

Application Number: 19/10618 Full Planning Permission

Site: 41 HIGH RIDGE CRESCENT, ASHLEY, NEW MILTON
BH25 5BT

Development: Roof alterations in association with new first-floor; single-storey side & rear extension; extend front porch; pitched roof to garage

Applicant: Mr Bird

Target Date: 08/07/2019

Extension Date: 30/08/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11, of this report after which a conclusion on the planning balance is reached.

- (1) Street scene and character of the area
- (2) Neighbour amenity
- (3) Parking

This matter is being considered by Committee as the recommendation is contrary to the view of New Milton Town Council

2 THE SITE

The application site consists of a detached hipped roof bungalow with attached flat roof garage to the side, the dwelling is situated within a reasonable sized plot commensurate with the size of immediate neighbouring properties. The property backs onto the side boundary of Ashley Junior School playing fields. The dwelling is situated within an established residential road, within the built up area of New Milton. The road is characterised by detached dwellings, there are a mixture of houses and bungalows. These properties also include dwellings that have been subject to roof alterations to create first floor accommodation and furthermore dormers are a feature of the road.

3 THE PROPOSED DEVELOPMENT

The proposal would increase the overall height of the dwelling by approximately 900mm, and would extend over the existing attached garage. The main roof form would be changed from hip to gable, with dormers on the front and rear elevations. The existing subservient front projecting hip would be increased in width by 1.5m and in height by 0.5m, however it would still be subservient to the height of the extended dwelling, and would be sited centrally on the front elevation. The extended dwelling would respect the existing relationship with the side boundaries of the site, but the dwelling would be extended to the rear (thereby increasing the overall depth of the dwelling by 2m) and squared off behind the existing garage. Tile hanging is proposed on the side elevations and dormers, to match the existing roof.

4 PLANNING HISTORY

None relevant

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

Constraints

Plan Area
Historic Land Use
Aerodrome Safeguarding Zone

Plan Policy Designations

Private/Education Recreational Land
Built-up Area

Core Strategy

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

None relevant

Emerging Local Plan

Policy 13: Design quality and local distinctiveness
SO3: Built environment and heritage

Supplementary Planning Guidance And Documents

SPD - New Milton Local Distinctiveness
SPD - Parking Standards

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004

Relevant Advice

National Planning Policy Framework:
Chap 12: Achieving well designed places

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: object (non-delegated)

- (1) Lack of on-site parking
- (2) Overlooking to neighbouring gardens and school field to the rear
- (3) Impact to solar panel on roof of number 39.

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

Environmental Health Contaminated Land: no objection subject to condition

10 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against: 5

- loss of light to garden of number 43 High Ridge Crescent
- overlooking from 3 first floor rear windows resulting in loss of privacy for occupants of number 43 High Ridge Crescent
- overdevelopment of the plot by reason of changing from bungalow to two storey house, and increase in width of dwelling
- parking pressures on road could lead to highway hazard
- overlooking from first floor front dormers which would look directly at 18a High Ridge Crescent
- out of keeping with the street scene
- concern if closer to boundary with 39 High Ridge Crescent
- possible shadowing of solar panel on 39 High Ridge Crescent
- question whether used for residential or commercial
- concern if damage from building works to neighbouring property
- set a precedent for developing other bungalows within the road

11 OFFICER COMMENTS

Introduction

- 11.1 The application site is located within the built-up area of New Milton t therefore the principle of the proposed development is acceptable, subject to the proposal safeguarding the amenities of adjoining dwellings and the character and appearance of the area.

Relevant Considerations

- 11.3 The National Planning Policy Framework (2019) in Chapter 12 (Achieving well-designed places) puts strong emphasis on delivery of good design which helps to create "better places in which to live and work and helps make development acceptable to communities" (para. 124). The Framework also calls for "a high standard of amenity for existing and future users" (para. 127).
- 11.2 Policy CS2 of the Core Strategy for the New Forest District outside the National Park (2009) requires new development to be well designed to respect the character, identity, and context of the area's towns, villages and countryside. It also states that new development shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities. This advice is reflected in the emerging Local Plan, namely Policy 13 - Design quality and local distinctiveness.

Street scene and character of the area

- 11.4 Taking into account the varied street scene, the principle of increasing the height of the dwelling would not have an adverse impact within the street scene especially as to the south of the application site there is a detached two storey house, and in the wider road there are examples of bungalows that have been extended to create first floor accommodation. It would form a transition between the bungalow (39 High Ridge Crescent) and the house (43 High Ridge Crescent). Furthermore, the change from hip to gables on the side elevations would be similar to other development in the road, notably the form of the dwellings immediately opposite (18 and 18A High Ridge Crescent). The side gable facing 39 High Ridge Crescent would be visible within the street scene, but this would not detract from the street scene as it would have a similar relationship within the road as no 18 High Ridge Crescent.
- 11.5 The application site has a reasonable sized plot, which would be able to accommodate the proposed extensions without detracting from the character of the area. The proposed extensions would not increase the width of the dwelling, though extending over the existing attached garage would increase the bulk of the building and thereby potentially impacting upon the spatial characteristics of the site. However there is not a distinctive pattern of gaps between properties within High Ridge Crescent, and the dwelling would be set off the side boundaries with the neighbouring properties. As such it would not detract from the spatial characteristics of the site.
- 11.6 Taking into account the above, the resulting dwelling would be in keeping with the street scene and be appropriate to the character of the area.

Impact on the amenities of Neighbouring residents

- 11.7 The footprint of the dwelling would not come any closer to the neighbouring dwellings. The increase in ridge height with the introduction of rear dormers would make the dwelling more visible to the adjoining neighbours, however the first floor windows would be rearward facing and any views over the neighbouring rear gardens would be oblique. This type of relationship with neighbouring properties is not uncommon in an urban area and is considered to be an acceptable relationship. To the rear of the site are the playing fields serving Ashley Junior School, but there would be a distance in excess of 18m and there are other properties backing onto the grounds of the school which also have first floor windows overlooking the school premises.
- 11.8 The first floor windows on the front elevation which serve a bathroom and an ensuite would look towards 18A High Ridge Crescent, there would be a distance of over 22m between these two properties, and any views would be of the frontage which forms part of the public street scene. 18A High Ridge Crescent has windows at ground and first floor level, taking into account the distance between the two dwellings and the use of the rooms the relationship is considered to be acceptable
- 11.9 Views over the rear garden of 20 High Ridge Crescent could also be potentially possible, but again taking into account the distances this would

not create an unacceptable level of overlooking to the occupiers of this neighbouring property.

- 11.10 No 39 High Ridge Crescent is to the north of the application site, but the extended dwelling would not be projecting significantly to the rear and as such would not be an overbearing form of development to this neighbour, nor result in a significant loss of light or overshadowing. This property has a solar panel on the side elevation of the bungalow facing the application site. The impact on a solar panel is a material planning consideration, accordingly shadow plans have been submitted by the agent and these indicate that the solar panel would not be overshadowed and therefore should not reduce the benefits of this installation to the occupiers of 39.
- 11.11 No 43 High Ridge Crescent is a two storey house to the south of the application site, and by virtue of the orientation the extended dwelling would not create issues of overshadowing or loss of light to this neighbouring property. The proposed roof alterations would result in the extended dwelling being more visible to the occupants of 43 High Ridge Crescent, and even though the height of the dwelling would be increasing it would still be lower than no 43. Taking into account the relationship between the two properties, the extensions should not result in an overbearing form of development to this neighbour
- 11.12 The proposed development would not create an unacceptable level of harm to the amenities of the neighbouring properties.

Parking

- 11.13 The existing dwelling has 2 bedrooms and therefore under our current Parking SPD should have the provision of 2 parking spaces. There is currently a garage and one parking space provided on site. Like many properties of its age the garage is slightly smaller than now required.
- 11.14 The extended dwelling is shown as having 4 bedrooms, and therefore 3 parking spaces are required to be provided on site. The existing garage would be retained, an additional parking space could be created on the driveway, without necessarily requiring the benefit of planning permission, Furthermore, there are no parking restrictions on the road, so on road parking could not be resisted. The road is a reasonable width for 2 cars to pass and if parked cars in this road form an obstruction this would be a matter for the police.

Other issues raised in the objections

- 11.15 The potential use of the extended property has been questioned as to whether it would be residential or commercial. The application has been submitted as a householder application, and the accommodation shown is for a residential property. At this stage there is no suggestion that the property is to be used for commercial purposes, and this has not been a consideration in the assessment of this application. If it was to be used for commercial purposes, this may require the benefit of a further planning application and the merits of the change of use would be considered at that stage.
- 11.16 There is civil legislation in the form of the Party Wall Act, which protects neighbouring properties from the impact of building works.

12 CONCLUSION ON THE PLANNING BALANCE

12.1 Consideration has been given to all comments received on this application, but for the reasons given above it is considered that the proposed development accords with the local development plan for New Forest District and the Government advice contained within the National Planning Policy Framework (2019). The other material considerations, including the emerging Local Plan, do not indicate otherwise, they confirm the indication given by the development plan, namely that planning permission should be granted. Therefore, conditional permission is recommended.

13 OTHER CONSIDERATIONS

Crime and Disorder

Not applicable

Local Finance

Based on the information provided at the time of this report this development has a CIL liability of £11,154.46.

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.

Human Rights

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.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant

- protected characteristic and persons who do not share it; and
(3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14. 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: R101 Rev A, R100 Rev A

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 Local Plan for the New Forest District outside the National Park Core Strategy.
4. During any (site clearance, removal of floor slab and) foundation excavations a suitably qualified contaminated land consultant shall carry out a **watching brief** with regards to asbestos, hydrocarbons and any other ground contamination. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority.

Reason: The site is within the vicinity of a previous sand and gravel pit that has been infilled with unknown material. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Local Plan for the New Forest District Council outside the National Park (Core Strategy) and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

Notes for inclusion on certificate:

1. In accordance with paragraph 38 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 all the above apply and the application was acceptable as submitted. However, this application was subject to an extension of time to allow it to be referred to Planning Committee.

2. This decision also relates to an amended plan received by the Local Planning Authority on 29 July 2019

Further Information:

Kate Cattermole

Telephone: 023 8028 5588



New Forest
DISTRICT COUNCIL

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

Claire Upton-Brown
Chief Planning Officer
Planning
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

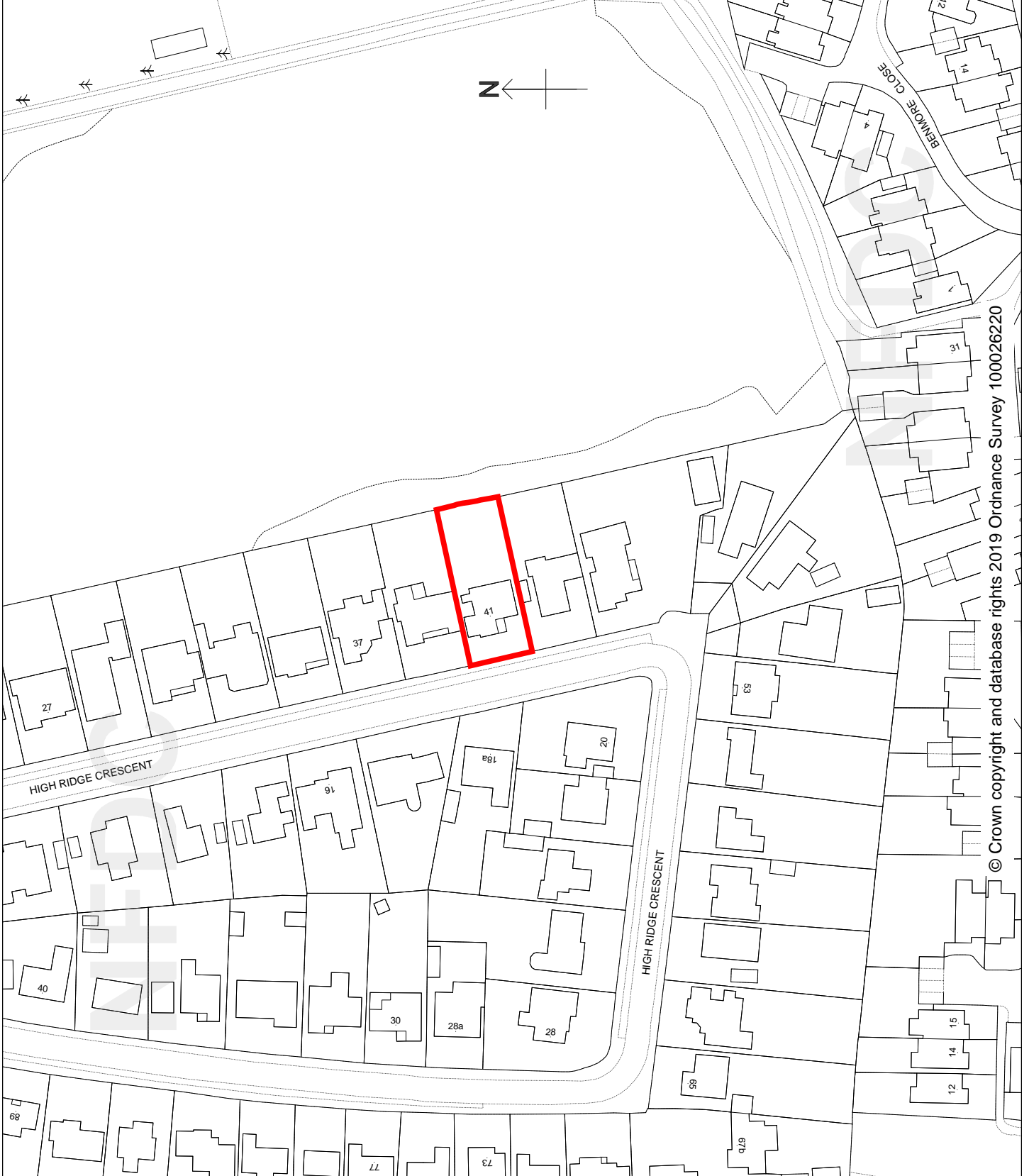
August 2019

Item No: 3b

41 High Ridge Crescent
Ashley
New Milton
19/10661

Scale 1:1250

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



© Crown copyright and database rights 2019 Ordnance Survey 100026220