

**Application Number:** 15/10428 Full Planning Permission

**Site:** 31 MALWOOD ROAD WEST, HYTHE SO45 5DF

**Development:** Roof alterations and rooflights in association with new first floor; single-storey side and rear extension

**Applicant:** Mr & Mrs Hampton

**Target Date:** 20/05/2015

**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view.

**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

- CS1: Sustainable development principles
- 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

**5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

None relevant

**6 RELEVANT PLANNING HISTORY**

15/10143 Roof alterations in association with new first floor; roof lights (Lawful Development Certificate that permission is not required for proposal) 05/03/2015 Was Lawful

12/98517 Use of existing garage as ancillary accommodation; pitched roof to existing garage; create underground garage. 18/06/2012 Granted, subject to conditions

11/97100 Roof alterations in association with new first floor; front and rear dormers. 21/06/2011 Refused. Appeal Dismissed

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

Hythe and Dibden Parish Council - PAR4: Recommend REFUSAL.  
The Committee believes that this is overdevelopment both of the footprint and by bulk onto a very tight site on a prominent corner.

## **8 COUNCILLOR COMMENTS**

None received

## **9 CONSULTEE COMMENTS**

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 no specific further actions were required.

## 14 ASSESSMENT

- 14.1 The site is located in an established residential area, characterised by bungalow style development. This is a detached bungalow located in a triangular corner plot which narrows to the rear. It is elevated from road level and has an open frontage with enclosed rear garden area which is largely laid to decking. There is an existing conservatory at the rear of the property a car port on its west side and an attached garage to its east. Neighbouring premises are on both sides of the site with separation provided by their respective driveways.
- 14.2 It is noted that this property has been subject to a number of applications for extensions over recent years. The current proposal would see a change in the appearance of the dwelling in the street scene however, it is noted that alterations to the main roof would be permitted development as was established under the recent application for a certificate of lawfulness. Given the fall-back position, the Council could not reasonably object to this element of the proposals in this instance.
- 14.3 The extension at the side and rear of the property would, given its positioning and relative scale, have limited direct impact on the street scene. In the proposed design this would represent a sympathetic and proportionate addition consistent with the form and appearance of the existing property. As such the impacts on visual amenity would be acceptable. Although this proposal would see cumulative additions to the property these would be of an acceptable form and would retain adequate amenity space. As such this would not be representative of overdevelopment of the site.
- 14.4 Given the separation from neighbouring premises and the nature and scale of the proposals, this would not result in any significant adverse impacts on the residential amenity of neighbouring occupiers. The ground floor extension would extend close to the boundary, however, considering its single storey scale and relative orientation, this should not result in any significant adverse effects as a result of loss of light. New first floor roof lights in the front elevation would look across the road and should not result in any significant adverse impacts as a result of loss of privacy. That on the rear elevation would serve a bathroom and the privacy of neighbouring residents could be maintained through the use of obscure glazing. However, given that this rooflight would be permitted development it would be inappropriate to control the glazing by way of a planning condition.

- 14.5 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: ham sht 3; ham sht 2; ham sht 1  
  
Reason: To ensure satisfactory provision of the development.
3. The external facing materials shall match those used on the existing building.  
  
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.

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

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

**Item No: 3r**

31  
Malwood Road West  
Hythe  
App No 15/10428  
SU4107

Scale 1:1250

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

