

Application Number: 15/11112 Full Planning Permission

Site: 2 CALMORE GARDENS, TOTTON SO40 8ER

Development: House; detached garage; demolish existing

Applicant: Mr & Mrs Legg

Target Date: 22/09/2015

15/11112

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Town Council comment.

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area

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

CS1: Sustainable development principles

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

None relevant

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework
Achieving Sustainable Development
NPPF Ch. 7 - Requiring good design

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Parking Standards

6 RELEVANT PLANNING HISTORY

6.1 15/10204 - house, detached garage, demolish existing. Refused 22.4.15

7 PARISH / TOWN COUNCIL COMMENTS

Totton and Eling Town Council - whilst the design is improved, it was considered that the height is out of keeping and the garage would impact on the neighbours. Refusal is recommended.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

9.1 Drainage Engineer - recommend approval subject to condition

9.2 Ministry of Defence - no safeguarding objections

10 REPRESENTATIONS RECEIVED

Two objections have been received from local residents concerned with the impact of the proposal on their property in terms of loss of light and overbearing impact.

One also considers the design to be out of keeping.

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments. Based on the information provided at the time of this report this development has a CIL liability of £4,003.20.

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.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

14 ASSESSMENT

- 14.1 The site lies within the built up area of Totton in a residential area. It contains a detached bungalow with flat roofed garage to the rear. There is a fence to the front of the site and timber fences of varying heights to the rear garden which has been recently cleared. The proposal entails the replacement of both bungalow and garage and follows a refusal earlier this year which was considered inappropriate in terms of its design, bulk and massing.
- 14.2 The design has been amended and the previously proposed half hip to the front has been replaced with a more traditional full hip with roof lights and this is considered to maintain the character of the front elevation at the beginning of a row of hipped bungalows. Previously, the bungalow was shown as having a full length ridge from front to back even though the accommodation would be to the front only. The vaulted ceiling to the rear has now been reduced in height bringing the ridge of the slightly narrower rear section down a little. The combination of reducing the ridge and making the rear section narrower has the impact of reducing the bulk and breaking up the massing of the proposed dwelling.
- 14.3 The proposed garage would be located to the rear of the existing garage siting. This would be adjacent to the small rear garden of 53 Calmore Road rather than no.51. Whilst it is accepted that the proposal would have an impact on the outlook from the rear of this property, which has kitchen and living room windows facing the site, it is not considered that this impact is significant to the extent it warrants refusal of the scheme. The previous application was not refused for this reason and the garage height is no greater than the previous scheme. The eaves height of the garage would be just 0.2m above the height of a permitted fence and the roof would then slope away from the boundary.
- 14.4 In conclusion, it is considered this revised proposal would overcome the concerns raised in respect of the previous scheme in relation to the design, bulk and massing and in addition the proposals would have no adverse implications for neighbours.

- 14.5 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 there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

CIL Contribution Summary Table

Description of Class	GIA New	GIA Existing	GIA Net Increase	CIL Liability
Dwelling houses	181.35	131.31	50.04	£4,003.20

15. 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: ADP/1426/P/00A, ADP/1426/P/01, ADP/1426/P/02, ADP/1426/P/03A, ADP/1426/P/04A, ADP/1426/P/05A.

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure that the approved buildings will have an acceptable appearance prior to commencement in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4. Before development commences, details of the means of disposal of surface water from the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate prior to the provision of the dwelling and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

Notes for inclusion on certificate:

1. 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.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

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**Planning Development
Control Committee**

October 2015 Item

No: 3f

**2 Calmore Gardens
Totton
15/11112
SU3413**

Scale 1:1250

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

