

Application Number: 15/10275 Full Planning Permission

Site: 7 FAIRFIELD ROAD, BARTON-ON-SEA, NEW MILTON
BH25 7NJ

Development: Two-storey side extension

Applicant: Mr Mason

Target Date: 05/05/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Councillors views

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Plan 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

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

None relevant

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework NPPF Ch. 7 - Requiring good design
Circular 11/95 Use of conditions in planning consents

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - New Milton Local Distinctiveness

6 RELEVANT PLANNING HISTORY

- 14/10242 Two-storey side extension; single-storey rear extension refused
16/04/2014
- 14/10805 Two storey side extension, single storey rear extension with roof
lights refused 17/07/2014 appeal dismissed 22 Sept 2014

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: Recommend permission but would accept the decision reached by the District Council Officer's under their delegated powers.
Acceptable

8 COUNCILLOR COMMENTS

Cllr Christine Ward: request goes to Committee if minded to refuse, as there is a lot of support for this application in the vicinity

Cllr Alan O'Sullivan: support - have approved similar extensions in the area. Current scheme much smaller than that which was refused and then dismissed at appeal.

Cllr Goff Beck: application should be approved. Overcomes previous refusal and subsequent dismissal at appeal

9 CONSULTEE COMMENTS

Drainage: no comment

10 REPRESENTATIONS RECEIVED

17 in support:

- application site has already been improved by works done on site and improved visibility round corner
- extension for local family not profit
- enhance look of area and blend in with surrounding dwellings
- varied style of dwellings within area, so lack of symmetry with no 5 would not be an issue. Extensions approved at no 1 Fairfield Road entirely changed character of the semi-detached bungalow.

1 objection:

- extension bulky and out of character with the adjoining and neighbouring properties and incongruous
- outside building line of no 9 and other properties on that side of the road
- hedge behind boundary wall will take a long time to mature adequately along its length to shield bulk of property from view
- no provision to increase driveway could increase pressure to park on road

Correspondence from agent

- modest 1½ storey side extension now proposed rather than previous full 2 storey extension, as such overcomes concerns with height

- design proposal is for subservient extension to the scale and mass of the built form
- ridge and eaves reduced in comparison to previous scheme
- previous extensions approved in area allow for 2 storey side extensions on corner locations, namely 37 Seaward Avenue and 18 Cliffe Road.

11 CRIME & DISORDER IMPLICATIONS

Not applicable

12 LOCAL FINANCE CONSIDERATIONS

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 comprising up to one dwelling are exempt from CIL. As a result, no CIL will be payable provided the applicant submits the required exemption form.

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.

The current proposal was submitted following two previous refusals and an appeal decision supporting the refusal. Pre application advice was sought, when it was advised that the scheme as proposed would not be supported at officer level. Notwithstanding this advice the current application does not reflect the advice given and furthermore was not significantly altered. Further information has been submitted during the processing of the application giving examples of other approved extensions in the immediate area, and this has been given due consideration, as has the level of local support. Nevertheless this has to be balanced against the impact of the development on the character and appearance of the dwelling and surrounding area, and judged against the comments of the Inspector in the recent decision letter. As such it is considered that the previous reasons for refusal have not been overcome..

14 ASSESSMENT

- 14.1 The application site consists of a semi-detached house, situated in an established residential road in the built up area of Barton on Sea. The immediate area has a mixture of styles and periods of dwelling, but the application site and neighbouring property are the only pair of semi-detached dwellings in the road.
- 14.2 The existing dwelling has a front bay feature which extends the full height of the front wall with a small gable over, and has an attractive recessed porch, which is replicated on the other half of the semi. This pair of semi-detached properties has a hipped roof, and presents a well balanced and proportioned building. The site is situated on a corner plot and has garden area to the side and rear of the dwelling, and by reason of its position within the road has a larger plot than the other half of the semi. There is an existing small single storey element on the rear elevation. The plot is enclosed by a low wall to the front and part of the side boundary, and then this is continued with fencing (the wall replaces a previous hedge).
- 14.3 Two applications for a full height two storey side extension have been refused. The first proposal included a gable end, whereas the revised proposal retained the hipped roof form. Both these proposals also included a single storey rear extension element. The applications were refused solely on the two storey side element, on the grounds of its excessive width, height, depth and siting, resulting in the bulk of the building coming closer to the corner creating an imposing and intrusive form of development which would erode the spatial characteristics of the street scene. Also, the proposed side extension did not respect the scale and form of the pair of semis, disrupting the symmetry of the overall building. No issues were raised in respect of the proposed single storey rear extension. The latter application (ref 14/10805) was appealed and the decision of the Inspector dated 22 September 2014, upheld the refusal and dismissed the appeal.
- 14.4 A two storey side extension is still proposed, albeit with a lower ridge line with half hip on the end elevation which would reflect the existing eavesline of the host dwelling. Part of the side elevation would be timber clad and drawing no 14-890-014 indicates that this treatment would also be applied in part to the existing front elevation, but this is not shown on the proposed elevations. The two storey extension would extend past the front and rear walls of the existing dwelling, with a single storey extension to the rear. A rear dormer is proposed on the rear elevation of the extension with a front rooflight and small first floor window on the side elevation.
- 14.5 By virtue of the corner position of the existing dwelling, the proposed two storey extension would be sited towards the road and the single storey rear extension would be set off the side boundary with the neighbouring property. Due to the relationship of the proposed extensions with neighbouring properties, there is no identified impact on neighbour amenity. The proposed additional rear dormer would not create issues in relation to the dwelling to the rear, as this is sited at a distance of over 18m and by reason of its siting within its plot, views would only be achievable over the front garden.

- 14.6 The appeal decision on the previous application is a material consideration in the assessment of any future applications relating to this site, and as such the view is that no two storey side extension would be achievable in this location following on from the appeal Inspector's comments, in which he emphasised the importance of the building lines of the adjoining houses and bungalows to both the south and west. He went on to state at para 6:

Although the proposed two storey side extension would be set back from the northern boundary of the side garden, it would project beyond the building line formed by the adjoining properties to the west. This, combined with the size, height, and corner location of the proposed extension, would make it a harmfully dominant and intrusive feature in the area.

- 14.7 The agent has stated that this application cannot be viewed as a two storey extension, but even though now subservient in ridge height to the host dwelling it would still result in two storey accommodation, with an eaves height the same as that of the existing building. Furthermore the built form of the building would still be coming out the same width as previously proposed, and therefore forward of the building line of dwellings to the west of the application site. The current design of the extension does not respect the depth of the side elevation of the existing house, resulting in a disproportionately wider elevation which, together with its inappropriate building form, would be out of character of the existing pair of semi detached properties.
- 14.8 By reason of its corner location, the dwelling is prominent in the street scene and the current scheme, by reason of its siting, height, width and depth, would still result in an intrusive and imposing development in this setting to the detriment of the street scene. Furthermore, the design and form of the proposed extension would result in it appearing out of scale, overly large and out of character with the existing dwelling detracting from its symmetry with its attached semi. The introduction of cladding would exacerbate these concerns as it would not be characteristic of the area or existing building.
- 14.9 Pre application advice was sought prior to the proposal being submitted, but the advice given at that stage was that the scheme could not be supported at officer level, being mindful of the Inspector's comments on the recent decision. The only revisions to the scheme subsequently submitted was the omission of the front dormer, otherwise pre-application advice has been disregarded. There may be scope for single storey side and rear extensions within the site, but this possibly has not been presented by the applicant
- 14.10 With reference to the examples quoted by the applicant in respect of previous extensions, namely 37 Seaward Avenue and 18 Cliffe Road, these are both detached properties and therefore not directly comparable to the application site (a view shared by the Appeal Inspector); though they are on corner plots both these properties are on the junctions of two separate roads of differing characters. These two approvals were dated 2001 and 2006 respectively, and were not subject to current policies which place a greater emphasis on design namely CS2 of the Core Strategy for the New Forest District outside the National Park and Chap 7 of the National Planning Policy Framework. Furthermore the New Milton

Local Distinctiveness Supplementary Planning Document, 2010 now provides guidances identifying and safeguarding the distinctive character of identified areas. Reference has also been made to 3 Fairfield Road, by the current owners who advise was subject of a planning application for two storey extensions but no planning history has been found with regard to this. However, as already referred to in the Inspectors decision this is not comparable. A letter of support also drew attention to unsympathetic roof additions to 1 Fairfield Road which were approved in 2000. Even though these were not resisted at the time this underlines the importance of extensions being appropriate in scale and design to the host dwelling.

- 14.11 The strength of support locally and from Councillors has been considered, but on balance this does not outweigh the identified harm that this proposal would result in to the character and appearance of the dwelling and surrounding area, and therefore a refusal is recommended.
- 14.12 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.

15. RECOMMENDATION

Refuse

Reason(s) for Refusal:

By reason of its excessive height, width, depth and siting, the proposed two storey side extension would result in the bulk of the building coming closer to the corner, creating an imposing and intrusive form of development in this location which would erode the spatial characteristics of the street scene. Furthermore, the two-storey side extension would not respect the existing scale and form of the pair of semi-detached houses, disrupting the symmetry of these properties, and the introduction of timber cladding would further exacerbate the harm. Therefore, the two storey side extension would adversely impact upon the local distinctiveness of the street scene and general character of the area. As such the proposals are contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

Notes for inclusion on certificate:

1. New Forest District Council has adopted a Community Infrastructure Levy (CIL) charging schedule and any application now decided, including those granted at appeal, will be CIL Liable. CIL is applicable to all applications over 100sqm and those that create a new dwelling. Under Regulation 42A developments within the curtilage of the principal residence are likely to be exempt from CIL so CIL may not be payable provided the applicant submits the required exemption form prior to commencement of the development.
2. 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.

The current proposal was submitted following two previous refusals and an appeal decision supporting the refusal. Pre application advice was sought, where it was advised that the scheme as proposed would not be able to be supported at officer level. Notwithstanding this advice the current application does not reflect the advice given and furthermore was significantly altered. Further information has been submitted during the application process giving examples of other approved extensions in the immediate area, and this was given due consideration as was the level of local support. Nevertheless this has to be balanced against the impact of the development on the character and appearance of the dwelling and surrounding area, and judged against the comments of the Inspector in the recent decision letter. As such it is considered that the previous reasons for refusal have not been overcome.

Further Information:

Householder Team

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**Planning Development
Control Committee**
June 2015

Item No: 3i

7 Fairfield Road
Barton on Sea
New Milton
App No 15/10275
SZ2393

Scale 1:1250

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

