

**Application Number:** 16/10561 Full Planning Permission

**Site:** 27 QUEEN ELIZABETH AVENUE, LYMINGTON SO41 9HN

**Development:** Two-storey side and rear extension; pitched roof over front porch and bay

**Applicant:** Mr & Mrs Wardropper

**Target Date:** 20/06/2016

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## 1 REASON FOR COMMITTEE CONSIDERATION

At the request of Councillor Penson

## 2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

### Constraints

Plan Area

### Plan Policy Designations

Built-up Area

### Core Strategy

CS2: Design quality

### Local Plan Part 2 Sites and Development Management Development Plan Document

None relevant

### Supplementary Planning Guidance And Documents

SPD - Lymington Local Distinctiveness

## 3 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan  
Planning and Compulsory Purchase Act 2004  
National Planning Policy Framework

## 4 RELEVANT SITE HISTORY

Application Proposal / Site Number	Decision Date	Decision Description	Status
16/10200 Single-storey side extension; pitch roof to front porch & bay	28/04/2016	Granted Subject to Conditions	Decided
16/10199 Two-storey side extension; pitch roof to front porch & bay	12/04/2016	Withdrawn by Applicant	Withdrawn

## 5 COUNCILLOR COMMENTS

Cllr Penson - Would like the application to be decided by the committee

## 6 PARISH / TOWN COUNCIL COMMENTS

**Lymington and Pennington Town Council:** recommend permission. Subject to conditions regarding restrictions to roof openings detailed by the Case Officer.

## 7 CONSULTEE COMMENTS

### Land Drainage

No comment

## 8 REPRESENTATIONS RECEIVED

1 letter of objection received from No.29 Queen Elizabeth Avenue: (summary)

- Minor changes to the roof form from the withdrawn scheme do not address their concerns.
- Unneighbourly and overbearing form of development by reason of its size, siting and height.
- Loss of light and outlook.
- The two storey extension introduces a discordant element in terms of the street scene. Change to a hipped end does little to reduce the bulk.
- Refers to other extensions along Queen Elizabeth Avenue which are shorter in length and of a revised design.
- Questions the dimensions to the site boundary.

## 9 CRIME & DISORDER IMPLICATIONS

None Relevant

## 10 LOCAL FINANCE CONSIDERATIONS

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments.

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.

## 11 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 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.

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.

## **12 ASSESSMENT**

- 12.1 The site is located within the built up area of Lymington, part of a mid C20 residential development of semi-detached properties. These are of a similar design and regular layout providing character to the appearance of the street scene. The property comprises the western half of a pair of semis at the end of a row on this side of the road. It is of a brick construction under a hipped plain tiled roof and has a flat roofed side extension, projecting a short distance to the rear of the property and front flat roofed projection over the bay window and porch. Planning consent has been recently granted for a flat roofed side extension of the same footprint as the two storey addition now proposed, and front bay and porch canopy as detailed on the plan.(Ref: 16/10199)
- 12.2 No.29 to the west of the site is set on a different orientation, addressing the corner.
- 12.3 This application proposes the addition of a two-storey side extension, with a pitched roof over the front porch and new bay window. It follows a previously withdrawn scheme under planning application reference 16/10199 for similar additions with the roof form of the two storey element now altered to show a fully hipped as opposed to gable style.
- 12.4 Other properties on this side of the road have been subject to side extensions of a two storey scale, of note No.17 (planning application 09/95012) and No.25 (planning application 03/78499), the attached neighbour. As such the proposal would not in principle, be out of keeping with the form of development in the vicinity. It is noted that the extension would be of greater length than these other permitted additions, however overall it would not be a disproportionate addition and would remain visually subservient.

- 12.5 The two storey front projection did raise some initial concerns, however its hipped roof would be sympathetic to the original roof form. It is also noted that a comparable arrangement was previously permitted on No.17 and as such this would not result in a visually alien feature in the street scene. The proposed porch extension would be a modest addition and various porch additions have been made to other properties in the vicinity such that this would not appear out of keeping. As such it is considered that the proposed development would be acceptable in its impacts on the appearance of the street scene.
- 12.6 The front extension, as a result of its scale and nature would maintain an acceptable relationship with the attached neighbouring property. The two storey element, as a result of its scale and positioning would have more potential impacts on the living conditions of neighbouring occupiers and it is noted that a letter of representation has been received from the occupiers to the west of the site at No.29.
- 12.7 In respect of No.29 it is noted that the property has a relatively modest rear garden with the main outlook to the south-east. The extension would see some additional overshadowing of part of the northern section of this neighbouring garden area however given the relative orientation this would be limited to the early part of the day so as not to raise overriding concerns. Furthermore, given the main aspect of outlook at the rear of the property and set back of the extension from the boundary, it is not considered that this would result in such visual intrusion that would result in demonstrable harm to these resident's outlook.
- 12.8 New first floor windows facing towards this neighbouring site would be first floor roof lights and a condition can be used to restrict the glazing of the lower level en-suite window to maintain privacy. On this basis it is considered that the proposal would not result in harm to the living conditions of these neighbouring occupiers. Furthermore given the relative separation from the attached neighbouring premises and the orientation of new windows this would also maintain an acceptable relationship and not result in any unacceptable harm to their living conditions.
- 12.9 In response to other matters raised in representation the plans are drawn to a recognised metric scale.
- 12.10 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.
- 13. RECOMMENDATION - subject to no further material comments following expiration of consultation period:**

**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: 4427 PL 01 Rev A; 4427 PL 03 Rev E; 4427 PL 02

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.

4. The first floor en-suite window on the south west side elevation of the approved extension shall be obscure glazed and fixed shut at all times unless the parts that can be opened are more than 1.7m above the floor.

Reason: To safeguard the privacy of the adjoining neighbouring properties 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.

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

### **Further Information:**

Householder Team

Telephone: 023 8028 5345 (Option 1)



# New Forest DISTRICT COUNCIL

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

David Groom  
Service Manager  
Planning and Building Control  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

**Planning Development  
Control Committee  
July 2016**

**Item No: 3n**

27

Queen Elizabeth Avenue  
Lymington  
16/10561  
SZ3195

Scale 1:1250

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

