

**Application Number:** 18/10477 Full Planning Permission

**Site:** 3 LYMEFIELDS, MILFORD-ON-SEA SO41 0SU

**Development:** Roof alterations in association with new first floor; Two-storey rear extension; Balcony; Single-storey front, rear & side extensions; Porch; Fenestration alterations

**Applicant:** Mr & Mrs Neffendorf

**Target Date:** 08/06/2018

**Extension Date:** 20/06/2018

<b>RECOMMENDATION:</b> Grant Subject to Conditions
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<b>Case Officer:</b> Michael Barry
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**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary to view of Parish Council

**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

**RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

SPG - Milford-on-Sea Village Design Statement  
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
93/NFDC/52378 Addition of a conservatory	19/07/1993	Granted	Decided
77/NFDC/07770 Erection of a shed/home workshop.	18/07/1977	Granted Subject to Conditions	Decided
XX/LYB/13297/2 Erection of six detached dwellings (approval granted in accordance with amended plans dated 23rd October, 1973 and 28th November, 1973).	10/12/1973	Granted Subject to Conditions	Decided
XX/LYB/13297 Construction of six semi-bungalows and garages (in accordance with amended plan dated 21.3.73).	11/04/1973	Granted Subject to Conditions	Decided

#### 5 COUNCILLOR COMMENTS

No comments received

#### 6 PARISH / TOWN COUNCIL COMMENTS

**Milford On Sea Parish Council:** recommend refusal.

The Parish Council is concerned this development is not in keeping with the street scene. It is also concerned about the diminishing stock of bungalows in the parish.

#### 7 CONSULTEE COMMENTS

**Tree Officer:** no objection. The site not subject to any Tree Preservation Order and is not situated within a Conservation Area. There are no trees of any quality of significance that would be adversely affected by the proposals.

#### 8 REPRESENTATIONS RECEIVED

Three objections have been received from residents at Nos 1, 5 and 6 Lymefields. Their comments are summarised as follows:

- Development is out of character of Lymefields and detracts from its spacious feel.
- The scale and mass of the two storey element
- Concern about raising the ridge height of existing single storey elements.
- Balcony creating overlook and noise issues.
- Slate roof not in keeping with area.
- Bungalow housing stock declining in Milford.

#### 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. Whilst the development is over 100sqm GIA under Regulation 42A developments within the curtilage of the principal residence and comprises up to one dwelling are exempt from CIL. As a result, no CIL will be payable provided the applicant submits the required exemption form.

Based on the information provided at the time of this report this development has a CIL liability of £9,865.68. Tables setting out all contributions are at the end of this report.

## **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.

Pre-application advice was provided and an amended plan has been submitted as part of this application addressing any initial concerns, and as such the application was acceptable as submitted no specific further actions were required.

## **12 ASSESSMENT**

- 12.1 The property is a detached bungalow with a detached garage to the front. It is located in a small cul de sac in an established residential area of Milford-on-Sea adjacent to Green Belt land and open countryside. Lymefields comprises 6 properties of which Nos 2 and 4 are also bungalows of a similar design and form. Nos 1, 5 and 6 are more substantial two storey dwellings.
- 12.2 The main considerations are neighbour amenity and visual impact within the street scene and effect on the character of the area.
- 12.3 The proposals are for roof alterations in association with new first floor, a two-storey rear extension with balcony, single-storey front, rear & side extensions, a porch, and fenestration alterations. The materials proposed are timber cladding, brick, linear brick, glazing and slate to give the building a modern appearance

The proposals include the provision of a new first floor over the eastern portion of the building, in conjunction with a two storey rear extension. This would increase the ridge height of the bungalow by 2.2m (from 4.8m to 7m). It would have a pitched roof design, with a wrap around first floor terrace to the rear and south side.

A front and side extension to the south would connect the attached garage to the main house, adding a gym to the south of the garage with a glazed link to the rear of the garage. The single-storey element would be extended to the rear. A porch is proposed to the front of the property, with a flat roof.

- 12.4 The street scene of Lymefields is a mix of two storey and single storey properties. The split level design of the proposals reduces the impact of the new first floor, while remaining in keeping with the form of the existing bungalows.

The proposal would retain a single storey element closest to the boundary with No 2. The existing detached garage would also retain a single storey form close to the boundary with No 4. Whilst the adjoining properties are single storey, Nos 1, 5, and 6 Lymefields are two storey dwellings. These two storey properties are located the entrance to the small cul sac and dominate its entrance and form part of its established character of Lymefields. Given this existing character it is considered that the proposals would fit comfortably within the street scene and respect the character of adjoining properties. The height increase associated with the new first floor element is considered acceptable due to the split form which breaks up the overall massing of the building so as to make it proportionate within its context and would not be out of keeping within the street scene.

- 12.5 The side and rear extensions (north), would be to the rear of the property and not readily seen within the street scene. Furthermore, the proposed front porch and side and front (north) extension would have an acceptable impact on the street scene due to being single storey and modest in scale.
- 12.6 The materials proposed appear different from others in the immediate locality and would have a more modern appearance. However, there is some variety evident in the locality which includes a mix of cladding and tiling on neighbouring properties, including dark grey cladding on the two storey property opposite. Whilst of a modern approach this does not make the proposal unacceptable within the street scene and could add interest to it.

Additionally, the modern elements of the property are primarily focused to the rear so as not to be highly visible within the street scene.

- 12.7 With respect to residential amenity, the neighbour at No 2 is set to the north of No. 3 and forward in its plot relative to it. The single storey form would be retained where it is closed to this boundary and the rearward extension of 1.0m would be of a height of 4.8m (equivalent to a 0.5m increase from 4.3). As such there are no concerns of an impact on neighbour amenity, loss of light or over dominant impact
- 12.8 The 2 storey element would be located towards the centre of the plot, 5m from the north boundary with No 2. Given the relative orientation and positioning of the plots adverse impact on amenity by way of over dominance or loss of light is unlikely to result to adjoining properties. The window in the first floor north elevation facing No. 2 would be located 11.5m from the boundary and serve a office/study with a larger patio door onto the balcony/terrace. However as this will be a high level window, reducing the potential for overlooking towards No. 2 to an acceptable level

- 12.9 The balcony/terrace would be positioned away from the side boundaries of the site. It would be set back by in the site and enclosed by the office/study wall at its northern end, and the first floor store at the southern/western end. The views from this balcony/terrace are most likely to be towards the open land to the rear with only very oblique views possible towards adjoining neighbours such that it is unlikely that there would be any harmful overlooking as a result
- 12.10 The boundary to the south with Lymedale is screened by large fir trees. This property is set away from the proposal in a generous plot such that the balcony/terrace would not overlook the property.
- 12.11 The garage front/side extension would be close to the boundary with No. 4, however it would not result in adverse impacts due to being a single storey maintaining the existing height of 3.6 m. There is an existing outbuilding in this location - that would be removed - and the neighbour separation of 5.0 m to the rear corner of the property. As such the impact and level of enclosure that would result is considered to be acceptable.
- 12.12 A first floor window in the front elevation would serve the stairwell and open plan living room. However it would not lead to overlooking to the front due to neighbour separation of a minimum of 30m.
- 12.13 The garage will be retained and the proposed front porch does not encroach on the available parking. In this case, as there would not be an increase in the number of bedrooms on the site and existing garage/parking is retained there are no concerns about parking availability at the property. Furthermore on street parking is available within the cull-de-sac.
- 12.14 The concerns raised by the Parish Council and neighbours have been addressed above and are not considered to be significant enough to justify refusal. Other comments are addressed as follows:
- Concerns have been raised about the declining bungalow stock in Milford-on-Sea, however this is not relevant to this application as each case is assessed on its own merits.
- Concerns raised regarding noise travelling from the balcony are unlikely due to the two storey element of the property blocking the majority of sound from the property, the balcony being to the rear of the property.
- 12.15 TPO 139/04 protected 4 pine trees on the northern boundary of 'Lymedale', which adjoins the site at 3 Lymefields. These pine trees were removed in 2014, however replacement planting was a condition of consent. For this reason the arboricultural officer was consulted and has no objection due to there being no replacement trees so they do not provide a constraint to development.
- 12.16 The proposed development is considered acceptable due to the design of the property reducing the impact on the mixed street scene, neighbour separation, boundary treatments, and existing parking arrangements. The application is therefore recommended for approval.

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 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
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Dwelling houses	325.38	213.27	112.11	112.11	£80/ sqm	£9,865.68 *
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Subtotal:	£9,865.68
Relief:	£0.00
Total Payable:	£9,865.68

\* 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 2018 this value is 1.2*

## 13. RECOMMENDATION

### Grant Subject to Conditions

#### Proposed Conditions:

- 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: PP-001, PP-002, PP-003, PP-004, PP-005, PP-005A, PP-005B; PP-006, PP-010B, PP-011, PP-011B, PP-012, PP-012B, PP-013, PP-015, PP-016, PP-017, PP-018.

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.

#### **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.

Pre-application advice was requested and an amended plan has been submitted as part of this application addressing any initial concerns, and as such the application was acceptable as submitted no specific further actions were required.

2. This decision relates to amended / additional plans received by the Local Planning Authority on 4 May 2018

#### **Further Information:**

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**New Forest**  
DISTRICT COUNCIL

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**Planning Development  
Control Committee**

June 2018

Item No: 3m

3 Lyme fields  
Milford on Sea

18/10477

Scale 1:1250

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

