume that NMTC would also support this new application. Whether that happens or not, I give the proposal my support.

The resident has requested that the application is heard ASAP to enable work during the summer months if it is approved. I therefore ask that it goes to committee ASAP rather than being delegated to officers.

Cllr Mrs Jill Cleary: I ask this application goes to Committee ASAP rather than be delegated to officers please.

9. CONSULTEE COMMENTS

None received

10. REPRESENTATIONS RECEIVED

No letters of representations have been received.

11. OFFICER COMMENTS

Introduction

11.1 The key issues are the impact on the character of the area and the street scene and the impact on neighbour amenity.

11.2 The National Planning Policy Framework 2019 Chapter 12 “Achieving well designed places” acknowledges (in Para 124) that the creation of a high quality built environment is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development in creating better places to live and work. Being clear about design expectations is essential to achieving this goal.

11.3 Para 127 of the NPPF requires development to be sympathetic to local character, respect surrounding built environment and maintain a strong sense of place in terms of building gaps, spaces and materials.

11.4 The scale of a proposed development is integral to its design, and para 130 of the National Planning Policy Framework states that:
'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'

11.5 A previous application for a similar development was refused in 2016, for the following reason:

"By reason of the size of the proposed first floor extension, it would result in an overly large dwelling that would be out of scale with neighbouring properties. This would result in an intrusive and overbearing form of development within the street scene of Cull Lane, Hollandswood Drive and The Fallows. Furthermore, it would detract from the spaciousness that the existing single storey dwelling contributes to the area, by creating an overly bulky dwelling in this location. Therefore, this proposed extension would also detract from the character and appearance of the area. As such, it would be contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park, and Chap 7 of the National Planning Policy Framework"

11.6 This current proposal differs from the previously refused scheme in the following respects:

- hips introduced to both end elevations (whereas previously refused scheme had the eastern elevation was a full gable) and hip to western elevation.

- gable introduced to front elevation
- fenestration changes to front and rear elevation
- introduction of tile hanging to part front elevation and render to gable addition. Previously brick and small rendered and clad element
- rear elevation to be mixture of brick and render
- height of proposed ridge increased to 8.1m, whereas on previous scheme the ridge height was proposed as 7.5m
- slight increase in floor area to master bedroom, due to change of details to front elevation.

Character of the Area and Street scene

- 11.7 The character of the area is that of a spacious residential development as part of a planned development was generally arranged in clusters of house types, that consists of a mix of detached 2 storey and single storey dwellings in a variety of styles; to the south of the road the dwellings are arranged in small groups set off an access road contributing to the character of small courtyards.
- 11.8 Cull Lane is a rural lane that pre-dates the development at The Fallows that has subsumed it. Cull Lane has a rural character which is retained by virtue of the scale and form of development, hedgerows, ditches, mature boundary trees and the greenspace alongside.
- 11.9 The application site being positioned at the end of a small cul de sac is in a pivotal position on the corner of Cull Lane and with a rear boundary to Hollandswood Drive and as such any development needs to resect and retain this rural character.
- 11.10 When assessing the impact on the character of the area and the street scene there are a number of relevant considerations that relate to the proposed height and design, and its impact on the street scenes of The Fallows, Hollandswood Drive and Cull Lane which are characterised by properties set within spacious plots with green boundaries.

Height and design

- 11.11 The current proposal would increase the ridge height of the existing dwelling by 2.8m. This would be 500mm higher than the previously refused application, resulting in the current scheme for a dwelling with a ridge height of 8.1 m. However the proposed changes to increase the ridge height would not be dissimilar to other properties within The Fallows and it would be comparable in height to nos 20 and 23. No overriding objection is raised to this.
- 11.12 The proposed front elevation is a more acceptable design than the design presented in the refused application, reflecting the design of some of the other original house type in this development. The introduction of hips to the end elevations would reduce the bulk of the roof compared to the previous scheme. In addition to this, The Fallows exhibits a mixed palette of materials, and as such the proposed materials would not be out of keeping in this context. The articulation to the front elevation and the proposed materials are considered acceptable although further assessment of the impact on the street scene is required and considered below.

Street scene of The Fallows:

- 11.13 The existing dwelling, by reason of its single storey form creates a sense of spaciousness to the end of the cul-de-sac, especially when viewed from the entrance to the cul-de-sac looking towards the application site. There are identified improvements to the design of current scheme, when compared to the previously refused application 16/11467 but within its context the scale of the proposal remains of concern.
- 11.14 The extent of the first floor extension is fundamental to ensure that the resulting building would be of a comparable scale to its neighbours and would not result in an over dominant development that is out of character within its setting. Even though the resulting development when viewed from The Fallows would reflect neighbouring properties in appearance, it would still result in a larger dwelling being up to 2m wider than the other houses in The Fallows and although the overall footprint remains unaltered, thereby having a harmful impact due reason of its imposing and dominant form.
- 11.15 By virtue of the increased width of the proposed first floor this would intrude on the existing visual gap with no 22 The Fallows. Therefore, the spatial characteristics of the site would be eroded by the scale of the proposed extensions and despite the other improvements identified it would still be an unacceptable form of development.

Street scene of Hollandswood Drive and Cull Lane

- 11.16 By reason of its siting the application site also contributes to the character of both Hollandswood Drive and Cull Lane. As the proposed extension would extend past the ridge line of the existing garage, this would result in the two storey form being closer to the boundary with Hollandswood Drive than other existing two storey dwellings which back onto this road. The agent has noted that the distances between the rear elevations of nos 22 and 23 The Fallows would be similar to the side elevation of the extended dwelling on the application site; however, the extended dwelling would result in the two storey form of the building projecting beyond the rear building line of nos 22 and 23 The Fallows, which would result in the extended dwelling being more dominant and intrusive within the Hollandswood Drive street scene.
- 11.17 The impact of the proposals on the character of Cull Lane is especially important. This road is identified in the New Milton Local Distinctiveness Supplementary Planning Document as being distinctive from the surrounding modern development, as it has retained its rural character and consists of a variety of styles and periods of dwellings. The application site backs onto the entrance to Cull Lane the first floor extension would by reason of its design and scale, would create an intrusive and overbearing form of development that would be totally out of context with this adjacent development, and would create a sense of enclosure at the entrance to this adjoining road.
- 11.18 Furthermore, the rear elevation would have five windows at first floor level facing Cull Lane which would emphasise the excessive width and scale of the extended dwelling, compared to neighbouring two storey dwellings. As such it would accentuate the visual impact and dominance of the resultant property and cause harm to the street scene.

11.19 The applicant has contended that the extension could not be reduced in width as this would result in the loss of a bedroom. However, the proposed first floor accommodation is proposing very generous sized rooms much larger than the existing 4 bedroomed neighbouring properties in The Fallows, as well as two ensuites and a dressing room. It is considered that a reduced floor area with reconfigured layout at first floor, could still allow for a sustainable family home.

Neighbour amenity

11.20 The previous application did not raise any issues with neighbour amenity. Even though the overall ridge height has been increased, the introduction of a hipped roof to the east elevation would mitigate any impact from this revision. The first floor bedroom window on the front elevation serving bedroom 3 could potentially achieve views into the rear garden of 22 The Fallows. However, as this room has the benefit of two windows, any loss of privacy could be overcome by conditioning this window to be obscure glazed with restricted opening.

11.21 No further amenity issues have been identified

12. CONCLUSION ON THE PLANNING BALANCE

12.1 The proposals have been considered within the identified relevant local and national policy context. Even though this is an improved scheme to that previously refused with respect to the design of the front elevation, it does not address the increased scale of the resulting development and the adverse impact on the street scene and character of the area that would result. As such the recommendation is to refuse.

13. OTHER CONSIDERATIONS

Crime and Disorder

None relevant

Local Finance

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments.

Regulation 42 of the CIL Regulations 2010 (as amended) states that CIL will be applicable to all applications over 100sqm GIA and those that create a new dwelling. The development is under 100 sq metres and is not for a new dwelling and so there is no CIL liability in this case.

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. By reason of the size of the proposed first floor extension, it would result in an overly large dwelling that would be out of scale with neighbouring properties. This would result in an intrusive and overbearing form of development within the street scene of Cull Lane, Hollandswood Drive and The Fallows. Furthermore, it would detract from the spaciousness that the existing single storey dwelling contributes to the area, by creating an overly bulky dwelling in this location detracting from the character and appearance of the area. As such, it would be contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park, New Milton Local Distinctiveness SPD and Chap 7 of the National Planning Policy Framework

Further Information:

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Planning Committee

July 2019

Item No: 3e

21 The Fallows
Ashley
New Milton
19/10584

Scale 1:1250

N.B. If printing this plan from
the internet, it will not be to
scale.

