

Application Number: 21/10089 Full Planning Permission

Site: 2 HURSLEY DRIVE, LANGLEY, FAWLEY SO45 1ZU
Development: 4.2x6m summer house
Applicant: Mr & Mrs Brannigan
Agent: Marchitect Design
Target Date: 22/03/2021
Case Officer: Warren Simmonds

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the proposed development
- 2) Scale, design, materials and impact on the character of the surrounding area
- 3) Impact on the amenity of neighbours

This application is to be considered by Committee due to the objection and recommendation of refusal (PAR4) from Fawley Parish Council.

2 SITE DESCRIPTION

The application site consists of a two storey detached dwelling with a relatively generous rear garden extending to the south east. Hursley Drive is an established residential area off of Kings Ride.

3 PROPOSED DEVELOPMENT

The application proposes the erection of a detached, single storey timber clad summerhouse within the garden of the property.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
17/10147 Two-storey front extension; single-storey front and rear extension; lantern rooflights	05/04/2017	Granted Subject to Conditions	Decided
78/NFDC/09691 86 Residential dwellings and garages, with the construction of pedestrian/vehicular access, roads and drainage	08/05/1978	Granted Subject to Conditions	Decided
74/NFDC/00625 257 houses.	23/04/1975	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016 - 2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development
Policy ENV3: Design quality and local distinctiveness

Local Plan Part 2: Sites and development Management

DM2: Nature conservation, biodiversity and geodiversity

National Planning Policy Framework

NPPF 124 :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.

NPPF 127 :The National Planning Policy Framework 2019 Chapter 12 "Achieving well designed places" requires in Para 127 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.

6 PARISH COUNCIL COMMENTS

Fawley Parish Council

(No 4) We recommend refusal as the Parish Council considers the summer house to be sited too near to the neighbour and also raise concerns that the log burner chimney is too near the adjacent property.

Subsequent PC response dated 22.04.21:

The Parish Council recommended refusal on 2 points, not just the flue - reluctant to change the recommendation without some improvement of the positioning of the structure.

7 COUNCILLOR COMMENTS

Cllr Mrs Alexis E McEvoy, BSc (Hons)

Objects to the proposal on grounds including:

- (i) Location, size and purpose of proposed summerhouse would adversely impact amenity of No.1 Hursley Drive.
- (ii) Amenity/nuisance resulting from proposed woodburning flue
- (iii) Use of proposed building as games room may lead to amenity impacts on neighbours from noise and disturbance.
- (iv) Environmental concerns - noise, odour, outlook.

Comments in full are available on website.

8 **CONSULTEE COMMENTS**

Comments have been received from the following consultees:

NFDC Environmental Health (Pollution)

Objection (subsequently overcome by omission of woodburner)

9 **REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

Third party concerns/objections include: Close proximity to boundary, excessive size of building and impact on visual amenity, smoke, pollution, noise disturbance, insufficient visitor parking.

For: 1

Against: 3

10 **PLANNING ASSESSMENT**

Principle of Development

The application site is within the built up area of Fawley where development is generally acceptable in principle, subject to accordance with the relevant policies of the development plan and relevant national planning guidance.

The proposed building constitutes an ancillary garden outbuilding within a residential setting, this is considered an appropriate use in principle within the context of the application site and surrounding area.

Design, site layout and impact on local character and appearance of area

The proposed building is a detached single storey timber clad garden outbuilding, intended to be used as a summer house/family games room, ancillary and incidental to the main dwelling. The proposed location for the building is within the rear garden of the property, towards the southern corner, adjacent to shared boundaries with numbers 1 and 3 Hursley Drive. The proposed building is to be set 500mm in from these adjoining boundaries.

The approximate dimensions of the proposed building are 6m long by 4.2m wide by 2.3m (height to eaves) and 4.2m (height to ridge).

The external materials proposed consist of horizontally clad walls over a low brick plinth under a plain clay tiled roof.

The proposed building is considered to be typical of a domestic garden outbuilding in construction and appearance. The relatively low eaves height of approx. 2.3m would not be unduly prominent when viewed beyond the boundary fences from adjoining gardens.

In general, the proposed garden outbuilding, whilst relatively large, is considered appropriate in terms of scale, design and materials within the context of the back garden of the property and would not be unduly prominent within, or adversely affect the existing character of the surrounding area.

Residential amenity

Whilst the initially proposed woodburning flue caused significant concern, this element has since been omitted from the proposal and no longer constitutes a consideration.

The proposed use of the outbuilding is ancillary and incidental to the enjoyment of the main dwellinghouse. This is an acceptable/appropriate use within a residential garden setting.

It remains a material consideration that an approximately equivalently sized outbuilding could be provided within the garden under permitted development rights without the need for planning permission (Class E, General Permitted Development (England) Order 2015) if the building were sited 2m from the boundary with adjoining neighbouring properties.

Whilst concerns have been expressed in third party representations that undue impacts on amenity through noise and disturbance may result, it is considered there are no substantial grounds in planning terms in this case to refuse planning permission for this reason. However, as with any other development or activity, should undue noise/disturbance subsequently become an issue there is adequate legislation (Environmental Health) outside of planning to deal with such matters.

In summary, it is considered the proposed development would not unduly affect the amenity of neighbours in terms of undue overlooking, overshadowing or be likely to result in an unacceptable level of noise or disturbance as would be considered discordant with the provisions of local plan policy ENV3.

Highway safety, access and parking

The proposed development constitutes an ancillary garden outbuilding and does not give rise to a requirement for additional parking provision.

11 CONCLUSION

The proposed development is considered acceptable in principle and would be of an appropriate scale, design and external materials relative to the context of its setting with a domestic rear garden. The proposed development would not have an adverse impact on the amenity of neighbours or upon the existing character of the surrounding area.

12 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

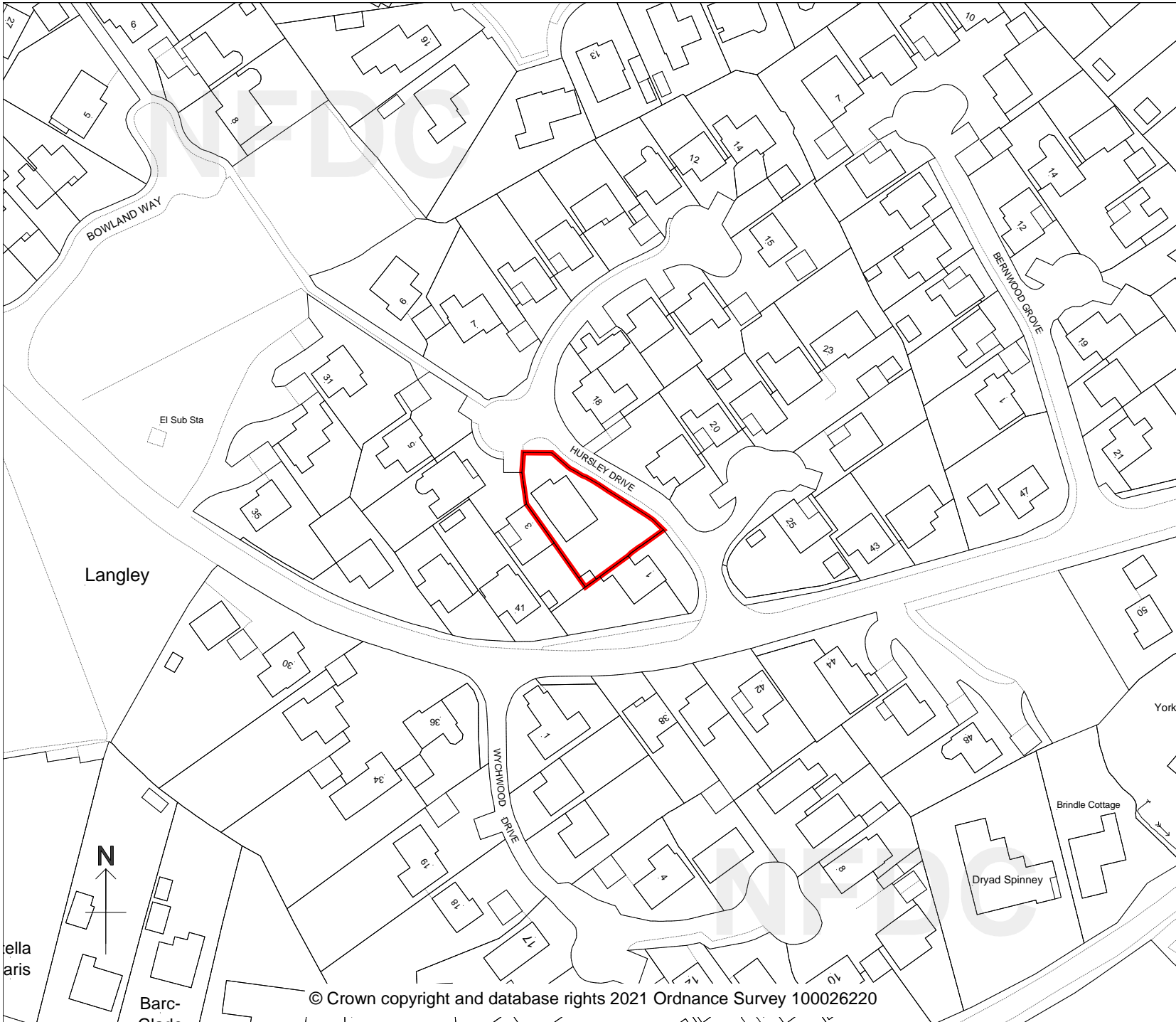
2. The development permitted shall be carried out in accordance with the following approved plans:
- Drawing number 100 (Amended proposed floor plan and elevations) dated January 2021
 - Drawing number 101 (Amended location and block plan) dated January 2021

Reason: To ensure satisfactory provision of the development.

Further Information:

Warren Simmonds

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

July 2021

2 HURSLEY DRIVE
 LANGLEY
 FAWLEY SO45 1ZU
 21/10089

Scale 1:1250

N.B. If printing this plan from
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 scale.