

**Application Number:** 19/11212 Full Planning Permission

**Site:** 15 ATHELING ROAD, HYTHE SO45 6BS

**Development:** Demolish existing garage; Front, rear and side extensions; Roof alterations

**Applicant:** Mrs O'Hara

**Target Date:** 25/11/2019

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

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## 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) Impact on the street scene and on the character of the area
- 2) Impact on neighbour amenity

This matter is brought to Planning Committee for determination as a contrary view has been expressed by the Parish Council.

## 2 THE SITE

The site is occupied by a detached chalet bungalow and is located in the built up area of Hythe. The area is characterised with mixed and individual architectural styles and sizes of residential properties, set back from the road with on-site parking provision in front gardens. The road has an incline which increases the dominance of the neighbouring two-storey dwelling at No 13 Atheling Road.

## 3 THE PROPOSED DEVELOPMENT

The current application seeks planning permission for front, rear and side extensions, alterations to the roof including front and side dormers and the demolition of the existing garage to facilitate the extensions. The overall roof height will remain as existing and the proposed dormer added to the northeast elevation would have obscure glazed windows to avoid any overlooking issues.

## 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
XX/NFR/07790/1 Lounge and addition of dining area.	24/06/1968	Granted	Decided	

XX/NFR/08213 Garage.	21/08/1959	Granted Subject to Decided Conditions
XX/NFR/04904 10 residential dwellings with construction of accesses.	19/07/1956	Granted Subject to Decided Conditions
XX/NFR/07790 House with access.	21/04/1954	Granted Subject to Decided Conditions

## 5 THE DEVELOPMENT PLAN AND OTHER CONSTRAINTS

### Core Strategy

Policy CS2: Design Quality

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

None relevant

### The Emerging Local Plan

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

### Neighbourhood Development Plan

Hythe and Dibden Neighbourhood Plan  
Post examination, post referendum, awaiting formal adoption.  
The Hythe and Dibden Neighbourhood Plan is a material consideration when determining this application. Policy D1 states *"all new development in Hythe and Dibden will be required to seek exemplary standards of design and architecture, to demonstrate that local character and context has been fully recognised, that the proposed design responds to it, and that what is valued locally is respected."*  
The objectives of the Neighbourhood Plan put a strong emphasis on local distinctiveness and what is valued locally.

## 6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

### Relevant Legislation

Section 38 Development Plan  
Planning and Compulsory Purchase Act 2004

### Relevant Advice

NPPF  
Chapter 12: Achieving well-designed places  
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).

## 7 PARISH / TOWN COUNCIL COMMENTS

**Hythe & Dibden Parish Council:** Recommend REFUSAL. It is overdevelopment of the site. There will be an impact on the adjacent neighbour at No 13 Atheling Road through loss of light and increased overshadowing to the kitchen/dining area.

## 8 COUNCILLOR COMMENTS

No Comments Received

## 9 CONSULTEE COMMENTS

No Comments Received

## 10 REPRESENTATIONS RECEIVED

No representations received.

## 11 OFFICER COMMENTS

### Introduction

These proposals relate to extensions to an existing residential property. The principle issues to consider are:

- i) impact on the street scene and character of the area
- ii) impact on neighbour amenity
- iii) parking

### Relevant Considerations

#### 11.1 Street scene and character of the area

Atheling Road has seen many changes over time, with considerable recent development of plots, and many bungalows in the street have been extended and altered to form larger properties, chalet bungalows and two-storey premises. The proposed alterations would not be inconsistent with the alterations that have taken place on other plots and as such would not be out of character of the area which has an interesting mix of diverse styles.

A projecting gable is proposed at the front with the first floor extending forward of the existing front elevation which would result in a noticeable alteration of the appearance of the dwelling from public vantage points, however this would not be an unattractive addition and given the variety that exists in the area the impact on the street scene would be acceptable.

#### 11.2 Neighbour amenity

The proposal would alter and extend the flat roof of the existing garage to a pitched roof along the boundary with the adjacent neighbour at No 13 Atheling Road which would result in a degree of increased overshadowing and a

reduction of light to the kitchen/dining area of this property. However the eaves height would only be 3 metres and the roof would slope away from the boundary which would reduce any dominant impact. Furthermore No 13's kitchen/dining room appears to benefit from borrowed light coming from the lounge extension. Overall whilst there would undoubtedly be some impact this is not considered to be unacceptable.

The windows to be added in the dormer in the side elevation would serve bathrooms and the stairway. These windows would be obscure glazed, as such there would not be an increase in overlooking, the additional first floor rear bedroom window would have oblique views of the neighbour's rear garden which is generally considered acceptable in a built up environment.

The proposal would have a separation of 25 metres to the rear boundary and would not impact on the living conditions of the properties in Mousehole Lane to the rear. The proposal would be set away from the neighbour at No 17 Atheling Road and although this neighbour has expressed concerns about the fence this does not form part of the application and is not under consideration.

The proposal has been carefully assessed on site. The proposal, by reason of the spatial characteristics of the site and adjacent properties, design, location and positioning in relation to the common boundaries and the neighbouring properties, would cause no material detriment to the privacy, light, outlook or dominant impact on the adjacent neighbours.

### 11.3 Parking

The proposal would result in the loss of the garage and the addition of a fourth bedroom, however there is adequate parking provision within the curtilage of the dwelling to meet the recommendations set out in the NFDC document "Parking Standards Supplementary Planning Document" adopted in October 2012 which recommends an average provision of 3 on site car parking spaces for a four+ bedroomed property. Furthermore Paragraph 109 of the NPPF states *"Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road networks would be severe."* No harm to highway safety has been identified in this proposal.

## 12 **CONCLUSION ON THE PLANNING BALANCE**

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. Therefore, conditional permission is recommended.

## 13 **OTHER CONSIDERATIONS**

### Crime and Disorder

No relevant considerations in respect of this proposal

### Local Finance

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. The development is under 100 sq metres and is not for a new dwelling and so there is no CIL liability in this case.

### 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.

### Other Case Specific Factors

No relevant considerations in respect of this proposal

## **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: Design & Access Statement & OHAR002.

Reason: To ensure satisfactory provision of the development.

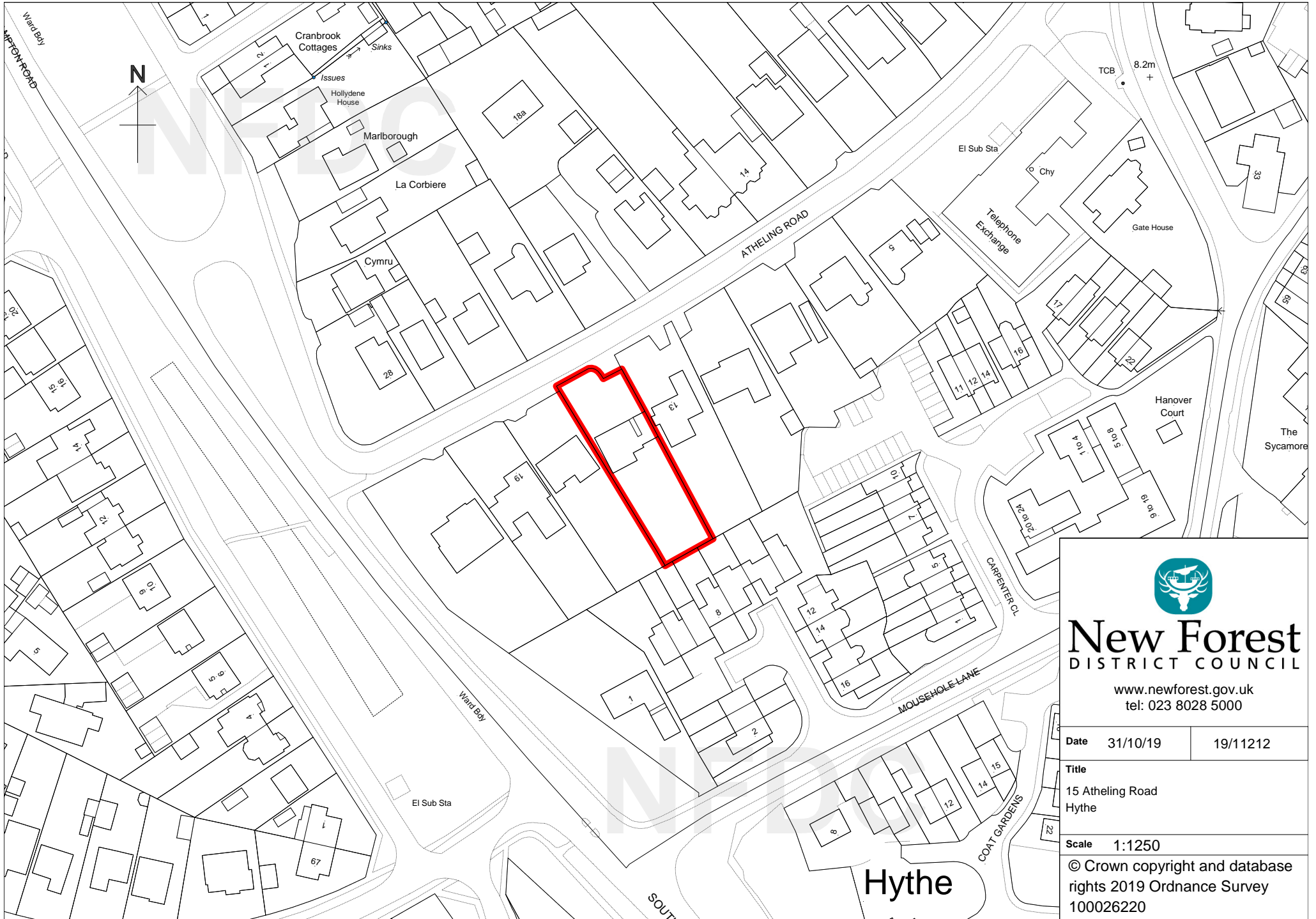
3. The external facing materials shall match those used on the existing building.

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.

**Further Information:**

Rosie Rigby

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**New Forest**  
DISTRICT COUNCIL

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