

Application Number: 17/11727 Full Planning Permission

Site: 37 SYCAMORE DRIVE, HOLBURY, FAWLEY SO45 2QA

Development: Raise ridge height in association with new first floor

Applicant: Mr Dear

Target Date: 27/02/2018

Extension Date: 19/03/2018

RECOMMENDATION: Refuse

Case Officer: Kate Cattermole

1 REASON FOR COMMITTEE CONSIDERATION

Contrary view to Parish Council (in part)

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Plan Area
Aerodrome Safeguarding Zone
Planning Agreement
HSE Consultation 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

None relevant

Supplementary Planning Guidance And Documents

SPD - Parking Standards

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
17/11340 Raise ridge height & dormers in association with new first floor	23/11/2017	Refused	Decided	
13/10455 Single-storey rear extension to garage; use of garage as ancillary living accommodation; single-storey link extension; detached front garage	12/06/2013	Granted Subject to Conditions	Decided	
12/99174 Roof alterations to existing garage to include dormer; two-storey rear extension; use as ancillary accommodation to the main house	25/10/2012	Refused	Decided	

5 COUNCILLOR COMMENTS

No Comments Received

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council: We recommend refusal due to concerns relating to overlooking of the neighbouring property; we consider the proposal is over powering and over development of the site.

7 CONSULTEE COMMENTS

No comments received

8 REPRESENTATIONS RECEIVED

Three objections received. Comments are summarised as follows:

- out of keeping and intrusive with area
- would set a precedent
- views into neighbouring property
- property already extended enough - overdevelopment
- additional accommodation would increase pressure on parking
- disruption during building works and potential impact on access for emergency vehicles

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.

Even though pre application advice has been sought in the past in relation to this site, no further enquiry was submitted following the previous refusal. Even though this application seeks to address the reasons for refusal, this has not been achieved by this current proposal. An amended plan was submitted to address discrepancies on the plan during the course of the application. This application is not acceptable and as it now falls to be determined, a refusal is justified in this instance.

12 ASSESSMENT

12.1 A previous application (17/11340) was refused for the following 2 reasons:

- 1) *By reason of the increase in height, scale and design of the proposed dwelling, the proposed development would result in an overly dominant and bulky dwelling that would be out of keeping with the street scene. Furthermore, it would detract from the character of the low profile dwellings that contribute to its context and as such would be harmful to the character 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, and Chap 7 of the National Planning Policy Framework.*
- 2) *By reason of the increase in height and proximity of the proposed development to the neighbouring property - 39 Sycamore Drive - it would result in an overbearing form of development and in addition would increase the level of overshadowing to the rear amenity area of this dwelling to an unacceptable degree, to the detriment of their reasonable residential amenity. As such the proposal would be contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park, and the National Planning Policy Framework.*

12.2 The current proposal now proposes a first floor addition over part of the dwelling only, locating it more centrally and so separating it from the boundary with no 39 Sycamore Drive. As such it is considered that this would address the second reason for refusal on the previous application (17/11340) relating to its adverse impacts due to the height and proximity to this neighbour.

12.3 The Parish have raises objection on grounds of overlooking. Two large first floor windows are proposed on the west elevation, whereas the previously refused scheme proposed a small window and rooflights. These windows would be more intrusive and could lead to perceived overlooking to the neighbouring property. However, there would be a back to back distance of 26 m between the application site and 32

Sycamore Drive (which is a detached bungalow). Taking this into account on balance this relationship is considered to be acceptable in a built up urban area and as such although the concerns of the neighbour and Parish Council are acknowledged, a reason for refusal on this basis cannot be justified. No windows are proposed on the east elevation, and the window proposed on the north elevation is indicated as being fixed shut and obscure glazed. As such there would be no identified overlooking issues to no 39, 33 or 35 Sycamore Drive. The proposed windows on the south elevation would only achieve views over the playing fields of the neighbouring school.

- 12.4 The property on the application site is a reasonable distance away from other neighbouring properties, so the proposed extensions would not create an overbearing form of development.
- 12.5 There are houses to the east of the site, however the application property is read in context with the surrounding bungalows, the driveway forming a transition in scale to the houses. Furthermore, these houses formed part of the original planned development of the estate, and are appropriate in scale and design in this context.
- 12.6 Even though the scale of the proposed extension has been reduced compared to the previously refused application, the introduction of a first floor built form in this location would detract from the low profile dwellings that contributes to the character and urban context of this area. The increase in height of the dwelling and introduction of first floor accommodation would make the building highly visible within the street scene as it would be higher than the existing bungalows to the front of the site. The current proposal would also introduce cladding which would further emphasise the two storey form of the proposed extension. In this case because of its excessive height and depth, coupled with the form and use of materials the proposed first floor extension would appear visually imposing within its setting and thus would relate poorly to the modest and low rise profile of the existing dwelling. As such it would be harmful to the appearance of the existing dwelling and wider character of the area and would detract from the established street scene.
- 12.7 There has been a previous extension to the property and the current proposal would not increase the overall footprint of the building. It would be difficult to demonstrate that this is an overdevelopment of the site. Nevertheless, as there is identifiable harm to the character of the area and street scene, that would justify refused in this instance.
- 12.8 Concerns have been raised with regard to the additional pressure of parking that could arise from the extension. The Parking Standards SPD recommends that the maximum parking provision for a 4 or more bedroomed dwelling is 3 spaces. There is extant permission for a detached garage to the front of the dwelling, and there is also provision for parking within the curtilage of the dwelling. As such no objection is raised on the grounds of insufficient parking.
- 12.9 Although the concerns relating to overbearing impact and overshadowing have been overcome by these proposals, and overlooking is not considered to be harmful, there would remain an unacceptable and adverse impact to the character and appearance of the area as a result of the first floor addition, which results in a recommendation to refuse this application.

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. The proposed development, by reason of its excessive height, depth, design and materials would create a visually intrusive development that would not respect the modest scale of the existing dwelling. As such it would create an unsympathetic addition, which as a consequence would detract from the character of the low profile dwellings that contribute to its context and would be harmful to the character of the area and adversely impact upon the street scene. For this reason, the proposal is contrary to policy CS2 of the Core Strategy for the New Forest District outside the National Park and chap 7 of the National Planning Policy Framework.

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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2. This decision relates to amended / additional plans received by the Local Planning Authority on 23 February 2018

Further Information:

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New Forest DISTRICT COUNCIL

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Planning Development Control Committee

March 2018

Item No: 3d

37
Sycamore Drive
Holbury Fawley
17111727
SU4204

Scale 1:1250

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

