

**Application Number:** 16/11119 Full Planning Permission

**Site:** 14 SOLENT AVENUE, LYMINGTON SO41 3SD

**Development:** Single-storey rear extension; fenestration alterations; cladding

**Applicant:** Mr & Mrs Bayliss

**Target Date:** 04/10/2016

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**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary Town Council View.

**2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES**

**Constraints**

Plan Area

**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**

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**

Proposal	Decision Date	Decision Description	Status
99/67062 Ground floor addition	21/09/1999	Granted Subject to Conditions	Decided

**5 COUNCILLOR COMMENTS**

No Comments Received

## **6 PARISH / TOWN COUNCIL COMMENTS**

**Lymington & Pennington Town Council:** recommend refusal.

Not willing to recommend approval as the materials used do not complement host building and are out of Character with Local Distinctiveness.

## **7 CONSULTEE COMMENTS**

No Comments Received

## **8 REPRESENTATIONS RECEIVED**

One letter of support has been received from the resident at No 16 Solent Avenue.

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 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, a detached property in an area of Lymington characterised by large detached properties. Incremental changes and site redevelopment has created individuality in this character of properties within this group. Of particular note is the adjoining property at No.16 which is of a contemporary design incorporating zinc roofing material and timber cladding.

12.2 This application proposes a replacement ground floor extension with one of a contemporary design and alterations to re-clad and alter the window arrangement at ground floor on an existing rear projection.

- 12.3 The proposed extension would replace an existing poor quality addition to the building. It would take a contemporary design approach which by its nature, would differ from the appearance of the existing mid C20 property. However, the single storey scale and positioning of the extension would not be inconsistent with the form of development in this residential area. Furthermore this modern addition would remain subservient to the host dwelling and although different, would not overwhelm or detract from its appearance. In this discrete location it is also noted that there would be no direct impacts on the appearance of the street scene. The proposed re-cladding of the retained flat roof extension would also relate to the facing materials being introduced in the new extension. With reference to the Lymington Local Distinctiveness Document, Solent Avenue falls within Character Area 5 – Waterford and Westfield. This refers (Fig 5.9) to the large scale of dwellings along Solent Avenue and the importance of greenery and avenue trees to ameliorate the limited gaps between dwellings. This proposal would not compromise these identified characteristics of development. As such it is considered that this proposals would represent a subservient contemporary addition and alterations that would be consistent with the established form of development and would not detract from visual amenity or the appearance of the area.
- 12.4 As such it is considered that the proposals would represent a subservient contemporary addition and alterations that would be consistent with the established form of development and would not detract from visual amenity or the appearance of the area.
- 12.5 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**

### **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: 002; 001; 004; 003; 015; 016; 017; 011; 010; 012; 009; 008; 007; 006; 005

Reason: To ensure satisfactory provision of the development.

**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)



**New Forest**  
DISTRICT COUNCIL

Tel: 023 8028 5000  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

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**Planning Development  
Control Committee  
October 2016**

**Item No: 3aa**

**14**

**Solent Avenue  
Lymington  
16/11/19  
SZ3395**

**Scale 1:1250**

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

