

**Application Number:** 15/10339 Full Planning Permission

**Site:** DENELEA, 9 DUNCAN ROAD, ASHLEY, NEW MILTON BH25  
5AW

**Development:** Dormers in association with new first floor; roof lights; fenestration alterations; use of garage as ancillary accommodation

**Applicant:** Mr & Mrs Seaward

**Target Date:** 02/06/2015

**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary to Town Council view

**2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS**

Historic Land Use  
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

- CS1: Sustainable development principles
- CS2: Design quality
- CS5: Safe and healthy communities

**Local Plan Part 2 Sites and Development Management Development Plan Document**

DM5: Contaminated land

**4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE**

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

**5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

New Milton Local Distinctiveness

**6 RELEVANT PLANNING HISTORY**

82/NFDC/21286 Erection of 2 bungalows with integral garages.  
19/03/1982 Granted, subject to conditions.

## **7 PARISH / TOWN COUNCIL COMMENTS**

New Milton Town Council – PAR4: Object. The front dormers would be out of character with the immediate vicinity.

## **8 COUNCILLOR COMMENTS**

None received.

## **9 CONSULTEE COMMENTS**

Environmental Health: -No concerns with this application regarding land contamination.

Land Drainage – No comment

## **10 REPRESENTATIONS RECEIVED**

None received

## **11 CRIME & DISORDER IMPLICATIONS**

None

## **12 LOCAL FINANCE CONSIDERATIONS**

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments. Based on the information provided at the time of this report this development is not CIL liable.

## **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.

In this case the application was acceptable as submitted and no specific further actions were required.

## 14 ASSESSMENT

- 14.1 The site is within an existing residential area in Ashley, New Milton. Duncan Road is a small lane off Ashley Common Road, characterised by generally bungalow style development, some of which have been subject to roof alterations and extensions. The property is on the southern side of the road and is one of a pair of bungalows orientated parallel to the road. It is externally clad in brick under a concrete tile roof and has an existing driveway and parking area at the front of the property with an integral garage. Neighbouring premises include the bungalow to the west and other premises to the south, along Ashley Meads and east, along Denmead. Separation from neighbouring sites is provided by timber fencing and hedgerow with some trees on the neighbouring side to the east. A wall and hedgerow providing some immediate screening from the lane.
- 14.2 The proposed dormer additions to the roof of the property would be of a proportionate size and modest form, and in their arrangement they would provide a balanced appearance to the property's frontage. It is appreciated that other properties in Duncan Road do not have dormer additions, however there are other examples of dormer additions in the vicinity and such alterations would not be inconsistent with the wider street scene in such a residential area. Alterations at ground floor level would be in keeping with the character of the existing property and would have limited impact on its overall appearance. As such it is considered that the impacts on visual amenity would be acceptable. This proposal would see the loss of the existing garage however it is noted that sufficient parking space would remain on site.
- 14.3 Due to the relative orientation and separation from neighbouring premises it is considered that new ground and first floor dormer windows would not result in any significant adverse impacts as a result of loss of privacy to neighbouring occupiers. It is noted that a significant distance of separation exists from premises on the opposite side of the road. Given the closer relationship with neighbouring premises to the rear of the site, the proposed new and retained rear elevation roof lights, with the intensification of use of this attic area, would likely result in a significant impact in terms of increased overlooking. It is noted that, at present, the existing roof light serves a storage area as opposed to habitable accommodation. As such it is considered appropriate to ensure that these windows are maintained with obscured glass and that, given the intensification of use of this upper floor area as habitable accommodation, permitted development rights for any new window openings are removed.

- 14.4 Given the nature of the proposals these would not result in any significant increase in overshadowing of neighbouring sites, and as such would not result in any significant adverse impacts as a result of loss of light to neighbouring occupiers.
- 14.5 The Council's records show that the site may have had past contaminative uses and as such the Environmental Health Officer has been consulted. They have no concerns with this application regarding land contamination and as such it is considered that this is not a constraint to development in this instance.
- 14.6 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.

## 15. RECOMMENDATION

### Grant Subject to Conditions

#### Proposed Conditions:

1. 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: Location Plan; 01/02/15-4; 01/02/15-3; 01/02/15-2; 01/02/15-1.  
  
Reason: To ensure satisfactory provision of the development.
  
3. The first floor roof light windows on the rear elevation of the approved development shall at all times be glazed with obscure glass.  
  
Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

4. No other upper floor windows or rooflights other than those hereby approved shall be inserted into the rear elevation roof slope of the dwelling unless express planning permission has first been granted.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

**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.

In this case the application was acceptable as submitted no specific further actions were required.

**Further Information:**

Householder Team

Telephone: 023 8028 5345 (Option 1)



**New Forest**  
DISTRICT COUNCIL

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

Chris Elliott  
Head of Planning & Transportation  
New Forest District Council  
Appletree Court  
Lynchhurst  
SO43 7PA

**Planning Development  
Control Committee**  
**June 2015**

**Item No: 3k**

Denelea  
9 Duncan Road  
Ashley New Milton  
App No 15/10339  
SZ2595

Scale 1:1250

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

