

Application Number: 17/10640 Full Planning Permission

Site: 3 CHURCH MEAD, LYMINGTON SO41 8FN

Development: Two-storey side extension to detached garage

Applicant: Mr & Mrs McKeon

Target Date: 29/06/2017

Extension Date: 12/07/2017

RECOMMENDATION: REFUSE

Case Officer: Vivienne Baxter

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Town Council view

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Aerodrome Safeguarding Zone
Flood Zone

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

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
07/89360 Single-storey garage extension; first floor garage extension	06/03/2007	Granted Subject to Conditions	Decided	
88/NFDC/39156 Replacement of single garage with double garage.	26/09/1988	Granted	Decided	

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council: recommend permission, subject to obscure glazing in overlooking window.

7 CONSULTEE COMMENTS

Natural England: no comments. Refer to Standing Advice.

8 REPRESENTATIONS RECEIVED

No comments received

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.

The application was submitted without the prior benefit of pre-application advice and it is considered that the massing of the resultant building is excessive in this location. The Town Council recommend permission and so, as there is a

contrary view, the decision cannot be taken under delegated powers and as such needs to be determined by the Planning Development Control Committee

12 ASSESSMENT

- 12.1 The site lies within the built up area of Lymington in a residential area tucked behind the Fisherman's Rest public house. It contains a detached two-storey dwelling with detached garage/car port/studio building adjacent. The adjacent dwelling at No. 2 is in the same ownership. The proposal is for the replacement of the car port element of the detached building with a two-storey addition to provide an extended garage with an additional studio space over.
- 12.2 The proposal would have a limited impact on residential amenity due to its siting to the north of the host dwelling and east of the immediate neighbour (No 2 Church Mead). While there are windows at first floor level, those on the boundary could be restricted to being obscure glazed in order to protect the amenities of the occupiers of 2, Church Mead.
- 12.3 The existing garage building is large, having a ridge height of almost 7m and a width of 7.5 metres, with an attached car port to the west. The proposal would almost double the width and footprint of the building, providing further accommodation at first floor level, together with associated fenestration and a pitched roof dormer on the south elevation. The resultant building would be located within 1.2 m of the host dwelling and 2.8 metres of the public house to the rear. Due to the overall scale and massing of the extended building it would be tantamount to an additional dwelling and as such is considered to represent a cramped form of development inappropriate in this location.
- 12.4 The proximity of the extension to the boundary would result in the loss of part of a mature hedge, the loss of which would further increase the impact of the proposal on the adjacent property.
- 12.5 Although the comments of the Town Council have been noted, it is considered that the proposal would result in an overly large outbuilding and due to the resultant relationship with existing buildings on and adjoining the site would represent a cramped and unsympathetic form of development.
- 12.6 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 development due to its overall height, width, scale and bulk would result in an overly large building, unsympathetic to its setting and relationship to other buildings. As such, it would represent an inappropriate and cramped form of development on this site and thereby would be contrary to policy CS2 of the New Forest District Council Core Strategy.

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:

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Householder Team

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Planning Development
Control Committee
July 2017

Item No: 31

3 Church Mead
Lymington
17/10640
SZ3294

Scale 1:1250

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



