

Application Number: 22/10081 Full Planning Permission

Site: 82 LOWER BUCKLAND ROAD, LYMINGTON SO41 9DW
Development: Erection of a replacement dwelling, with associated works
Applicant: Mr Savin
Agent: Concept Design & Planning
Target Date: 16/03/2022
Case Officer: Andrew Sage
Extension Date: 15/04/2022

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Impact on the character and appearance of the area
- 3) Residential amenity
- 4) Impact on highway safety including matters relevant to highway safety
- 5) Impact on ecology and in particular protected species

This application is to be considered by Committee because the officer's recommendation is contrary to the view of Lyminster and Bennington Town Council.

2 SITE DESCRIPTION

82 Lower Buckland Road is a detached single-storey dwelling situated within the built up area of Lyminster, located on the eastern side of the road, at point where the road rises from north to south. The existing bungalow is of red brick construction with timber clad gables above first-floor level and with a concrete tile roof.

The site is elevated above the road and its neighbouring properties to the north and east. Permission for the demolition and replacement of the northernmost of the three bungalows, No.86, was granted under permission 21/10819.

The area of Lower Buckland Road around the site is characterised by mixed residential development of varying forms of late nineteenth to late twentieth century date.

3 PROPOSED DEVELOPMENT

The proposal seeks to demolish the existing 3-bedroom bungalow and replace it with a larger, 4-bedroom, chalet-style dwelling, with first floor accommodation in the roofspace. The proposed dwelling would be of contemporary design, finished in red brick, timber cladding, composite slates and modern UPVC windows. Off street parking for 2 no. vehicles will be provided to the front of the dwelling.

Following initial submission the applicant has submitted amended plans in light of representations received and the feedback from planning officers. The amendments have reduced the height of the N-S ridge, making it subservient to the main ridge.

4 PLANNING HISTORY

No relevant history

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

ENV1: Mitigating the impacts of development on International Nature Conservation Sites

ENV3: Design quality and local distinctiveness

Local Plan 2016-2036 Part 2: Development management

DM2: Nature Conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

Lymington Local Distinctiveness SPD

Relevant Advice

Chap 12: Achieving well designed places

Constraints

Plan Area

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council

PAR4: Recommend Refusal.

- Overdevelopment - disproportionate to the plot size.
- Loss of amenity.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFDC Ecologist - no objection, subject to the mitigation and enhancement measures detailed in the Preliminary Roost Assessment Report being secured by planning condition.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- Loss of light to dwelling on opposite side of the street
- Loss of privacy to dwelling on opposite side of the street

- Height of the proposed dwelling will be out of keeping with the existing street scene.
- Traffic and pedestrian safety concerns about timing of deliveries.
- Concern over anti-social working hours during construction.

Against: 2

Neutral: 1

10 PLANNING ASSESSMENT

Principle of Development

In assessing this proposal consideration has been given to the relevant policies of the Local Plan and relevant Supplementary Planning Documents, including the Lymington local distinctiveness SPD. As the site is within the built up area, the principle of a replacement dwelling is acceptable, subject to consideration of matters including whether the proposed dwelling would be contextually appropriate having regard to the prevailing character of the area, impact on neighbouring residential amenity, ecological impacts, highways safety and car parking provision, which are discussed below.

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

Policy ENV3 seeks to ensure that new development is well designed to respect the character, identity and context of the district's towns.

In the area of Lower Buckland Road around the location site the character of built forms is varied in terms of age, scale and design. The dwelling was originally one of three matching gable-roofed bungalows with front gabled projections facing the road. To the north of these is a pair of modest, brick built and slate roofed, nineteenth century, semi-detached cottages, whilst to the south No. 80 is a two storey hip-roofed modern dwelling with a number of single storey and dormer extensions. No's. 80 to 86 occupy relatively wide and shallow plots. On the opposite side of the road development is characterised by early- to mid- twentieth century semi-detached dwellings of varied designs, with a mix of roof forms, located on long and narrow plots.

The proposed development, whilst creating a larger dwelling with two floors of accommodation, retains the bungalow form and street facing gable that characterises the current dwelling.

Whilst the proposal will result in an increase in height (1.2m) and massing of the dwelling by reason of bringing the highest point of the ridge forward in the plot and the construction of the side projection, given that the site is located adjacent to a larger detached dwelling, and opposite two-storey houses with more prominent gables set at a similar distance from the road, the proposed scale and massing of the dwelling will not appear out of keeping with the surrounding development. The proposed side projection, with ridge subservient to the main ridge but running parallel with the street, and front facing dormer will represent a change of form from the current dwelling, but similar forms are present nearby in the street (No. 92) and given the mix of forms present will not be out of place in the streetscene.

The proposed materials; red brick, timber-cladding and composite roof slates are reflective not only the materials used in the existing development but also of the older properties within the immediate streetscene.

Whilst the introduction of side-by-side parking arrangements to the frontage will alter the appearance of the site, the change is not considered to result in any more urban appearance than the current retaining wall. Given the highway safety benefits of the proposed improved visibility splay and side-by-side parking, versus the current tandem parking arrangements, and the presence of a similar arrangements already existing within the street at the properties opposite (No's. 47 - 49), the change is considered acceptable.

It has been requested that the hours that construction work are permitted to be carried out on site be restricted in order to protect the amenity of local residents. Disruption caused by construction traffic and activity is an inevitable consequence of most new developments, and on a scheme of this scale those occasions when work would occur outside of usual working hours would be relatively time limited and not have a long term impact. As such, it is not considered necessary to impose such a condition.

During the course of the application the plans were amended to reduce the height of the side projection, and it is considered that the scale, form, massing and design of the amended proposal preserves the character and appearance of the area and will sit comfortably within the existing mixed street scene and reflects the pattern of development in the locality, in accordance with Policy ENV3 of the NFDC Local Plan Part 1 2016-2036.

Highway safety, access and parking

Whilst the submitted plans show two side-by-side off-street car parking spaces for use by future occupiers, the size of the proposed parking area at the front of the property could accommodate three vehicles, if necessary, by tandem parking in front of the front door. The dwelling would be a four bedroom unit, which would typically require 3 off street parking spaces to meet the Council's Parking Standards SPD. Given the proximity of the site to public transport option (both bus and rail) the proposed parking provision is considered acceptable.

Policy IMPL2 relates to development standards and places a requirement on new developments to make provision to enable the convenient installation of charging points for electric vehicles, which will be ensured by condition.

A concern has been raised with regards highways safety during the construction of the dwelling, and the timing of deliveries to the site to avoid times when school children are likely to be passing. It is not reasonable to condition the timing of deliveries, as these are often outside the control of the applicant/constructor on a small development such as this, and therefore any such condition would not be enforceable.

Impact on residential amenity of adjacent neighbouring properties

Policy ENV3 states that new development shall not have unacceptable impacts upon residential amenity of existing and future occupiers, in terms of visual intrusion, overbearing impact, overlooking, shading, noise or light pollution.

Comments have been received that the development will result in a loss of light and privacy to the property on the opposite side of the road, No.51. The proposed development will result in some loss of early morning light to No.5, but this will be limited to the loss of direct sunlight to 1 or more front windows for a period of up to c.1 hour prior to 0700 GMT during late spring and late summer. Given the limited impact in terms of occurrence, duration and nature this loss of light is considered acceptable.

With regards loss of privacy to No. 51, because of the relative elevation of the two properties above street level there is already substantial inter-visibility between the front windows of the two properties. The nature of the use of rooms from which overlooking could occur will change in that the main living space will move from the front of No.82 to the rear, and the windows at the front of No.82 will predominantly serve bedrooms and secondary living space. It is considered that the proposed development will not result in unacceptable additional overlooking or a loss of privacy, and the situation will be reflective of that normally experienced in most streets where residential dwellings face each other across the street.

The proposed increase in height and massing of No.82, including the additional 3.5m projection will result in some additional shading of the kitchen and bathroom windows, and the southernmost parts of the rear garden of the neighbouring property to the north, No. 84, during the morning in the spring and autumn. However, as No.84 is already located downhill of No. 82, for much of the year this additional shading would not be significantly greater than would be cast by a c.2m high boundary fence. There will be no additional overlooking of No. 84 created by the development as the two roof lights located on the north facing roof slope serve bathrooms and would reasonably be expected to be obscure glazed and this can be secured by condition.

The increase in height and massing, including the side projection, will result in some additional loss of light to the rear garden of 5 Jonathan Close during the late afternoon and early evening in early to mid autumn and early to mid spring. However the increase of overshadowing over the existing situation is considered and limited and acceptable.

The location of proposed roof windows in the south facing roof slope to the rear of the dwelling will afford slight views of the north east corner of the rear garden of No. 80. It is considered that the angle of this view is sufficiently acute that it will not result in an unacceptable loss of privacy.

With regards to all the above matters it is considered that the proposed development would not have any unacceptable impacts in terms of visual intrusion, overbearing impact, shading, noise or light pollution. Consequently there are no issues with regard to the amenity of adjoining properties that could substantiate a reason for refusal.

The amenity space provided for future occupiers of the dwelling would be acceptable and in compliance with the amenity provisions of Policy ENV3.

Ecology, Biodiversity and Habitat Mitigation

A preliminary roost assessment was undertaken but no evidence of bats was found. On-site biodiversity enhancement has been secured by condition.

As a proposal for a replacement dwelling there is no requirement for it to mitigate recreational impacts, achieve nitrate neutrality or address air quality.

Developer Contributions

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	188	115	73	73	£80/sqm	£7,457.23 *

Subtotal:	£7,457.23
Relief:	£0.00
Total Payable:	£7,457.23

11 CONCLUSION

The proposal would create a development which would be acceptable within the street scene. It is considered that the proposal raises no significant concerns in respect of highway safety, visual amenity, ecology, or residential amenity. The proposal would make efficient use of land to provide new housing in a sustainable location close to services and facilities. Overall it is considered that the proposal is acceptable and is recommended for approval.

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:

- Dwg no. C22/005.05 Rev B Proposed location and site plan, as submitted to NFDC on 22 March 2022
- Dwg no. C22/005.06 Rev B Proposed floor plans, as submitted to NFDC on 10 March 2022
- Dwg no. C22/005.07 Rev B Proposed elevations 1, as submitted to NFDC on 10 March 2022
- Dwg no. C22/005.08 Rev B Proposed elevations 2, as submitted to NFDC on 10 March 2022

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 an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. No works shall commence (other than site clearance) unless details of finished floor levels of the dwelling hereby approved have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

5. Sectional and elevational plans showing details in the change in land levels and the height of any retaining walls required to provide the two parking spaces shown on the approved site layout plan C22/005.05, as submitted to NFDC on 28 March 2022, shall be submitted to and approved in writing by the Local Planning Authority prior to excavation of that part of the site being undertaken. The works shall then be undertaken in accordance with the approved details.

Reason. To ensure the works are done in a manner which safeguards the character of the area in accordance with Policy ENV 3 of the Local Plan.

6. The works hereby approved shall be undertaken in strict accordance with the ecological enhancement measures detailed in Section 5 and Figure 4 of the Hampshire Ecological Services Ltd Preliminary Roost Assessment, as submitted to NFDC on 09 March 2022, unless otherwise first agreed in writing with the Local Planning Authority

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

7. Before first occupation of the dwelling hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve each new dwelling shall be submitted to the Local Planning Authority for its written approval. Thereafter, the development shall be implemented in full accordance with the approved details and thereafter retained.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

8. The parking areas, cycle store, access paths and rear garden, including all new boundary treatments shall be fully implemented in accordance with the approved site layout plan prior to occupation of the replacement dwelling.

Reason: To ensure the development provides an appropriate and accessible living environment for future occupiers in accordance with Policy ENV3 of the Local Plan.

9. The first floor bathroom and en-suite windows on the north elevation of the approved dwelling shall be permanently glazed with obscured glass.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: In view of the physical characteristics of the plot, the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

Further Information:

Andrew Sage

Telephone: 023 8028 5780



New Forest

DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

Claire Upton-Brown
Executive Head of Planning,
Regeneration and Economy
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

April 2022

82 LOWER BUCKLAND ROAD
LYMINGTON
SO41 9DW
22/10081

Scale 1:1250

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

