

Application Number: 16/11644 Full Planning Permission

Site: 18 PRIESTLANDS ROAD, PENNINGTON, LYMINGTON SO41
8HY

Development: Two-storey side and rear extensions; dormers; fenestration
alterations; rooflights

Applicant: Mr & Mrs Ritter

Target Date: 26/01/2017

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Town Council view

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Aerodrome Safeguarding Zone
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
03/78115 Rear extension; additions to roof and dormers	04/07/2003	Granted Subject to Conditions	Decided

5 COUNCILLOR COMMENTS

Cllr Michael White: if the application is to be recommended for approval under delegated powers, request that it be referred to Planning Development Committee for a decision

6 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council: recommend permission.

7 CONSULTEE COMMENTS

7.1 Hampshire County Council Highway Engineer: no objection

7.2 Land Drainage: Information only

Comments in full are available on website.

8 REPRESENTATIONS RECEIVED

Two representations of objection have been received one from the neighbour at 16 Priestlands Road and one from the Lymington Society:

- gabled ends contrary to character of predominant hipped roofs;
- increase of property compared to original built dwelling equates to 42% increase;
- damp and drainage issues;
- side extension overbearing, being excessive in size and impact;
- proximity to no 16 would create a terraced effect;
- damage to neighbouring property's foundations;
- limited access for maintenance;
- future severance of annexe;
- loss of light and shading to no 16;
- line of boundary between application site and no 16 questioned;
- loss of light to study and bedroom;
- increase shading to south-west roof of no 16, where the intention was to position solar panels;
- loss of privacy and noise issue from proposed side door;
- compromising position of ventilation vents and flues on no 16

Two representations of support, one from the neighbour at 20 Priestlands Road and one from 5 Widbury Road

- proposals would be in keeping with street scene and enhance value

representation from agent:

- shadowing of existing window would be acceptable, and proposal would not affect the garden, greenhouse and any future solar panels at no 16

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.

No pre application advice was sought prior to the application being submitted. The initial briefing identified that consideration would need to be given to the impact of the building on both the street scene and the character of the area, as well as potential impact on the neighbouring property, no 16. Representations have been received by both the neighbour and the agent relating to the level of impact on the amenities of no 16. On careful consideration and taking all received representations into account, the level of harm to the neighbouring property is not justifiable as a reason for refusal. Nevertheless, the adverse impact on the street scene and general character of the area would be significant and on these grounds refusal is recommended.

12 ASSESSMENT

12.1 The proposed side extension would reflect the form of the existing dwelling, and would be slightly lower than the ridge on the host property. It would replace an existing detached garage and be further off the boundary at the front (2.3 metres), though it would extend further back and due to the angle of the boundary line with the neighbouring property, no 16, would be sited within 300mm of this boundary at the rear. This would provide a distance of approximately 3.5 metres between the side of the proposed side extension and the side wall of no.16 at the front and approximately 1.3 metres at the rear.

12.2 By reason of its position, design and dimensions, the proposed side extension would be more visible than the existing development in situ, in relation to no 16. No 16 Priestlands Road is to the east of the application site and has recently been extended to create a two storey dwelling. There are windows on the side elevation at both ground and first floor level that would be facing the proposed side extension. Of the two ground floor windows at no 16 facing the site, the rearmost window is the sole window serving a modest room which is to be utilised as a study/guest bedroom. This room is already compromised to a degree by the existing

boundary wall and garage serving no.18. Arguments have been put forward for and against with regard to the degree of increased loss of light that the proposed extension would create.

- 12.3 On balance even though it is accepted that due to the proximity and height of the extension it would have a greater impact on this window than the existing arrangement, the side boundary wall and garage affects the light available to and outlook from this room. Furthermore, the existing dwelling already creates a level of overshadowing to this room later in the day. Therefore, the additional level of light loss and overshadowing to this room would not be to such a degree that would justify a reason for refusal.
- 12.4 The other ground floor window is a secondary window to the living room, and the first floor rooflights are serving an ensuite and a secondary window to the bedroom respectively. By reason of the relationship of these other windows to the proposed extension, these would not create a significant level of harm to the amenities of these respective rooms.
- Similarly, the level of overshadowing to the rear garden of no 16 from both the proposed rear and side extensions would not be such to justify a refusal.
- 12.5 Concerns about potential damage or adverse impact from any proposed building work at the application site, would be dealt with under civil legislation namely the Party Wall Act. Furthermore, building regulations should ensure that the building works meet all the necessary requirements in relation to drainage and foundations design.
- 12.6 The proposed annexe would form part of the residential unit. If in the future it was proposed to be severed, this would require a separate planning application.
- 12.7 The proposed side door would access the garage, but taking into account the part of the dwelling it would be serving and that this is not the only door serving this area, the concerns raised relating to nuisance are not justified. With regard to the positioning of external flues and vents, it is not reasonable to rely on the neighbouring property for adequate ventilation zones
- 12.8 The neighbour at no.16 has raised concerns that the proposed development would impact upon the future siting of solar panels on the south western elevation of that property. However, the solar panels are not in situ currently and therefore the potential impact on these cannot be taken into consideration.
- 12.9 The repositioning of the rear dormer would result in it being in a more exposed position on the rear elevation and bring it closer to the common boundary with 2 Whitaker Crescent. In relation to this neighbour, the dormers would only achieve oblique views over their rear garden area. The proposed extensions should not adversely impact upon the amenities of other adjoining neighbours.
- 12.10 The extensions would result in the dwelling being increased to a 5 bedroom property. Parking standards require the provision of 3 parking spaces within the curtilage and these can be accommodated in the large driveway to the front of the property.

12.11 Priestlands Road has a varied character. Nevertheless, there is a sense of spaciousness to this section of the road, extending to the junction with Whittaker Crescent, which is further contributed to by the openness of the school site opposite. The proposed extensions would result in two storey development spanning virtually the entire width of this plot, eroding the spatial gap with no 16, and detracting from the spatial characteristics of the existing dwelling. Furthermore, the resulting development would create a cramped appearance which would be harmful to both the street scene and the character of the area, and the level of harm would be significant enough to justify a refusal in this instance.

12.12 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 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. By reason of its siting, width and height, the proposed side extension would result in the loss of the existing gap with the neighbouring property, no 16 Priestlands Road, detracting from the spatial characteristics of the dwelling in its setting and create a cramped form of development that would be harmful to the appearance of the street scene and local distinctiveness of the area. For this reason, the proposed development is contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

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

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**Planning Development
Control Committee**
February 2017

Item No: 30

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Priestlands Road
Pennington
16/11644
SZ3195

Scale 1:1250

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

