

Application Number: 15/11579 Full Planning Permission

Site: 85 QUEEN KATHERINE ROAD, LYMINGTON SO41 3RZ

Development: Two-storey side extension, single-storey rear extension,
replacement porch

Applicant: Miss Halls

Target Date: 30/12/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council view

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

No relevant policies

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

Lymington Local Distinctiveness supplementary planning document

6 RELEVANT PLANNING HISTORY

No relevant history

7 PARISH / TOWN COUNCIL COMMENTS

Lymington and Pennington Town Council recommend permission

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

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 two storey semi detached dwelling in a row of similar semi detached properties which have fairly consistent spatial gaps between each pair. The adjoining neighbour has been extended with a two storey extension set back significantly from the front of the property with a lower roof form than the main ridge. The neighbouring property at number 88 has been extended up to the side boundary with a two storey extension but has a lower ridge height than the main dwelling and therefore has a degree of subservience. The neighbour to the south, number 84 is set back on the plot in comparison to number 85 which, because of it's forward siting is fairly prominent in the street scene.
- 14.2 The main considerations when assessing this application are the impacts on the neighbouring property and on the street scene.
- 14.3 The neighbour at number 84 is positioned to the south and therefore there is limited impact from the proposed two storey extension in terms of loss of light. The introduction of a two storey element up to the boundary is a consideration in terms of the impact on their amenity. However, there are no windows on the side elevation facing the application site and, on balance, the visual impact on this neighbour would be acceptable.
- 14.4 The adjoining neighbour, number 86, has been extended to the rear at ground floor and therefore the proposed rear addition would not impact on their amenity.
- 14.5 This area is recognised within the Lymington Local Distinctiveness document which identifies the regular plot divisions and gaps as being particularly important. When looking at other development in the road it is noted that number 88 has been extended with a two storey side extension following planning consent in 1991. Located between properties which have a similar front building line that is not prominent on the street scene. With a lower roof height than the existing property the extension on this property has a subservient form and therefore does not appear visually intrusive on the street scene. Whilst this development has resulted in a loss of the spatial gap between the properties it should be noted that local and government policies were different when this development was allowed.
- 14.6 The spatial gaps along the road are fairly consistent, providing views between the properties. The position of number 85 in the street scene means that it is set forward on the plot in comparison to the neighbouring

property to the south, number 84, making it fairly prominent within the street scene, especially when viewed from the south along Queen Katherine Road. The proposed two storey side extension would bring the built form at first floor up to the side boundary and with no set back from the front elevation it would create a large bulky addition which, along with the extended ridge, would reduce the spatial gap between the properties and consequently have a detrimental impact upon the spatial characteristics of the street scene. The property forms a pair of semi-detached dwellings and the adjoining property has been extended with a two storey extension. However this neighbour's extension is set back considerably from the front of the property and has a lower roof form. The proposed two storey side extension along with the gabled porch would unbalance the pair of semis, compounding it's visual impact on the street scene. Therefore the application is recommended for refusal.

- 14.7 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:

- By reason of its excessive height, width, depth and siting, the proposed two storey side extension would not be sufficiently subservient to the existing building and thereby create an imposing and intrusive form of development which along with the gable fronted porch would not respect the existing character and form of the pair of semi-detached houses and thereby erode the spatial characteristics of the established street scene. As such, the two storey side extension would have an adverse impact upon the local distinctiveness of the street scene and general character of the area, contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park and Lymington Local Distinctiveness Supplementary Planning Document.

Notes for inclusion on certificate:

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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**
February 2016

Item No: 3f
85 Queen Katherine Road
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15/11579

Scale 1:1250

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scale.

