

Application Number: 19/11266 Full Planning Permission

Site: NANTUCKET, THE LYDGATE, MILFORD-ON-SEA SO41 0NU
Development: front single storey extension to existing garage (approval ref: 07/90024), Rear external stair with privacy screen up to existing balcony.
Applicant: Mrs Groarke
Target Date: 23/12/2019
Extension Date: 14/02/2020

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 the character of the area
- 2) Impact on the amenity of neighbour properties

This matter is being considered by Committee at the request of Cllr D Hawkins

2 THE SITE

The application site consists of a modern detached house, which was approved as part of a pair of detached houses in 2000, situated at the end of a cul-de-sac in an established residential area in the built-up area of Milford-on-Sea. It has a reasonable sized plot which backs onto Cliff Road, and the dwelling enjoys views over the cliff top.

Even though there have been previous applications for extensions to the dwelling, these have not been implemented and the dwelling is currently as originally built. It has a single storey gable fronted element which projects towards the driveway, and incorporates a garage. Adjacent to the front of the garage is an area of hard landscaping, incorporating a ramped access to the front door. There is no physical front boundary to the site, instead this is demarcated in a differentiation in the paving style, and a slight uplift from the driveway. There is currently space for two parked cars in front of the existing garage. To the rear of the dwelling is an existing balcony, which benefits from views of the sea, this is an original feature of the dwelling.

To the north east of the site, at the end of the cul-de sac, is Captiva which was developed jointly with the application site. It is staggered back in the site slightly compared to Nantucket and when viewed from the Lydgate the design is very similar. However these two dwellings are not identical and the main difference on the front elevation is the single storey gabled front projection which forms part of the living accommodation of the dwelling at Captiva. Captiva is served by a detached garage sited to the front of the property facing the main access driveway. These two dwellings both incorporate rear balconies, but there are more distinct design differences on the rear elevation.

To the other side of the site is Harbour House, which is also a detached house which faces the Lydgate. A rendered brick wall forms the boundary to the front of the dwelling with the application site.

3 THE PROPOSED DEVELOPMENT

The proposal is for a front single storey extension to the existing garage, and an enclosed external staircase providing direct access from the rear balcony to the rear garden area.

Since the application was initially submitted in October 2019, several amended plans have been provided in response to objections received. These are as follows:

25 November 2019 (unsolicited):

- removal of two proposed ground floor windows in the existing house facing Captiva (in response to comments from owners of Captiva)
- sit layout plan amended to show 2 additional car parking spaces alongside extension (in response to concerns raised by owners of Harbour House)
- change of roof to front extension from gable to hip (in response to neighbour's concerns)

5 December 2019 (amendment following discussion with agent re screening of staircase):

- Replacing obscured glazed privacy screen to top part of external staircase with a full length weatherboard clad enclosure

10 January 2020 (unsolicited amendment):

- amended roof plan and location plan to show hipped roof

28 January 2020

- amended site layout plan to clarify position of extension in relation to the front boundary

The proposal is to extend the existing single storey garage by 5.2m, towards the front of the property and was received on 28 January 2020, which shows that the development falls entirely within the curtilage of the dwelling. The majority of the existing garage would be converted into two bedrooms/ home office, whilst the extension would be providing a garage. The internal length of the proposed garage would be 400mm less than the existing garage. A ground floor window is proposed in the existing side wall of the proposed bedroom. An amended plan now shows a hipped roof on the front extension.

An external staircase is proposed on the rear elevation to provide access to the first floor balcony. A further plan has been submitted showing a clad enclosure to the spiral staircase, with the existing obscure glazed screen on the balcony to the front of the enclosed staircase retained. The proposed clad enclosure for the staircase would start from ground level and extend 2.1m above the floor level of the balcony. The plans show the clad enclosure would consist of a cedar click board with woodgrain effect and would either be white, beige or cream white, to blend in with the paint finish to the dwelling. The plans indicate rubber treads to the steps, to absorb noise.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
10/95676 Single-storey front extension; first floor front extension; infill under balcony at rear	19/08/2010	Refused	Decided
10/95429 Single-storey front extension; first-floor front extension; infill under balcony at rear; rear staircase; alterations to existing balcony	08/06/2010	Withdrawn by Applicant	Withdrawn
07/90024 Single-storey front extension	19/06/2007	Granted Subject to Conditions	Decided
00/69736 Two dwellings and garages	13/11/2000	Granted Subject to Conditions	Decided
00/68164 2 dwellings, garages and access alterations (demolish existing rest home)	17/04/2000	Granted Subject to Conditions	Decided

ENQ/19/20616/HDF pre application enquiry response dated 7 October 2019 Pre application advice was sought in relation to the staircase, and it was acknowledged that the principle of a staircase was a feature to properties in this part of the village, and subject to the provision of a privacy screen should be visually acceptable.

5 THE DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Core Strategy

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

DM6: Coastal Change Management Area

The Emerging Local Plan

Policy 13 Design quality and local distinctiveness

Policy 30 Coastal change management areas

Supplementary Planning Documents

SPG - Milford-on-Sea Village Design Statement

SPD - Parking Standards

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

Relevant Advice

NPPF Ch.12 - Achieving well-designed places

7 PARISH / TOWN COUNCIL COMMENTS

Milford On Sea Parish Council

PAR 1: We recommend PERMISSION but would accept the decision reached by the District Council's Officers under their delegated powers.

8 COUNCILLOR COMMENTS

Cllr David Hawkins: I would like to request the Planning Application 19/11266 Nantucket be put before the next available District Planning Committee.

9 CONSULTEE COMMENTS

No comments received

10 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

Against: 2

- By reason of its mass and forward siting, the extension to the garage would take it right up to the front building line which would result in overdevelopment of the site
- Overlooking and unacceptable noise nuisance from the proposed additional parking area on site
- Out of keeping with the character of the immediate area
- Loss of light and overshadowing from front extension
- Existing manhole on driveway would be located under front extension, which would deny access to this manhole.
- The proposed spiral staircase would result in an unacceptable level of noise and disturbance to neighbours, and would be an inappropriate addition to the which would be out of keeping with the area
- two extra windows would face side of Harbour House
- The extensions would result in a 6 bedroom house with playroom and office, which would be an over development of the area and could result in further vehicle congestion

11 OFFICER COMMENTS

Introduction

11.1 There are two distinct elements to the current proposal comprising of a single storey front extension and enclosed spiral staircase, that are considered in turn below. The main issues are

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

Single storey front extension

Previous Planning History

11.2 An application for a single storey front extension was approved in 2007 (07/90024). The 2007 plans indicate that the extension would project out to the same depth as the current application, and was to provide an additional bedroom in the existing garage whilst the extension would form a new garage, with cropped gable on the front elevation. Due to its modest size it was determined that the front extension would not detract from the character and appearance of the area, and would be in keeping with the street scene. Furthermore, HCC Highways raised no objections to the proposal, and considered that the adequate parking provision would remain on the site and that the proposal would not compromise

public highway safety. There were no objections to the 2007 application, and Milford Parish Council recommended permission.

- 11.3 A subsequent application in 2010 (10/95676) for a single storey front extension, first floor front extension, infill under balcony at rear, was refused on the grounds that:

By reason of its bulk, mass and forward siting, the proposed first floor extension would adversely impact upon the appearance of the area and the amenities of the occupiers of the neighbouring properties. For this reason, the proposed development is contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

This reason for refusal clearly identifies that the element that was refused was the first floor extension as opposed to the single storey front extension, and the accompanying officer report stated that the part of the proposal consisting of the single storey front extension was acceptable. This refusal was not the subject of an appeal. Milford on Sea Parish Council had objected to this application to both the single storey and first floor extension, and then following the refusal made further comments.

Impact on the street scene and character of the area.

- 11.4 The property accesses onto the Lydgate, the end part of the road is a private road, only providing access to Nantucket, Captiva and Harbour House. The proposed single storey front extension would introduce built form projecting further forward within its plot, due to its single storey form the proposed garage extension would not adversely impact upon the street scene. The amendment to introduce a hipped roof would further reduce the impact upon the street scene.
- 11.5 When planning permission was granted in 2007 for a similar front extension, it was not considered that the proposed single storey extension would adversely impact upon the character and appearance of the area. The main difference between the current proposal and the 2007 approval is the design of the roof form which has been revised from a cropped gable to a full hip.
- 11.6 Even though Captiva and Nantucket are very similar in form on the front elevation, the wider area displays a variety of styles of properties. Since the earlier applications were considered, there does not appear to have been any significant material changes to the character of the immediate area that would justify a refusal of the front extension.

Neighbour amenity

- 11.7 No neighbour amenity issues were identified by officers during the previous applications for the single storey front extension, there have been no material changes in the relationship of the site with the neighbouring properties it is considered that the proposed extension would have no adverse impact on neighbouring properties.
- 11.8 The addition of a ground floor window is shown on the submitted plans on the side elevation facing Harbour House. There were no restrictions relating to the installation of new ground floor windows on the original consent, this does not require planning permission. Notwithstanding this, this new window is shown on the plans and is required in association with

the change of accommodation in this part of the building and therefore falls to be considered as part of this application. However, this would be a ground floor window, the majority of which would be screened by an existing wall which forms the boundary with Harbour House. Taking these points into consideration, this proposed window would not result in an unacceptable level of overlooking to Harbour House.

- 11.9 Captiva in common with Nantucket has a single storey gable element projecting forward of the two storey form, however this is occupied by a bedroom. The area to the front of the bedroom is open with low level landscaping. The existing garage already projects forward of Captiva and is 6.5m from the boundary with this neighbour. By reason of its siting and single storey form, the front extension should not create issues of loss of light or overshadowing to this neighbour.

Parking

- 11.10 The Parking Standards SPD recommends 3 on plot parking spaces for a 4 bedroom house. The existing house already has 5 bedrooms, so even though there are additional bedrooms proposed the provision required is as existing. There are currently two parking spaces in front of the existing garage, which would be lost. However, the site plan shows the removal of the existing hard landscaping to the front of the dwelling, to allow for parking in this area. This alteration could be undertaken without the need for planning permission. As the plans include the provision of a garage plus a minimum of 2 parking spaces in front of the house, this proposal would confirm with the parking standards.
- 11.11 HCC Highways does not now require to be consulted on development that does not result in the creation of any additional new units and the creation of a new access and so Sanding Advice has been relied on for this assessment

Drainage

- 11.12 The proposed garage would be sited over an existing manhole cover, but the agent has confirmed that the manhole will be resited in the adjacent drive and works will conform with building regulations.

Coastal Management

- 11.13 The site falls into the indicative erosion zone 2055-21015 of the Coastal Change Management Area. Policy DM6 allows limited residential extensions that are closely related to the existing scale of the property. As such the proposed extensions would comply with this policy.

Enclosed spiral staircase

Impact on the street scene and character of the area.

- 11.14 Views of the rear of the property are achievable from the cliff top. The proposed staircase would be sited close to the back wall of the building, and by reason of its siting would not be overly prominent within the street scene.
- 11.15 The external staircase, by reason of its siting, would not overly impact upon the character and appearance of the dwelling and wider area. The

use of cladding is not an untypical material in coastal locations, and the use of this material would be limited to the enclosure. Provided the colour is a close match to the house, it should blend in.

Impact on neighbour amenity

11.16 There is already a level of overlooking of the rear garden of Captiva from the balcony of Nantucket. The proposed staircase would be sited close to the back wall of Nantucket, adjacent to the flank wall of Captiva. When the application was first submitted a screen was proposed at the top of the staircase, but this was amended with the introduction of a clad enclosure, which would span the entire depth of the staircase and effectively screen the staircase from the occupants of Captiva. The introduction of this enclosure to the staircase should prevent additional overlooking to Captiva and not exacerbate the existing relationship between the two properties where there is already mutual overlooking. The clad enclosure would be sited adjacent to the flank wall of Captiva, so would not be intrusive or overdominant on the rear bay window of this neighbour. Furthermore, the obscure glazed panel would be retained on the side of the balcony in front of the enclosure. The enclosure of the staircase would result in a better relationship with the neighbouring property, Captiva and rubber treads would be used on the steps, which would help reduce noise from the metal steps when in use.

11.17 By virtue of its position within the site, there would not be opportunities to overlook the private amenity space of Harbour House from the proposed staircase.

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, 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

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.

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: LP.01 Rev C, PE.02 Rev C, PE.01 Rev C, PP.01 Rev D, EP.01 Rev A

Reason: To ensure satisfactory provision of the development.

3. The external facing materials of the single storey front extension 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. The colour of the cedar cladding to be used on the staircase enclosure shall match as closely as possible the render colour on the existing building.

Reason: To ensure an acceptable appearance of the staircase enclosure in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park Core Strategy.

5. The staircase enclosure hereby approved should be retained in conjunction with the staircase as shown on the approved plans, and retained in perpetuity.

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).

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

February 2020

Item No: 3g

Nantucket
The Lygate
Milford on Sea
19/11266

Scale 1:1250

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

