

Application Number: 17/10866 Full Planning Permission

Site: JONWIN, LEPE ROAD, LANGLEY, FAWLEY SO45 1XR

Development: Detached double garage

Applicant: Mr Clark

Target Date: 09/08/2017

RECOMMENDATION: Refuse
Case Officer: Richard Natt

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Parish Council View

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Built up area

3 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

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

4 RELEVANT SITE HISTORY

Detached double car port (15/11755)
Granted with conditions on the 4th February 2016.

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council: recommend PERMISSION.

7 CONSULTEE COMMENTS

No comments received

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.

Local financial considerations are not material to the decision on this application

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 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.

No pre application advice was sought. There are concerns about the visual impact of the proposed garage in this prominent forward location. As considerable changes would be required to address the concerns raised in relation to the design, siting and scale of the proposed development, the application is recommended for refusal.

12 ASSESSMENT

12.1 The application property comprises a detached chalet style bungalow which is set well back from Lepe Road, with an open front garden laid to gravel and partly used for car parking. Lying along the main road running through Blackfield and Langley to Lepe Country Park, on the corner of Rosemerry Place the application site is considered to be prominent within the street scene. A low timber fence and 2 metre high hedge

defines the front boundary of the site with a long rear garden. A 2 metre high brick wall defines the side boundary which forms part of a recent housing development at Rosemerry Place.

- 12.2 This planning application proposes a double garage which would be sited forward of the existing dwelling, adjacent to the side wall abutting the road accessing Rosemerry Place. The proposed building would be sited approximately 4 metres back from the road and would be constructed from oak under a slate roof, with a single open frontage to be fitted with roller shutter doors. Rising to 3.8 metres high, the proposed building would measure 7 metres long by 6 metres wide.
- 12.3 The main issue in this case is whether the proposed building would have an acceptable impact on the street scene and the general character of the area.
- 12.4 The character of the area is very mixed comprising dwellings of different designs, styles and ages. One of the more distinctiveness features of the area is its spatial character and the green front boundaries to Lepe Road which are typically defined by hedges, trees and vegetation. Although there is no set building line, the set back of dwellings provides a character of spaciousness along this section of Lepe Road, contributing to the distinctiveness of this area. It should also be noted that there is a garage opposite at Stone Cottage which is located forward of the dwelling however this is a single garage of a modest scale and size and so does not justify the current proposals.
- 12.5 It is considered that the introduction of a detached garage, of this scale and form sited in this forward position would have a negative impact on the street scene and therefore detract from the distinctive and attractive character of the immediate area. Although the structure would be screened to a degree by the existing planting, views of the building and its large roof would still be apparent from Lepe Road, which would be intrusive and out of keeping in this setting. Furthermore, although there is some existing screening this could not be guaranteed to remain in place and the imposition of a planning condition requiring the hedge to be retained and maintained would not be reasonable.
- 12.6 Accordingly, because of its excessive footprint, height, scale and form, the proposed building would appear as an intrusive form of development in the street scene and would erode the spatial characteristics of the site which would detract from the distinctiveness of the area. As such, the proposed garage would create a level of harm that would justify a refusal in this instance.
- 12.7 Careful consideration has been given to the extant planning permission for a detached garage on the site under planning reference 15/11755. However, the extant planning permission involved a building which was set a further 2 m back from the road, with a smaller footprint and scale. It was a more open car port structure designed with a hipped roof including a low 'cat slide' roof, to reduce its scale and have an overall less bulky form. Accordingly the proposed garage subject to this application is materially different from that approved being more imposing in its setting than the extant planning permission.

- 12.8 In relation to other matters, the proposed building is not considered to have any adverse impact on the neighbouring properties given its siting on the corner of two roads. Indeed, the proposed garage would be sited more than 7 metres away from the nearest neighbour, No 1 Rosemerry Place, which is considered to be acceptable.
- 12.9 In conclusion, it is considered that by reason of its forward position, scale and form, the proposed garage would be an intrusive form of development within the street to the detriment of the character of the area. While there is an extant planning permission for a garage in a similar position, the current application is larger in size and scale, with a more bulky form that would be materially more imposing in the street scene. As such the current proposals cannot be supported and refusal is therefore recommended.
- 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 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 forward position, height, scale and form, the proposed garage would be an unduly prominent feature and intrusive form of development in the street scene which would erode the spatial characteristics of the site to the detriment of the character and appearance of the area. As such it would be 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.

No pre application advice was sought. There are concerns about the visual impact of the proposed garage in this prominent forward location. As considerable changes would be required to address the concerns raised in relation to the design, siting and scale of the proposed development, the application was recommended for refusal.

Further Information:

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**Planning Development
Control Committee**
September 2017

Item No: 3g

Jonwin
Lepe Road
Langley Fawley
17/10866

Scale 1:1250

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the internet, it will not be to
scale.



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