

Application Number: 15/11190 Full Planning Permission

Site: 4 SHAKESPEARE DRIVE, TOTTON SO40 3NT

Development: Single-storey rear extension

Applicant: Mrs Drake

Target Date: 21/10/2015

1 REASON FOR COMMITTEE CONSIDERATION

The property is the home of an Elected member

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

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 NPPF Ch. 7 - Requiring good design

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

None relevant

6 RELEVANT PLANNING HISTORY

None relevant

7 PARISH / TOWN COUNCIL COMMENTS

Totton Town Council: Recommend permission but would accept the decision reached by the DC Officers under their delegated powers.

The proposed rear extension would have a degree of impact on the neighbourhood amenity, particularly due to the close proximity to the boundary of number 2 Shakespeare Drive, however, the extension is single storey and does not project excessively far to the rear and allowing space for the plot to accommodate the addition comfortably.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Drainage: No comment

Ministry of Defence: Has no safe guarding objections to this proposal

10 REPRESENTATIONS RECEIVED

None received

11 CRIME & DISORDER IMPLICATIONS

Not applicable

12 LOCAL FINANCE CONSIDERATIONS

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.

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 application site consists of a semi-detached dwelling in the built up area of Totton. The immediate area is predominately characterised by semi-detached and terraced dwellings. The dwelling is set back from the road and benefits from a side entrance on the northern boundary leading to a good size fence rear garden. The proposal is for a single storey rear extension. The main issues to take into consideration when assessing this application are the impact on the neighbouring properties amenities and the impact on the character of the area.
- 14.2 There's an existing rear conservatory and a single storey rear element which would be demolished. The proposed extension would not span the full width of the rear wall; it would be set back from the boundary with the neighbouring properties. The proposed would extend by 4.2m from the rear wall and would be 3.45m high to the main flat roof. The proposed extension would be set back from the northern boundary with no 6 Shakespeare Drive by 2m and due to this degree of separation, there should be no adverse impact on this neighbour's amenities.
- 14.3 The proposed extension would be set back from the boundary with the neighbouring property to the south, no 2 Shakespeare Drive by approximately 500mm at it's deepest point. Due to it's close proximity with this neighbour and the height of the proposal, consideration should be given to the likely impact this may have on that neighbour. However, taking into account that it would be a single storey structure sited to the north of no.2 and would have a pitched roof to its rear elevation, there would not be a loss of light of outlook sufficient to justify refusal. Furthermore the gardens of these properties are large enough for the development not to compromise living conditions for the occupiers of no.2.
- 14.4 There would be no adverse impact on the street scene as the proposed development is to the rear of the existing dwelling. The extension would appear not to cause any justifiable harm to the character of the area. As there are large trees beyond the rear fence of the application site, the tree officer has been consulted. However, due to their distance of some 19 metres from the proposed extension, the trees would not be threatened.
- 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.

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: 15100-01-01, 15100-01-02 rev A, 15100-01-03 rev B and 15100-01-04 rev B.

Reason: To ensure satisfactory provision of the development.

3. The external facing materials shall match those used on the existing building.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park Core Strategy.

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.

The block plan submitted indicated a terrace area, clarification was sought whether this was raised more than 300mm above the ground level. An amended plan was submitted by the agent without the terrace area.

2. This decision relates to amended / additional plans received by the Local Planning Authority on 11 September 2015.

Further Information:

Householder Team

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**Planning Development
Control Committee
October 2015**

Item No: 3i
4 Shakespeare Drive
Totton
15/11190
SU3414

Scale 1:1250

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

