

**Application Number:** 16/10005 Full Planning Permission

**Site:** 15 ROSELEIGH DRIVE, TOTTON SO40 7JY

**Development:** Two-storey side and single-storey rear extension

**Applicant:** Mr & Mrs Cron

**Target Date:** 17/03/2016

**1 REASON FOR COMMITTEE CONSIDERATION**

Discretion of Planning and Building Control Service Manager.

**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
- CS24: Transport considerations

**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**

Parking Standards Supplementary Planning Document

**6 RELEVANT PLANNING HISTORY**

15/10702 Two-storey side and single-storey rear extension granted 14th July 2015

## **7 PARISH / TOWN COUNCIL COMMENTS**

Totton and Eling Town Council recommend permission but would accept the decision reached by the District Council's Officers under their delegated powers.

The application is a resubmission due to new information regarding ownership of the driveway. Layout changes reduce the amount of parking on the site but provision can be made on street if necessary and impact on neighbourhood amenity is not unacceptable

## **8 COUNCILLOR COMMENTS**

None received

## **9 CONSULTEE COMMENTS**

- 9.1 Land Drainage - Recommend informative in respect of surface water discharge.
- 9.2 Hampshire County Council Highways Engineer - No objection subject to a condition to retain parking.
- 9.3 Ministry of Defence - no safeguarding objections

## **10 REPRESENTATIONS RECEIVED**

One letter of objection from solicitor on behalf of the neighbour at number 9 Roseleigh Drive for the following reasons:-

- 1. The site boundary is incorrect and should be amended to exclude the area of driveway which is outside of the applicant's ownership (shown hatched green).
- 2. Insufficient on site car parking causing an overspill of cars on the road which is likely to cause inconvenience and damage to vehicles.

## **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.

A revised block plan was requested to exclude the area of driveway which was outside of the applicant's ownership as well as an amended application form which included Certificate A. A revised plan was also received to show the correct position of the steel upright. Therefore in this case all the above apply and no specific further actions were required.

## **14 ASSESSMENT**

- 14.1 The property is a two storey semi detached dwelling in a cul de sac of similar properties. Access from Roseleigh Drive also provides access to Nos. 9 + 11 Roseleigh Drive. There are no distinctive gaps between the properties. The front garden is partly enclosed with a hedge and the rear gardens are enclosed with high fences. The property has been recently extended to the side with a two storey side extension and a single storey rear extension following planning permission 15/10702, which was granted in July 2015.
- 14.2 The main consideration when assessing that application was the impact on neighbour amenity and street scene along with parking and highway safety.
- 14.3 This application follows that previous planning approval and the proposals replicate those on that consent. It was submitted as the red line on the plans of the previous approval (indicating ownership) were incorrect. Part of the driveway to the front of the property (hatched green on the revised plans) is owned by a holding company which also owns other areas on the estate including a parking bay to the front of number 9. During this application a further amended plan was received as it was considered that this area hatched green should be excluded from the red line as it did not form part of the planning unit. There was also an alteration in the position of the upright steel supporting the first floor.

- 14.4 The neighbour at number 17 is located to the north east and is joined to number 15. This neighbour does have a window and door on the rear elevation but given that the extension is only single storey and there is a high fence on the boundary there would not be a significant impact on their amenity.
- 14.5 As previously considered, the neighbour to the south west, number 11, is set slightly forward on the plot in comparison to number 15. There are no windows on the side elevation of this neighbouring property facing the application site and the two storey side extension would still retain a spatial gap between the properties. Therefore there is not a significant adverse impact on this neighbour's amenity.
- 14.6 The property to the rear number 21 Springfield Drive, has the side of their rear garden positioned to the rear of the application site. While the proposed first floor window would have views over this neighbour's garden there is already a first floor window which provides views. Therefore this would be consistent with the existing back garden relationship.
- 14.7 The two storey side extension is set back slightly from the front of the property with a lower roof form. There is a degree of imbalance on the pair of semis and a loss of some of the spatial characteristics of the site but, given the form of development within the street scene, the alterations do not have a unacceptable impact on the local area or the wider streetscene.
- 14.8 Hampshire County Council Highways were consulted. They comment that as the extended property increased the number of bedrooms from 2 to 4 the Parking Standards recommends provision of 3 spaces on site. The level of parking on site would be 2 spaces and whilst this is less than recommended in the Parking Standards there is provision for the shortfall in off street parking on the highway which will not result in any detrimental effect on users of the local highway network. National Planning Policy Framework states, in paragraph 39 that:  
*"Local Planning Authorities should only impose local planning standards for residential development where there is a clear and compelling justification that it is necessary to manage their local road network".*  
Therefore they have no objection subject to a condition for the parking shown on the plans to be provided and retained thereafter.
- 14.9 The neighbour at number 9 has objected to the application via a solicitor. This neighbour has an interest in the application because the driveway to the front of number 15 is within the ownership of a third party so that it can be retained for access. The first concern of this neighbour was that the red line on the plans should not include this area of driveway which is outside of the applicant's ownership. It is considered that this does not form part of the planning unit so an amended plan has was submitted to show this area outside of the red line and hatched green and a revised planning application form submitted to include Certificate A.
- 14.10 This neighbour is also concerned with the parking provision on the site and that any displaced parking would cause an inconvenience or accident for road users. The plans show that there are two spaces allocated for parking on the site. Parking Standards Supplementary Planning Document does recommend that 3 parking spaces are provided on site for this size of property. The parking space under the

first floor is narrow but could still accommodate a small car and a further parking space is located to the front of the property. The parking provided is less than recommended however, as there is parking available on the road within the cul de sac, no highway objection is raised, subject to this parking being retained.

- 14.11 Having reconsidered these proposals in the light of information submitted with the current application and following further consultation with Hampshire County Council Highways, there is no justifiable reason not to approve the current proposals. Therefore the application is recommended for approval.
- 14.12 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 permitted shall be in accordance with the following approved plans: 1/BCC/16/C & 2/BCC/16/B  
  
Reason: To ensure satisfactory provision of the development.
  
2. The parking spaces shown on plans 1/BCC/16/C & 2/BCC/16/B for the parking of motor vehicles shall be retained and kept available for the parking of motor vehicles for the dwelling hereby approved at all times.  
  
Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

#### **Notes for inclusion on certificate:**

1. This decision relates to amended plans/additional information received by the Local Planning Authority on 18th March 2016, 21st April 2016 and 26th April 2016

2. 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.

A revised block plan was requested to exclude the area of driveway which was outside of the applicant's ownership, an amended application form and Certificate A was also submitted. A revised plan was also received to show the correct position of the steel upright. Therefore in this case all the above apply and no specific further actions were required.

3. The application drawings/form does not state how surface water will be discharged of. There should be no increase in flow to any surface water system or watercourse. The reason for this is that most of the watercourses in the New Forest catchment flood out of bank during high rainfall which can cause property flooding. A predicted 30% increase in flow rate caused by climate change over the next 100 years is likely to cause more properties to flood. NFDC Building Control can advise on the disposal of surface water.

**Further Information:**

Householder Team

Telephone: 023 8028 5345 (Option 1)



**New Forest**  
DISTRICT COUNCIL

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**Planning Development  
Control Committee  
May 2016**

**Item No: 3c**

15  
Roseleigh Drive  
Totton  
16/10005  
SU3412

Scale 1:1250

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

