

Application Number: 17/11103 Full Planning Permission

Site: ROWLANDS, FARMERS WALK, EVERTON, HORDLE SO41 0JZ

Development: Detached house; double garage; parking; demolition of existing

Applicant: Solent Projects Ltd

Target Date: 09/10/2017

Extension Date: 10/11/2017

RECOMMENDATION: Grant Subject to Conditions
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Case Officer: Vivienne Baxter

1 REASON FOR COMMITTEE CONSIDERATION

Request of Member of the Planning Development Control Committee

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up 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

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework
Achieving Sustainable Development
NPPF Ch. 7 - Requiring good design

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Housing Design, Density and Character
SPD - Hordle Village Design Statement
SPD - Parking Standards

6 RELEVANT PLANNING HISTORY

None

7 PARISH / TOWN COUNCIL COMMENTS

Hordle Parish Council - recommend permission but would accept a delegated decision subject to a landscaping condition.

8 COUNCILLOR COMMENTS

Cllr Mrs Carpenter - This is to confirm that if Rowlands is recommended for approval, then I would request it comes to the Committee to allow the resident objectors to speak on the matter.

9 CONSULTEE COMMENTS

9.1 Southern Gas Networks - offer advice

9.2 Tree Officer - no objection subject to condition

10 REPRESENTATIONS RECEIVED

Generally speaking, local residents are in favour of the replacement of the existing property, but with something smaller and further south within the plot.

The following concerns have been raised:

- proposed dwelling is significantly larger than the existing bungalow
- overlooking to properties to the rear
- over bearing impact to properties either side
- sited too far back
- smaller replacement would be more appropriate
- inclusion of car port in existing floor space calculations is misleading
- loss of outlook
- proposal should reflect the existing siting more
- proposal would be dominating given the increased bulk/massing and removal of vegetation
- application is misleading with regard to the 'retention of vegetation' and figures within the CIL form which included a structure now demolished and vegetation which has now been cleared
- plans do not show the context of the proposal

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

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

13 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.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required. It has, however, been suggested to the agent that the proposal may find more favour locally if it were to be moved forward on the site and perhaps reduced in size a little. No amendments have been forthcoming.

14 ASSESSMENT

- 14.1 The site lies within the built up area of Everton in a residential area. To the north is a 1990s estate with a 1970s estate to the south side of Farmers Walk. The site itself has recently been cleared of most vegetation within the rear garden which provided a great deal of screening to the existing bungalow and neighbouring properties. Less clearance has occurred to the front where there is a mature boundary hedge providing limited views of the site and existing dwelling.
- 14.2 The proposal entails the demolition of the existing bungalow and the provision of a two storey dwelling comprising lounge, study, WC, utility and open plan kitchen, dining and sun room at ground floor level with four bedrooms (one ensuite) and a family bathroom at first floor level. A detached double garage would be provided to the front.
- 14.3 Although there are no statutorily protected trees within the site, there are some in close proximity to the front boundary. Given the location of the existing drive, the alterations proposed to it to provide turning on site, and the construction of a double garage fall outside the root protection zone for these trees. There are therefore no objections to the proposal although clarification of any maintenance work to the front boundary and the provision of replacement trees is required.

- 14.4 The siting of the proposed dwelling is much further back in the site than the existing bungalow. Having regard to the pattern of development along this side of Farmers Walk, it is understood why this has been done as the new dwelling would be more in line with those either side, both of which have extensive front garden areas. Although the proposed garage would be within the front area, it would not be readily apparent from the road and two 10m long areas of garden would remain.
- 14.5 Local residents have expressed concern with regard to the proposed siting and the impact this would have on their outlook and privacy. The property immediately to the rear of the site (1, Shepherds Way) is side on to the northern boundary and while the proposed dwelling would be more visible from their rear garden, the first floor element of the proposed dwelling would be 18m from the boundary and 25m from the nearest part of their house. The distance between the first floor and rear elevation of 3, Shepherds Way which has an outlook towards the site would be in excess of 30m. In addition to this distance, there are further statutorily protected trees within this adjacent garden which provide screening. There is a proposed first floor window to the side although this relates to a bathroom and should not adversely affect the amenity of the adjacent property.
- 14.6 While the recent clearance has made the site quite exposed to the properties to the north, the distances, orientation of the existing dwellings and remaining protected vegetation are such that it would be difficult to justify a refusal on the grounds of a loss of privacy or overbearing impact. It is accepted that outlook would be different too, as would have been the case when Shepherds Way was built to the rear of the site and other Farmers Walk properties.
- 14.7 The design of the dwelling picks up on elements visible locally such as half hips, a porch canopy and a double gable. Farmers Walk is varied in terms of property sizes and types and that proposed would not be seen out of context in the local area. The plot is large enough to accommodate a dwelling of this size. Concern has been expressed about the lack of space to the boundaries although this is a minimum of 1.9m either side which is greater than other examples in the area.
- 14.8 Subject to an appropriately worded condition relating to existing and proposed vegetation within the site, the proposal is considered acceptable and would not adversely affect the residential or visual amenities of the area.
- 14.9 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.

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	245.44	102.36	143.08	143.08	£80/ sqm	£11,930.67 *
Subtotal:	£11,930.67					
Relief:	£0.00					
Total Payable:	£11,930.67					

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2017 this value is 1.1

15. 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: 224.02, 224.01A.

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4. The first floor window on the eastern elevation of the approved building shall at all times be glazed with obscure glass.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

5. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, to ensure that the development takes place in an appropriate way and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

6. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (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.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required. It was however, suggested to the agent that the proposal may find more favour locally if it was moved forward on the site and perhaps reduced in size a little. No amendments were forthcoming.

Further Information:

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New Forest DISTRICT COUNCIL

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**Planning Development
Control Committee**
November 2017

Item No: 3c
Rowlands
Farmers Walk
Everton Hordle
17/11103
SZ2894

Scale 1:1250

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

