

**Application Number:** 15/10137 Full Planning Permission

**Site:** 2 DANIELLS CLOSE, LYMINGTON SO41 3PQ

**Development:** Front dormers in association with new first floor; roof alterations;  
rear extension; front porch; fenestration alterations.

**Applicant:** Mr & Mrs Frost & John Whitehead

**Target Date:** 06/04/2015

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**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary to Town Council view

**2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS**

Plan Area

**3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES**

**Core Strategy**

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
6. Towns, villages and built environment quality

Policies

- CS1: Sustainable development principles  
CS2: Design quality

**Local Plan Part 2 Sites and Development Management Development Plan Document**

None relevant

**4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE**

Section 38 Development Plan  
Planning and Compulsory Purchase Act 2004  
National Planning Policy Framework 2012

**5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

Lymington Local Distinctiveness

**6 RELEVANT PLANNING HISTORY**

None relevant

**7 PARISH / TOWN COUNCIL COMMENTS**

Lymington and Pennington Town Council - Recommend permission

**8 COUNCILLOR COMMENTS**

None received

## **9 CONSULTEE COMMENTS**

Land Drainage – No comment

## **10 REPRESENTATIONS RECEIVED**

None received

## **11 CRIME & DISORDER IMPLICATIONS**

None

## **12 LOCAL FINANCE CONSIDERATIONS**

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments. Based on the information provided at the time of this report this development is not liable for CIL.

## **13 WORKING WITH THE APPLICANT/AGENT**

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of Town and Country Planning (Development Management Procedure) (England) Order 2015 , New Forest District Council take 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.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

In this case no pre-application enquiry was submitted. Initial concerns were

raised in the Parish Briefing note and discussed with the applicant's agent. Amendments to address these concerns could not be dealt with under the scope of this current submission and as the applicant did not wish to withdraw it, the application is being considered on the basis of the plans submitted.

## 14 ASSESSMENT

- 14.1 The site is located in an existing residential area of Lymington generally characterised by low rise bungalow development, many with converted or purpose built chalet second floors. The property is located in a small cul-de-sac off Daniell's Walk one of five properties orientated around a central turning head. It is a bungalow of brick construction under a plain tile, hipped, gable roof, sitting back from the road, with a parking area to the front and enclosed garden area to the rear. The property has been previously extended on its north side with a front facing gable end projection and a flat roofed extension behind, extending very close to the site's side boundary. It is noted that there are existing shed outbuildings in the south-east corner of the site.
- 14.2 Neighbouring properties are to the north-west (No.1) and south-east (No.3) of the site, with garden areas serving properties along Bingham Drive and Church Lane to the rear. Screening is provided by a combination of fencing and hedgerow, with some trees and vegetation on the neighbouring side along the rear boundary. No.1 is a bungalow of similar design, which has previously been extended on its side and rear elevations, bringing it close to the common boundary. No.3 has a more detached relationship, set back from the boundary, with an intervening driveway. Both neighbouring properties have windows in the opposing side elevations.
- 14.3 This is a property of simple form and modest proportions which sits among the context of similar properties in this small cul-de-sac. Although it is appreciated that properties along Daniell's Walk have been subject to various alterations, Daniell's Close has very much retained its modest bungalow and chalet bungalow character. The proposed alterations would introduce full two-storey height elements to the dwelling, which would be at odds with the existing character of development in Daniell's Close. The proposed raised eaves height across the rear of the property and flat roofed section would be bulky and at odds with the otherwise traditional roof form and proportions of the existing property. This being said, it is noted that a similar alteration has been made at the rear of No.1 and, given the positioning of the dwelling relative to the road, this would not be readily visible of the street scene. As such this element would not be at odds with the form of development at the rear of neighbouring properties and would not directly impact on the appearance of the street scene.
- 14.4 However, alterations to the front elevation of the property would directly impact on the street scene. In its full two-storey height, with elevated eaves, the proposed gable projection would be unsympathetic to the form and character of the existing dwelling and to the other this Close. Furthermore, given its scale and positioning close to the boundary, this enlarged element would result in a cramped visual relationship with No.1, interrupting the established rhythm of the streetscene. This visual discordance would be further exacerbated by the inclusion of disproportionately large dormers and a porch addition. Overall, it is considered that this proposal would result in an unbalanced design, unsympathetic to the character of the existing property and surrounding

development and detrimental to the appearance of the street scene.

- 14.5 With reference to the applicant's further statement, it is noted that more extensive alterations and also larger replacement dwellings have been permitted along Daniell's Walk. However, this small cul-de-sac differs in its context of development. The bungalow does have an asymmetrical frontage at present, however, given the single-storey scale of the existing extensions, this is visually recessive and does not interrupt its principle roof form.
- 14.6 As a result of its design and the relationship with neighbouring sites the proposals would not result in any adverse impacts as a result of loss of privacy to neighbouring occupiers. There were some initial concerns over the loss of light to windows serving No.1, given the proximity and proposed height of extensions on this side. However, as these windows are already subject to overshadowing and their relative orientation, it is not considered that the proposal would result in significant adverse impacts. With a greater distance of separation and being to the north of No.3 this proposal would not cause any additional overshadowing of this neighbouring property.
- 14.7 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.

## **15. RECOMMENDATION**

### **Refuse**

#### **Reason(s) for Refusal:**

1. The proposed additions as a result of their form and detailed design, would be unsympathetic to the modest proportioned bungalow form of the existing dwelling and that of neighbouring dwellings. Furthermore, given their close proximity to the boundary, the proposed extensions at the north end of the property would encroach into the gap which currently exists with the neighbouring premises to the north, resulting in a cramped visual appearance at odds with the established rhythm of the street scene. As such this would result in harm to visual amenity and the appearance of the street scene, contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park and Section 7 of the National Planning Policy Framework (2012)

#### **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 enquiry was submitted. Initial concerns were raised in the Parish Briefing note and discussed with the applicant's agent. Amendments to address these concerns could not be dealt with under the scope of this current submission and as the applicant did not wish to withdraw, the application is being considered on the basis of the plans submitted.

2. This decision relates to amended/additional plans received by the Local Planning Authority on 02/04/2015

**Further Information:**

Householder Team  
Telephone: 023 8028 5345 (Option 1)



# New Forest DISTRICT COUNCIL

Tel: 023 8028 5000  
www.newforest.gov.uk

Chris Elliott  
Head of Development Control  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

**Planning Development  
Control Committee  
May 2015**

**Item No: 3(h)**

2 Daniells Close  
Lyrmington  
App No 15/10137  
SZ3295

Scale 1:1250

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

