

Planning Department

New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA

31st January 2024

Dear Planning,

Crossways, Lower Pennington Lane, Pennington, Lymington SO41 8FT

I write in respect of the above site, which benefits from extant planning permission from October 2023 for the demolition of the existing house and the erection of 4 no. houses with access and parking (LPA Ref: 23/10378).

The planning permission has been implemented and the former dwellinghouse has been demolished by the applicant's contractors. The applicant is in the process of discharging the relevant planning conditions before further construction work is undertaken.

The applicant wishes to make minor amendments to the approved plans, which will improve the quality of the living accommodation within the new dwellings through the construction of dormer windows. Accordingly, the applicant hereby applies for a minor material amendment by virtue of the provisions set out under Section 73 of the Town and Country Planning Act 1990 (as amended) (The 'TCPA 1990').

The proposed changes to the scheme are shown on the submitted plans and summarised within the following pages of this letter.

Elevation Comparison:



Fig 1: Approved (left) and Proposed (right) Elevations – House 1



Fig 2: Approved (left) and Proposed (right) Elevations – House 2



Fig 3: Approved (left) and Proposed (right) Elevations – Houses 3 & 4

Schedule of changes:

1. Dormer Windows – The extant planning permission permits roof level accommodation within Houses 1, 2 and 3. The approved plans show that the loft rooms within these units would be served by roof lights. House 4 has eaves level dormer windows on the front elevation, which provide first floor accommodation.

The revised elevations and floor plans show that the roof lights to Houses 1, 2 and 3 would be replaced with modest dormer windows. This change would drastically improve the quality of the loft rooms by reducing the amount of floor area with a limited head height, which would improve the living conditions of future occupiers.

Proposed changes to the planning conditions:

- Condition 2 – Change approved plans list to reflect proposed changes to the buildings.

List of amended plans:

- Site Plan - drawing no: 2121 52E
- House 1 Floor Plans - drawing no: 2121 53E
- House 1 Elevations - drawing no: 2121 54D
- House 2 Floor Plans - drawing no: 2121 55E
- House 2 Elevations - drawing no: 2121 56D
- House 3 & 4 Floor Plans - drawing no: 2121 57E
- House 3 & 4 Floor Plans - drawing no: 2121 58D
- House 3 & 4 Elevations - drawing no: 2121 59F
- House 3 & 4 Floor Plans - drawing no: 2121 60E

Planning Assessment:

The application site has a detailed planning history, which includes a failed application from July 2022 for the demolition of the existing house and the erection of 5 no houses with access and parking (LPA Ref: 22/10566). The proposed plans show townhouse type dwellings with accommodation over three floors laid out in a linear pattern fronting onto Lower Pennington Lane. As shown by *Fig 4*, the initial scheme was markedly different when compared to the extant planning permission and the current scheme.

The applicant tested the scheme at appeal (PINS: APP/B1740/W/22/3307917) and it was dismissed by the Planning Inspectorate in June 2023.



Fig 4: Refused Plans (LPA Ref: 22/10566).

In assessing the character and appearance of the area, the Inspector found *"Lower Pennington Lane contains various estate-type cul-de-sacs, including terraced housing within Curzon Place, but it is mainly comprised of two-storey, detached housing, much of it traditional in appearance. The local character is predominantly rural with views along the lane being dominated by hedging, grass verges and mature trees."*

In assessing the proposal, the Inspector stated *"At three storeys, the dwellings would resemble townhouses; they would be significantly taller than the buildings they would be replacing, and their footprint would be substantially greater, with tight spacing. The size of the site provides the opportunity for developing at an increased density. However, the scale and massing of the proposed dwellings would create a form of development which is unduly urban."* For this reason, the Inspector concluded that *"the proposal would cause material harm to the character and appearance of the area."*

To address the Inspector's concerns, the applicant submitted a revised application for the demolition of the existing house and the erection of 4 no. houses with access and parking (the extant scheme). The houses are two storey and based on traditional forms, which would be in keeping with the local vernacular, whilst infusing contemporary design finishes.

In assessing the extant scheme, the Planning Officer concluded that *"the design and layout of the scheme has been revised to take account of the comments of the Inspector in dismissing the 5 house scheme. It now strikes a better balance between the desire to make greater use of the site and the character of the area. Furthermore, it has revised the architectural style to one that is not as overtly contemporary, no longer including the three-storey framed gables that were considered unacceptably dominant for the site and the character of the area."*

The amended plans put forward under the current proposal would retain the approved architectural style and roof massing. The proposed dormer windows would be modest in scale and located centrally on the roof slopes of the respective dwellings. Therefore, they would have a subservient relationship with the host dwellings and the development would retain a two-storey appearance.

As shown below, dormer windows are a common characteristic found amongst dwellings within the immediate area and multiple examples are visible from the public realm along Lower Pennington Lane. Accordingly, the provision of dormer windows at the application site would not be out of keeping with the local vernacular.



Fig 5: Development at the corner of Curzon Place and Lower Pennington Lane



Fig 6: Development at the corner of Ridgeway Lane and Lower Pennington Lane

For these reasons, the proposed development would have an acceptable impact upon the character and appearance of the area. As such, the proposal would be consistent with Policies STR1 and ENV3 of the New Forest District Local Plan 2016-2036 Part 1: Planning Strategy (2020) (LPP1) insofar as they seek high quality design that contributes positively to local distinctiveness and quality of life, and enhances the character and identity of the locality.

Conclusion:

It has been demonstrated that the proposed amendments to approved plans would not cause harmful impact on the character and appearance of the area and would not compromise the overall design and appearance of the proposed development, which the LPA have previously deemed to be acceptable through the grant of planning permission. The resulting minor changes to the elevations and floor plans would deliver a high-quality development with improved living conditions for future occupiers on the site which is in same vein as the approval.

Accordingly, the proposed changes can be dealt with as minor amendments by the local planning authority by virtue of the provisions set out under Section 73 of the TCPA 1990.

Please do not hesitate to contact me if you have any queries.

Yours Sincerely



Christopher Miell MPLAN, MRTPI

Associate Director

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