

Application Number: 16/11737 Full Planning Permission

Site: 3 FILTON ROAD, LYMINGTON SO41 9GU

Development: Two-storey side extension; single-storey front extension; one and two-storey rear extension; one front and two rear rooflights in association with new second floor

Applicant: Mr Kelbie

Target Date: 28/02/2017

1 REASON FOR COMMITTEE CONSIDERATION

Recommendation contrary to 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

NPPF Ch. 7 - Requiring good design

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	Appeal Description
16/10943 Two-storey side and rear extension; single-storey rear extension; front porch; roof lights	13/10/2016	Granted Subject to Conditions	Decided	

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council: recommend permission

7 CONSULTEE COMMENTS

No comments received

8 REPRESENTATIONS RECEIVED

1 objection:

- previous approved scheme impact on character
- scale of development, visual impact
- impact on light and overlooking
- comments on garden building
- precedent

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 on the plans put forward in this application; however the concerns raised have been made available in the case officer's initial briefing.

12 ASSESSMENT

- 12.1 The property is located within an established residential area of Lymington. It comprises one half of a pair, part of a small group of semi-detached properties in this cul-de-sac.

- 12.2 This application follows a previous application for extensions at the front, sides and rear of the property which was approved under PA 16/10943. It seeks adjustment to the two storey side and rear extensions design. The comparative changes see the roof over the side extension accommodated as a flush continuation of the existing ridgelines on its rear projection, a reduction in the width of the new gable and consequential reduction in its height. Some adjustment is proposed to the design of the front single storey extension and roof light arrangement, however that on the rear remains unchanged from the previous approval.
- 12.3 The related design and arrangement of these pairs of semi-detached properties creates a defined appearance and rhythm to the street scene, to which the dominant roof forms make an important contribution. In the case of the previous approval it is noted that although the spatial gap with No.5 would be reduced, as a result of its boundary set back, recessive height and roof form this was considered acceptable. The proposal maintained the primacy of the dwelling's semi-detached form.
- 12.4 In the case of this revised proposal, although the side extensions would see recession in the position of its front wall, it would result in the loss of definition of the existing roof form. The continuation of the ridge would erode the original symmetry of this pair, a feature of development which is fundamental to the character and rhythm of the street scene. The result would be an overly dominant extension which would not contribute positively to local distinctiveness and as such be harmful to the appearance of the street scene. Although there are concerns over the roof design of the two storey side extension it is noted that other aspects of the proposals would represent proportionate and appropriately designed additions which would be acceptable in this context.
- 12.5 The proposed extensions would maintain separation and a favourable orientation from the premises to the south (No.5) such that they would not lead to any harmful impacts through loss of light or outlook. The impacts on the attached premises to the north would be more pronounced as a result of the proximity and relative orientation. However it is noted that the two storey element would maintain a recessive position relative to this attached neighbour that would reduce the degree of potential overshadowing. Furthermore the single storey element adjacent to the boundary, as a result of its scale and roof design, would again limit the additional overshadowing impacts. Although the proposals would impact on the light and outlook to the rear of this neighbouring premises, as a result of their scale and relative position it is not considered this would be to such extent that it would result in harm to the living conditions of this neighbouring occupier.
- 12.6 New first floor windows and attic roof light openings would enable views towards neighbouring premises. However such views would enable only distant or restricted aspect views towards neighbouring sites that would not lead to any harmful loss of privacy. There is sufficient separation distance (in excess of 26m) between the proposed development and those to the rear on Park Road so adverse overlooking or other amenity would not result. A proposed side first floor window would enable direct views towards No.5. However, any potential loss of privacy could be mitigated through restricting the glazing and opening of this window. As such these proposals would not result in any harmful impacts to the living conditions of neighbouring occupiers through loss of privacy.

- 12.7 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.

13. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The roof design of the two storey side extension would result in the loss of definition of the existing roof form, eroding the original symmetry of the frontage of this pair of semi-detached dwellings, which is fundamental to the character and rhythm of the street scene. This would result in an overly dominant extension which would not contribute positively to local distinctiveness and as such be harmful to the character appearance of the street scene contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park and Lymington Local Distinctiveness Supplementary Planning Document.

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 on the plans put forward in this application; however concerns raised have been made available in the case officer's initial briefing.

2. This decision relates to amended plans received by the Local Planning Authority on 01/02/2017

Further Information:

Householder Team
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New Forest DISTRICT COUNCIL

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**Planning Development
Control Committee
March 2017**

Item No: 3j

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Filton Road
Lymington
16/11737
SZ3195

Scale 1:1250

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

