

Application Number: 16/10910 Full Planning Permission

Site: 31 DANIELLS WALK, LYMINGTON SO41 3PP

Development: Raise ridge height; single-storey rear extension; dormers;
rooflights

Applicant: Mr & Mrs Payne

Target Date: 25/08/2016

1 REASON FOR COMMITTEE CONSIDERATION

Contrary 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

- CS1: Sustainable development principles
CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework
Achieving Sustainable Development
NPPF Ch. 7 - Requiring good design

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Lymington Local Distinctiveness

6 RELEVANT PLANNING HISTORY

- 6.1 02/74780 - loft conversion with dormers. Granted 5.6.02
- 6.2 89/NFDC/41328 - extension to lounge and formation of rooms in roof.
Granted 25.4.89

7 PARISH / TOWN COUNCIL COMMENTS

Lymington and Pennington Town Council - recommend approval

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

Drainage - no comment

10 REPRESENTATIONS RECEIVED

10.1 Two comments have been received in respect of not being able to access the plans electronically.

10.2 Two letters have been received in support of the proposals in the light of other similar developments in the road.

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application.

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.

No pre-application advice was sought in respect of this proposal. In this case, the concerns in respect of the form of development proposed could not be overcome within the timescales for the determination of this application, hence the recommendation for refusal.

14 ASSESSMENT

- 14.1 The site lies within the built up area of Lymington in a residential area where many properties have been altered and extended, including works currently underway at the adjacent property. The property in question is a chalet style dwelling having been extended through the provision of front and rear dormers around 14 years ago. The half hips to the sides were also added following a previous approval (1989) for altering the property although the rear addition at that time was not implemented.
- 14.2 The proposal entails the provision of a ground floor rear extension across much of the width of the property. At first floor level, the proposed additional accommodation would provide an en suite and larger landing space.
- 14.3 With regard to residential amenity, the proposal would not impact on the privacy of any immediate neighbour as the rear dormers and existing side windows would be removed as part of the proposals. In terms of light, the ground floor of no.29 may suffer some loss of light later in the day as a result of the increased depth of the side elevation, although it is not considered that this would be sufficient to warrant refusal. To the other side, the first floor side window to no.33 relates to a bathroom and, in view of the extension being recessed from the boundary to the west, the proposal would have less of an impact on this property.
- 14.4 In visual terms, the proposal does maintain a single storey eaves line but the central front dormer is considered to be excessive and would be seen as an element of full two storey height which would be out of character with Daniells Walk. Reference has been made to the property next door which is being extended at present, although the front gable element to that property has single storey eaves to either side and no vertical element, unlike the proposal, which has large vertical areas on either side. In view of the forward siting of this property in relation to no.29, this front gable would be considered quite intrusive in the street scene.
- 14.5 Reference has also been made to 10 Daniells Walk which was granted consent earlier this year for a replacement dwelling. In view of this particular site, it was considered that the new dwelling would be less prominent given the protected tree and garage, both within the adjoining site. The ground floor eaves level is retained along the front elevation.
- 14.6 In addition to this, with regard to height, the property presently sits comfortably between the two houses either side but the ridge would be increased by 1.3m. The combination of this increase in height, together

with the increased depth and bulk of the roof form, would result in a particularly bulky property at odds with the general pattern of development in this part of Daniells Walk.

- 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:

1. The proposal would result in increased bulk and massing of the property to the detriment of the street scene by virtue of the proposed large front dormer with significant vertical emphasis to its sides and increased depth and height of the roof form. The proposal would therefore adversely affect the character of the area and would not contribute positively to local distinctiveness, contrary to policy CS2 of the New Forest District Council 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 no pre application advice was sought and the concerns raised are significant and could not be overcome within the prescribed timescales for the processing of this application.

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



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DISTRICT COUNCIL

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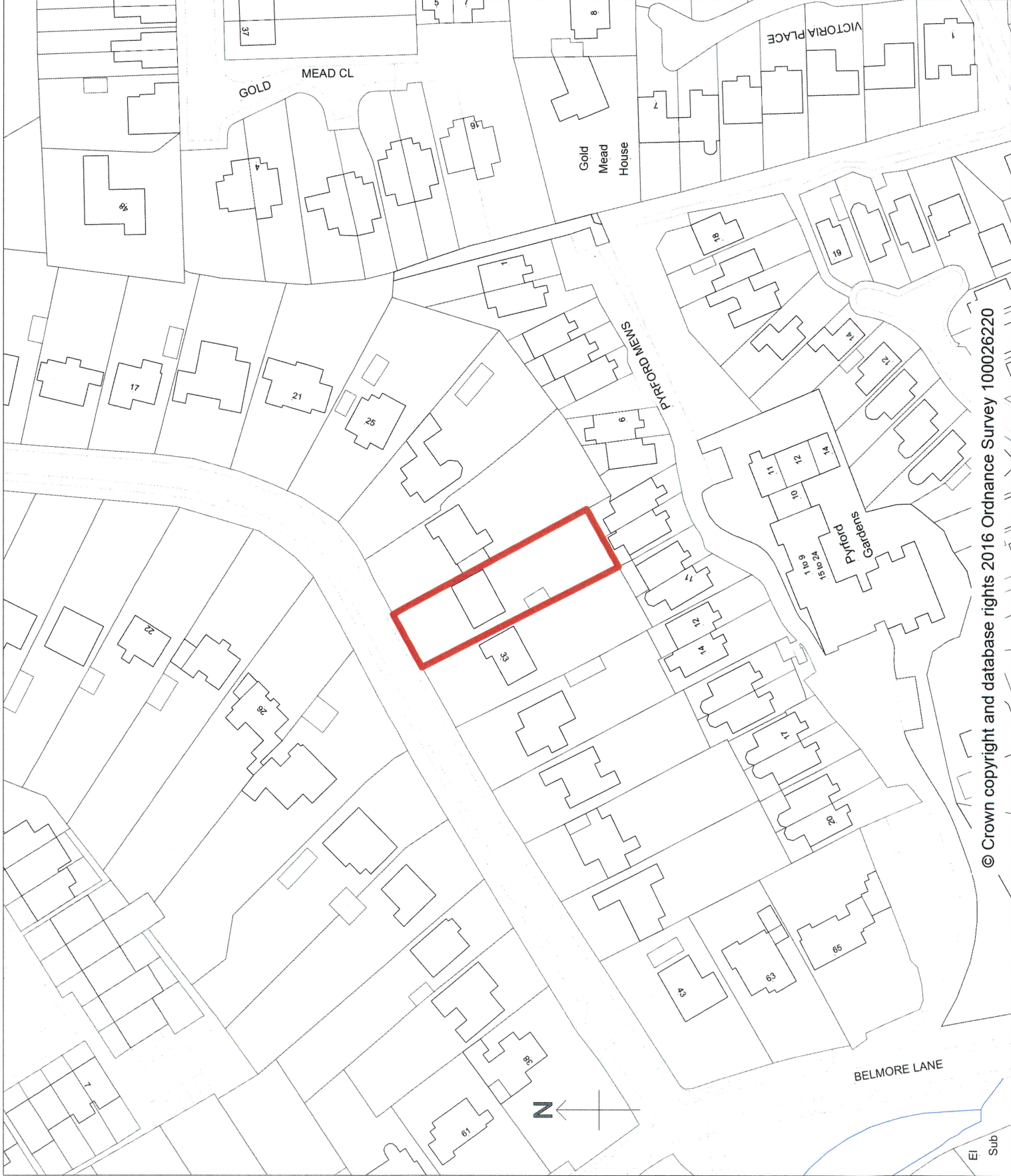
**Planning Development
Control Committee
September 2016**

Item No: 3d

31
Daniells Walk
Lymington
16/10910
SZ3295

Scale 1:1250

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



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