

Application Number: 16/11665 Full Planning Permission

Site: 4 TUCKS CLOSE, BRANSGORE BH23 8ND

Development: Single-storey front, side & rear extensions;
use of garage as living accommodation

Applicant: Mr & Mrs M Pursey

Target Date: 06/02/2017

1 REASON FOR COMMITTEE CONSIDERATION

Contrary member view

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Planning Agreement
Aerodrome Safeguarding Zone
Plan Area

Tree Preservation Order: 86/99

Plan Policy Designations

Built-up Area

National Planning Policy Framework

Section 7

Core Strategy

CS2: Design quality
CS6: Flood risk
CS24: Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

None relevant

Supplementary Planning Guidance And Documents

SPD - Parking Standards

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	Appeal Description
16/10956 Single-storey front, side and rear extensions; detached garage/store; use of existing garage as living accommodation	13/10/2016	Refused	Decided	
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10/96124 Single-storey front & rear extensions	13/12/2010	Withdrawn by Applicant	Withdrawn	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

Councillor Frampton: concern regarding drainage and the change of use of the garage as it is a semi-detached building and residential occupation so much closer to the neighbour may be detrimental to their amenities.

6 PARISH / TOWN COUNCIL COMMENTS

Bransgore Parish Council: approval. The impact on surrounding properties would be minimal.

7 CONSULTEE COMMENTS

Tree Officer: no objection, subject to condition requiring the submission of an arboricultural report, method statement and engineering drawings for the foundation design before development commences.

Hampshire County Council Highways: no objection, subject to condition requiring the retention of the parking area to accommodate at least 3 vehicles.

Land Drainage: recommends approval subject to condition regarding submission of details for the means of surface water disposal.

Comments in full are available on website.

8 REPRESENTATIONS RECEIVED

3 objections have been received on the grounds of objection;

- Impacts on the character of the area - extensions would see an excessive increase in the size of the property, out of keeping with surrounding properties.

- Potential damage to trees and hedgerows
- Drainage and sewerage issues
- Reference to the property's foundation design
- Garages should remain separate from personal living area as per the original design/plans
- Party Wall Act

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 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. It is 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 application follows a previous application which was refused due to concerns over a proposed detached garage at the front of the site. This garage has now been omitted with the extensions still as proposed under the former application.
- 12.3 Although seeing further enlargement of the property the proposed extensions would remain of sympathetic design and a form which would be in 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 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. As such it is considered that the impacts on visual amenity would be acceptable.

- 12.4 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.
- 12.5 There are no conditions on the original or subsequent permission that requires the retention of the garage or parking on site. 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. As such it is considered the impacts on the living conditions of neighbouring occupiers would be acceptable.
- 12.6 There are a number of trees along the boundary of the site which are covered by preservation orders and the proposed development would in part, encroach into the root protection area of these trees. There is no arboricultural report to address impacts on these trees. However the Tree Officer has been consulted and considers 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 as currently on site and detailed in the submitted plans, which can be addressed by condition.
- 12.8 Concerns have been raised regarding drainage. However the Council's land drainage team consider this can be addressed by condition, which would ensure control over the final details of surface water disposal.
- 12.9 In relation to other issues raised through representation, existing hedgerows are detailed on the submitted plans as being retained. Consideration of the sewerage arrangements and foundation design would fall within the separate remit of building regulations. Issues relating to Party Wall Agreements are a separate civil matter. Although the original design of the development provided the existing garage, this does not preclude its conversion where the material impacts are considered acceptable.
- 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

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: Location Plan; 6130/4; 6130/1; 6130/2

Reason: To ensure satisfactory provision of the development.
3. No development, demolition or site clearance shall take place until an arboricultural report, arboricultural method statement and engineering drawings for the foundation design of the approved development shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter all works shall be undertaken in accordance with the provisions and details approved.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).
4. On commencement of works for the conversion of the existing garage the existing parking arrangements on site as detailed on the approved plans, shall be retained and kept available for the parking of motor vehicles and remain as such thereafter.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).
5. Before development commences, details of the means of disposal of surface water from the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

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 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

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**Planning Development
Control Committee
March 2017**

Item No: 3g

**4
Tucks Close
Bransgore
16/11665
SZ1897**

Scale 1:1250

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

