

**Application Number:** 15/10336 Full Planning Permission

**Site:** 7 DUNCAN ROAD, ASHLEY, NEW MILTON BH25 5AW

**Development:** Single-storey front extension; fenestration alterations; roof lights

**Applicant:** Mr Speechley

**Target Date:** 15/05/2015

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**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

**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 (2012)  
Section 7 – Requiring Good Design

**5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

New Milton Local Distinctiveness

**6 RELEVANT PLANNING HISTORY**

14/11442 Single-storey front/side extension. Withdrawn by applicant 11/12/2014

**7 PARISH / TOWN COUNCIL COMMENTS**

New Milton Town Council – Object

- (1) Poor design due to the large eaves to ground glazed panels on the front elevation, out of character with its surroundings
- (2) Contrary to the Local Distinctiveness Study (Page 44) regarding set back, due to its 3m forward projection of the common building line.

## **8 COUNCILLOR COMMENTS**

None received

## **9 CONSULTEE COMMENTS**

Land Drainage - No comment

Environmental Health Officer - recommends an informative in the event that any contaminated land is found

## **10 REPRESENTATIONS RECEIVED**

One letter of support received from the neighbouring occupiers at No3 Duncan Road noting that;

- The new layout will offer a more diverse family home to benefit owners for the future
- The proposals would complement the surroundings and improve the overall character

## **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 all the above apply and as the application was acceptable as submitted no specific further actions were required.

## 14 ASSESSMENT

- 14.1 The site is within an existing residential area in Ashley, New Milton. The Council's records show that the site may have had past contaminative uses. This is a detached bungalow at the end of a row of such, set back from the road with vegetation and fencing providing a good level of screening from its surroundings. It is rendered under a tile roof and has existing front projecting front pitched and flat roofed extensions. There is a neighbouring bungalow to the south-west, which has approved alterations (Ref App 13/10087 and a house to the east.
- 14.2 This application follows that which was previously withdrawn due to concerns over the design in the incorporation of a large flat roofed element. The scheme now proposes a front extension of similar principle, however the design detailing has been altered such that the roof is now of a dual pitched form. There has also been alteration to the fenestration arrangements.
- 14.3 Considering its design the proposed extension would be sympathetic to the form and appearance of the existing dwelling. The fenestration details are different from the existing property but given all factors and its context no objection is raised to this design or these specific elements of the proposal. Given its location at the end of a row, well set back from the road the forward projection should not cause any harm to the wider appearance of the street scene or local distinctiveness of the area. As such the impacts on visual amenity would be acceptable.
- 14.4 Whilst the Local Distinctiveness Document makes reference to consistency of set back, this property is located in an area where properties are well set back from the road, and No.8 projects forward relative to it. As such the character of the area would be retained and no objection raised with respect to the Local Distinctiveness. New Milton Town Council is concerned about the proposal as set out in Section 7.

- 14.5 Give the separation and relative orientation with neighbours and the single storey nature of the extension, it would not result in any significant adverse impact on the amenity of neighbouring occupiers through loss of light or privacy.
- 14.6 The Environmental Health Officer recommends an informative in the event that any contaminated land is found and subject to this it is considered that contaminated land risks have been acceptably addressed.
- 14.7 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: 0186/1; 0186/3d; 0186/4c; 0186/2.  
  
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.

**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 all the above apply and as the application was acceptable as submitted no specific further actions were required.
  
2. The applicant is advised that there are a number of sites near to this property which have had past contaminative uses. It is possible that some contamination may have migrated through the ground and groundwater. While the Authority has no evidence to suggest that this is the case, any observed presence of contamination during any ground invasive works should be reported to the Local Authority Environmental Health Officer and works halted whilst the matter is considered. It is advisable to obtain specialist advice concerning the potential for contamination and its recognition. Under the National Planning Policy Framework, where a site is affected by contamination, responsibility for securing a safe development and/or new use, rests with the developer and/or landowner and as a minimum requirement the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

**Further Information:**

Householder Team

Telephone: 023 8028 5345 (Option 1)



**New Forest**  
DISTRICT COUNCIL

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**Planning Development  
Control Committee**  
**July 2015**

**Schedule: b**  
7 Duncan Road  
Ashley  
New Milton  
15/110336  
SZ2595

Scale 1:1250

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

