

Application Number: 16/10956 Full Planning Permission

Site: 4 TUCKS CLOSE, BRANSGORE BH23 8ND
Development: Single-storey front, side and rear extensions; detached garage/store; use of existing garage as living accommodation
Applicant: Mr & Mrs M Pursey
Target Date: 26/09/2016

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view in part

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES**Constraints**

Planning Agreement
Plan Area

Tree Preservation Order: 86/99

Plan Policy Designations

Built-up Area

National Planning Policy Framework

Section 7

Core Strategy

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

None relevant

Supplementary Planning Guidance And Documents

None relevant

3 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

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

4 RELEVANT SITE HISTORY

Proposal	Decision Date	Decision Description	Status
13/11339 Single-storey front and rear extensions; porch canopy; roof link to garage	30/12/2013	Granted	Decided

10/96496 Single-storey front & rear extensions	17/02/2011	Granted Subject to Conditions	Decided
10/96124 Single-storey front & rear extensions	13/12/2010	Withdrawn by Applicant	Withdrawn
10/95543 One and two-storey extension	29/06/2010	Refused	Decided
XX/RFR/15318 193 dwellings and garages.	03/10/1972	Granted Subject to Conditions	Decided

5 COUNCILLOR COMMENTS

No Comments Received

6 PARISH / TOWN COUNCIL COMMENTS

Bransgore Parish Council

The size and impact of the proposed extensions would have an unacceptable impact on the surrounding properties contrary to Policy CS2. The proposed new garage would also adversely affect the open nature of the street scene.

7 CONSULTEE COMMENTS

- 7.1 NPA Trees, New Forest National Park Authority: No objection subject to condition requiring the submission of an arboricultural report, method statement and details of the foundation design.
- 7.2 Hampshire County Council Highway Engineer: No objection subject to condition requiring parking to be retained

Comments in full are available on website.

8 REPRESENTATIONS RECEIVED

Seven representations have been received. Six raising objection and another commenting on the proposals. These raise the following matters;

- Impacts on visual amenity - the design and position of the garage and loss of the front garden area would be out of keeping with the established character of development and visually dominant; extensions would see an excessive increase in the footprint of the property and the scale and design would be out of keeping with surrounding properties.
- Impacts on residential amenity - potential privacy implications through loss of hedgerow; loss of outlook
- Impact on trees; potential damage to trees and hedgerows and associated impacts on neighbouring premises.
- Drainage issues from existing storm surface water drain and future run off
- Concerns the closet extension would block emergency access to the rear of the properties
- Reference to the property's foundation design
- Reference to matters relating to the deeds of the property.
- Recommend that the proposed closet could be used as a bedroom instead of the garage conversion.

Comments in full are available on website.

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.

In this case no pre-application advice was sought from the Council. Concerns raised over the acceptability of scheme were made available online in the Officer Briefing Note, in addition to concerns raised by the Parish Council and through representations. As the nature of the concerns was fundamental to the scheme this could not be addressed through the submission of amended plans.

12 ASSESSMENT

- 12.1 The site is located within the built up area, an attached bungalow which has been previously extended at the front, side and rear under PA 13/11339. It forms part of a development dating from the latter half of the C20 which comprises of cul-de-sac developments and detached bungalow and two storey development of related design. Key features of the development include open plan frontages and groups of retained trees and hedgerows, remnants of former field boundaries and wooded areas which provide a green backdrop and pleasant vistas within the development.
- 12.2 This proposal details further extensions to the front, side and rear of the property. It also details the conversion of the existing garage to habitable accommodation and the addition of a new detached garage at the western end of the site.
- 12.3 Although seeing further extensions to the property the proposed extensions would remain of sympathetic design and a form which would not be out of keeping within this residential area. The resulting site coverage would maintain adequate amenity space such that this would not represent overdevelopment of the site. The detailed design of the extensions would respond to the property's existing built form and maintain the staggered relationship on the street scene with adjacent development. The proposed conversion of the garage would see limited external change to the building which as a result of its recessive position would have limited wider impacts on the appearance of the street scene.

- 12.4 The new garage would occupy an open grassed area which currently forms a pleasant vista within the Close. Its openness and vegetated backdrop on the edge of the development creates a verdant setting and sense of spaciousness which benefits the appearance of the street scene. The proposed new garage as a result of its positioning would erode this openness and the detached relationship between the garage and existing bungalow would be out of keeping with the compact spatial relationship of property layouts in this Close. As such it is considered that the proposed garage would result in a conspicuous form of development which would erode the existing open setting and result in harm to the appearance and distinctiveness of the street scene.
- 12.5 The proposed extensions would maintain an acceptable degree of separation from neighbouring premises such that would not result in any harmful impacts on the living conditions of neighbouring occupiers. The flat roofed infill would see the modest enlargement of the existing extension which given the separation from neighbouring premises would not lead to any overbearing visual intrusion on their outlook. The use of the garage as living accommodation would not result in a level of activity generation that would be inconsistent with the established residential character.
- 12.6 There are a number of trees along the boundary of the site which are covered by preservation orders and could be affected by the proposed side extension. The Tree Officer has raised attention to the lack of any arboricultural report to address impacts on these trees. However they consider that the development could be accommodated without causing harm to them, subject to agreement of works and foundation design which can be addressed through condition.
- 12.7 In respect of highway safety the proposal would provide space for parking levels in accordance with the Council's adopted SPD. This would however be subject to the retention of the parking and turning areas proposed, which can be addressed by condition.
- 12.8 In relation to drainage and emergency service access these matters would fall within the remit of building regulations. Matters concerning Party Wall agreements and Deeds are Civil matters which fall outside of the scope of material planning considerations.
- 12.9 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.

13. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposed garage/store would occupy an area which in its openness and vegetated backdrop creates a verdant setting and sense of spaciousness that provides character to and benefits the appearance of the street scene. As a result of its scale and position the garage/store would erode this openness and backdrop. Furthermore the detached relationship with the existing bungalow would relate poorly to the compact spatial relationship of property layouts in this Close. As such it is considered that the proposed garage would result in a conspicuous form of development, unsympathetic to the established character and layout of development. This would result in harm to the appearance and local distinctiveness of the street scene contrary to Policies CS2 of the Core Strategy for the New Forest District outside the National Park and Section 7 of the National Planning Policy Framework (2012).

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.

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Further Information:

Householder Team

Telephone: 023 8028 5345 (Option 1)



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DISTRICT COUNCIL

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**Planning Development
Control Committee
October 2016**

Item No: 3j

**4
Tucks Close
Brangore
16/10956
SZ1897**

Scale 1:1250

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

