

Application Number: 18/10287 Full Planning Permission

Site: 8 LUCERNE ROAD, MILFORD-ON-SEA SO41 0PL

Development: Roof alterations in association with enlarged first floor ;
single-storey front and rear extensions; detached garage

Applicant: Mr Moody

Target Date: 30/04/2018

RECOMMENDATION: Refuse

Case Officer: Kate Cattermole

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view.

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Aerodrome Safeguarding Zone
Plan Area

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

SPG - Milford-on-Sea Village Design Statement

3 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

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

4 RELEVANT SITE HISTORY

None relevant

5 COUNCILLOR COMMENTS

No Comments Received

6 PARISH / TOWN COUNCIL COMMENTS

Milford On Sea Parish Council: recommend permission.

7 CONSULTEE COMMENTS

7.1 Hampshire County Council Highways Engineer: no objection

8 REPRESENTATIONS RECEIVED

Five objections received:

Concerns summarised as follows:

- Overlooking and loss of privacy
- overbearing, loss of light and overshadowing
- overdevelopment
- parking issues
- out of keeping with other bungalows
- impact of forward positioning of garage and associated and could cause additional hazard to road users
- discrepancies on application form relating to vehicle access, trees and hedges

Response from agent:

- new access does not require consent, the existing access is to be closed
- new access and relocated garage will allow adequate space for parking and turning on site, therefore should not impact upon neighbours
- proposed extension has been carefully designed to avoid overlooking into neighbouring properties, and is not out of keeping with the varied street scene
- the side of the existing property does not give an impression of spaciousness in this location

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.

No pre application advice was sought prior to the application being submitted. Concerns with the scheme were expressed in the initial briefing. Further comments have been received from the agent in response to these and third party representations, which have been taken into consideration. Nevertheless, there is identified harm to both the street scene and the character of the area arising from both the extensions to the dwelling and proposed detached garage and therefore a refusal is justified in this case.

12 ASSESSMENT

- 12.1 The application site is situated at the junction with Gillingham Road. It is a low profile dwelling, which incorporates limited first floor accommodation. The neighbouring property to the south-west, 6 Lucerne Road is a detached bungalow of similar height to the existing dwelling.
- 12.2 Originally the application site formed one of three low profile dwellings, but no 4 Lucerne Road was replaced with a 2 storey dwelling in 2008 (Ref:08/93018). The wider area exhibits a mixture of property types and styles, including houses, bungalows and chalet style bungalows with gables, hipped roofs and front dormers.
- 12.3 The proposed development would remodel the dwelling, introducing front and rear gables. The height of the ridge would be increased by 1.4 metres (from 5m) to 6.4 m but the existing eaves height of 2.8 m retained. However, whilst the increase in the overall height of the dwelling would reflect the height of the replacement dwelling at 4 Lucerne Road, the proposed front and rear gables would contrast with the recessive rooflines of 4 and 6 Lucerne Road. Nevertheless, the use of gables is a feature on other dwellings within the proximity of the application site, so overall would not be considered harmful to the character of the area.
- 12.4 The application site occupies a prominent location contributing to the street scenes of both Lucerne Road and Gillingham Road. Albeit that the introduction of gables on both the front and rear elevations is not considered to detract from the street scene, this design would result in an excessively extended roof when viewed from the side elevation, which would be highly visible from public vantage points in both roads.
- 12.5 The east elevation facing Gillingham Road would have a ridge length of 10.6m in length, and coupled with the second forward projecting gable this will extend the linear scale of this roof by a further 3.2m to give a total length of 13.8m. This would result in a disproportionately large roof form whose scale and mass would appear incongruous within the street scene on this prominent corner and thereby detract from the character and appearance of the area.

- 12.6 There is an existing garage to the rear of the dwelling, which sits adjacent to the boundary with High View and has vehicular access to Gillingham Road. The existing garage is a flat roofed building which does not project forward of the side wall of the existing dwelling on site, so it does not overly impact upon the street scene. This garage is to be demolished and the existing access closed off, this does not require the benefit of planning permission and does not form part of the assessment of this proposal.
- 12.7 A new detached garage is proposed to the side of the extended dwelling, parallel with the boundary fronting Gillingham Road. This garage would have a steep pitched roof with an overall ridge height of 4.2 m and due to its orientation would present a side wall of 6.1 m in length to the Gillingham Road frontage. By reason of its siting, forward of other built form on Gillingham Road, it would introduce development closer to the road frontage in this prominent location and would be highly visible above the existing retained hedge. As such it would be imposing within the established street scene as an incongruous feature detrimental to the spacious character of the area.
- 12.8 No 6 Lucerne Road is sited to the south west of the application site, and is set a drive width away from the common boundary. There is an obscure glazed window and door in the side of No 6 facing the application property. There is a detached flat roofed outbuilding to the rear of this property, alongside the boundary with the application site. Even though the overall ridge height would be increased, the eaves height of the existing dwelling would be respected and the roof would be raking away from the boundary, which would mitigate the impact on this neighbour's amenities. A rooflight is proposed on the side elevation but this would be over the stairs, and as such would not create issues of overlooking to this neighbour. Due to the orientation of the dwellings there would not be issues of loss of light to this neighbour.
- 12.9 To the rear of the application site is a two storey house, High View, which fronts Gillingham Road. Even though there is limited existing first floor accommodation at 8 Lucerne Road, this is currently served by a small angled window on the rear elevation which gives the impression of having views towards the sky rather than looking towards High View, thereby giving it a private and secluded setting. The introduction of the projecting rear gable would bring built form within approximately 12m of the side wall of High View. A first floor bedroom window and rear facing rooflight to an ensuite are proposed. There are two small first floor windows on the side elevation of High View and an objection from this neighbour identifies that one of these windows serve a first floor bedroom and the other a bathroom (so is obscurely glazed). On the ground floor side elevation of High View are secondary windows to a bedroom and bathroom (obscurely glazed).
- 12.10 The impact has been assessed from this neighbour. Taking into account the size of the first floor windows at High View and their secondary nature, whilst there would be some impact, it is considered that harmful overlooking would not be to a sufficient degree to justify refusal on this basis. Furthermore, due to the position of High View, set back within its plot, the property would restrict views into the rear garden from the proposed first floor window and rooflight on the extended dwelling. As such whilst an increase in perceived overlooking may result

an unacceptable loss of privacy to the occupants of High View could not be demonstrated. Due to the orientation of the dwellings and the relationship of High View with the application site, the proposals would not create an overbearing form.

- 12.11 Objections were also received from the properties opposite, 7 and 9 Lucerne Road relating to overlooking of their first floor bedrooms. The distance between the application site and No. 7 is over 25m, with a greater separation to No 9. Taking into account these distances, a level of overlooking could not be justified in this suburban setting.
- 12.12 As set out above, the objections received by occupiers of neighbouring properties have been taken into consideration, but harm to neighbour amenities is not considered significantly harmful to justify a refusal.
- 12.13 The existing dwelling is currently a 3 bedroom property. The proposed extensions would introduce an additional bedroom. The parking standards are that 3 spaces should be provided within the curtilage. 1 parking space would be accommodated within the garage, and even though not identified on the plans there should be enough space to the front of the dwelling to accommodate a further two cars.
- 12.14 The access alterations do not form part of the consideration of this application, and could be achieved under permitted development.
- 12.15 HCC Highways were consulted in relation to the concerns raised in representations about highway safety and increased pressure of parking on the road to road users. HCC have commented and raised no objections. The position of the new garage would have minimal impact on the visibility of the junction, and they have no concerns about the development creating a hazard for users of the highway.
- 12.16 Even though an unacceptable level of harm to the amenities of neighbours cannot be demonstrated, by reason of the extended scale of the roof when viewed from the side elevation, coupled with the siting of the garage, there would be resultant harm to the street scene and character of the area to justify a refusal for these reasons in this instance.
- 12.17 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 site is located on a prominent corner site. As such, by reason of the increase in the scale and mass of the roof, with its excessively elongated ridge line, the resulting dwelling would be an incongruous form of development that would be out of keeping with the street scene of Gillingham Road and 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, Chap 7 of the National Planning Policy Framework.
2. By reason of its siting, height and orientation to Gillingham Road, the proposed garage would result in the introduction of a conspicuous feature projecting forward of established built development of Gillingham Road. For this reason it would be out of character with the area and the established spacious pattern of development, harmfully detracting from the spatial characteristics of the junction of Lucerne Road and Gillingham Road. 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.

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:

Kate Cattermole

Telephone: 023 8028 5588



New Forest DISTRICT COUNCIL

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

David Groom
Service Manager
Planning and Building Control
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

Planning Development Control Committee

May 2018

Item No: 3b
8 Lucerne Road
Milford on Sea

18/10287
SZ2891

Scale 1:1250

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

