

Application Number: 15/10563 Full Planning Permission

Site: SILVER MIST, RINGWOOD ROAD, SOPLEY BH23 7BE

Development: First-floor rear extension; rear dormer with Juliet balcony

Applicant: Mr Hughes

Target Date: 03/08/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary view to Parish Council

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Countryside outside the New Forest

Green Belt

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
6. Towns, villages and built environment quality

Policies

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

DM20: Residential development in the countryside

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004

National Planning Policy Framework
NPPF Ch. 7 - Requiring good design
NPPF Ch. 9 - Protecting Green Belt land

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

Residential Design Guide for Rural Areas of the New Forest District

6 RELEVANT PLANNING HISTORY

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|----------|--|------------|--|
| 11/96992 | Conservatory Silver Mist, Ringwood Road, Sopley BH23 7BE | 20/06/2011 | Refused Appeal allowed with conditions |
| 05/86365 | Dormer on side elevation Silver Mist, Ringwood Road, SOPLEY BH23 7BE | 23/12/2005 | Granted Subject to Conditions |
| 05/86253 | Single-storey rear extension Silver Mist, Ringwood Road, SOPLEY BH23 7BE | 14/12/2005 | Granted Subject to Conditions |

7 PARISH / TOWN COUNCIL COMMENTS

Sopley Parish Council: generally support this application. They cite a couple of concerns on this application. First, the potential impact on the conservatory of River Views to the south. This is unlikely to cause much issue, as the sun does not track across the north. The second is the height of the new gable, which is higher than the existing building. It is not clear why the proposal needs to be designed in this way, or what it delivers but the aforementioned neighbouring property is two storey. All in all, the design is pleasant and does not impact their front elevation. The rear elevation looks out on fields. Based on correspondence and discussion, Sopley Parish Council generally support this application.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Land Drainage - no comment

10 REPRESENTATIONS RECEIVED

None received

11 CRIME & DISORDER IMPLICATIONS

No relevant implications

12 LOCAL FINANCE CONSIDERATIONS

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.

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

The applicant did not use the pre-application advice service available from the Council. The Officer's initial briefing was published on the Council's website which indicated some of the Case Officer's concerns with the proposal. Given the scale of the proposal and the issues raised there was no opportunity for the applicant to amend the application within the Government's time scale for decisions. No request to withdraw the application was received.

14 ASSESSMENT

- 14.1 The property is a detached chalet bungalow located within the Countryside outside the New Forest and the Green Belt. The area has a mixture of properties with fields opposite and open farmland to the rear. The property has been previously extended with a single storey rear extension and a conservatory. Dormer windows are positioned on the rear roof slope. The rear garden which contains a garage has boundaries which are defined with high hedges and fences.
- 14.2 The main considerations when assessing this application were neighbour amenity, overall design and the impact on the Countryside and Green Belt.

- 14.3 The neighbour to the north, Green Vale (previously named Afta Thawt), is a two storey property and has been extended with a conservatory. Ground floor windows are positioned on the side elevation facing the application site. The proposed extension would be set away from this neighbour and therefore the impact in terms of loss of light and visual intrusion would be acceptable.
- 14.4 The neighbour to the south, River view, is a two storey dwelling which is set further forward on the plot in comparison to Silver Mist. This neighbour has been extended with a conservatory which is close to this shared boundary. The proposed extended ridge and accompanying built form would be positioned close to this shared boundary and whilst there would not be a loss of light, as it is located to the south of Silver Mist, the proposed extension would be visually imposing and detrimental to this neighbour's outlook.
- 14.5 Whilst new full length windows and a Juliet balcony would be introduced to the rear, as there is already a rear facing dormer on this property and other 2 storey properties with rear facing windows, it would be difficult to argue additional harmful overlooking as a result.
- 14.6 In terms of design the proposed rear dormer would be bulky in design and excessive in height, higher than the existing ridge, it would appear out of scale with the roof slope where it would be sited and consequently would form an incongruous and disproportionate addition which would be visually imposing within this location. It is appreciated that the proposed development would be to the rear of the property but as there is open countryside to the rear and with the proposed dormer being higher than the ridge the proposed addition would be visible within the wider area, and from the streetscene it would therefore have a harmful and detrimental impact on the Countryside and Green Belt.
- 14.7 The existing conservatory is not currently shown on the elevation and floor plans but is indicated on the block plan. This was granted permission on appeal in 2011 following a refusal (application number 11/96992). The property was previously extended with a single storey rear extension following planning permission in 2005 (05/86253). The property is located within an area designated as Countryside outside the New Forest and to safeguard the long term future of the countryside the Local Planning Authority considers it important to resist the cumulative effect of significant enlargements being made to rural dwellings. Policy DM-20 of the Local Plan Part 2, Sites and Development Management Plan, seeks to limit the increase of floorspace allowed to 30% from the floorspace in July 1982. This calculation does not include the floor space of the conservatory as Local Policy does allow for the addition of a conservatory over and above the limits, provided it does not impact on the local area. The 2011 appeal Inspector determined that the small conservatory complemented the existing dwelling and did not have an adverse impact on the Green Belt or Countryside. However as the property has already been extended at ground floor the proposed alterations would increase the floorspace further and the total increase in floorspace including the proposed extension would be 51%, this would be contrary to Policy and would have a harmful impact on the Countryside.

- 14.8 On the basis of the above the proposal would not be acceptable because of the impact on visual amenity and the inappropriate design which would be visually intrusive in this location being of an inappropriate design and scale. Furthermore the proposed significant enlargement of the dwelling in this rural location which would be contrary to the objectives of the adopted local plan Policy DM20. Therefore the application is recommended for refusal.
- 14.9 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.

15. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposed development because of its excessive height and the depth of the resultant built form in close proximity to the neighbouring property, River View, would result in a detrimental impact on their amenity by reason of visual intrusion contrary to the requirements of Policy CS2 of the Core Strategy for the New Forest District outside the National Park.
2. The proposed development, by reason of its excessive height, bulk and scale, would be an incongruous and disproportionate form of development which would be harmful to the character and appearance of the countryside and Green Belt in which the site is located. For this reason, the proposal is contrary to policy CS2 of the Core Strategy for the New Forest District outside the National Park and the core principles number 7, Requiring good design, and number 9, Protecting Green Belt Land, of the National Planning Policy Framework.
3. In order to safeguard the long term future of the countryside, the Local Planning Authority considers it important to resist the cumulative effect of significant enlargements being made to rural dwellings. Consequently Policy DM20 of the Local Plan Part 2: Sites and Development Management Plan seeks to limit the proportional increase in the size of such dwellings recognising the benefits this would have in minimising the impact of buildings and human activity generally in the countryside and the ability to maintain a balance in the housing stock. This proposal would result in a building which is unacceptably large in relation to the original dwelling and would undesirably add to pressures for change which are damaging to the future of the countryside and contrary to Policy DM20 of the Local Plan Part 2: Sites and Development Management Plan.

Notes for inclusion on certificate:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

The applicant did not use the Pre-application advice service available from the Council. The Officer's initial briefing was published on the Council's website which indicated some of the Case Officer's concerns with the proposal. Given the scale of the proposal and the issues raised there was no opportunity for the applicant to amend the application within the Government's time scale for decisions. No request to withdraw the application was received.

Further Information:

Householder Team

Telephone: 023 8028 5345 (Option 1)



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**Planning Development
Control Committee
September 2015**

Item No: 3d
Silver Mist
Ringwood Road
Sopley
15/10563
SZ1597

Scale 1:1250

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

