

**Application Number: 21/10214** Full Planning Permission

**Site:** POSTGATES, 25 BARRS AVENUE, NEW MILTON BH25 5HL

**Development:** 1.8m to 1.9m boundary fence; 1.9m side gate and fence (next to the public Post Box); new double 1.9m driveway gates on the left hand side of the property (Retrospective)

**Applicant:** Mr. Yates

**Agent:**

**Target Date:** 09/06/2021

**Case Officer:** Jacky Dawe

**1 SUMMARY OF THE MAIN ISSUES**

The key issues are:

- 1) Impact on the character and appearance of the area and street scene

This application is to be considered by Committee because of contrary view with New Milton Town Council.

**2 SITE DESCRIPTION**

The application site falls within the Built Up Area and New Milton Local Distinctiveness Area 3. The application property comprises a large detached dwelling in a large plot, the front garden is laid to lawn with various established shrubs.

In terms of the wider context, the site lies within an established spacious residential area, with a semi-rural feel, the boundary treatments are mixed but mainly hedgerows, there are a few examples of 1.8 metre high close board fence in the near vicinity but these are dark brown stained.

**3 PROPOSED DEVELOPMENT**

Permission is sought for the 1.4m high front boundary fence and entrance gates. Already in situ.

**4 PLANNING HISTORY**

Proposal	Decision Date	Decision Description	Status
92/NFDC/50619 Construct false pitch roof to flat roof over garage	29/09/1992	Granted Subject to Conditions	Decided

**5 PLANNING POLICY AND GUIDANCE**

**Local Plan 2016-2036 Part 1: Planning Strategy**  
 Policy ENV3: Design quality and local distinctiveness

## **Supplementary Planning Guidance And Documents**

SPD - New Milton Local Distinctiveness

### **Chap 12: Achieving well designed places**

#### **Constraints**

SSSI IRZ Wind and Solar Energy

SSSI IRZ Rural Residential

SSSI IRZ Waste

SSSI IRZ Water Supply

Planning Agreement

SSSI IRZ Air Pollution

SSSI IRZ All Consultations

Plan Area

Aerodrome Safeguarding Zone

SSSI IRZ Combustion

SSSI IRZ Minerals Oil and Gas

SSSI IRZ Residential

SSSI IRZ Rural Non Residential

SSSI IRZ Compost

SSSI IRZ Discharges

SSSI IRZ Infrastructure

Tree Preservation Order: TPO/0003/13/T1

#### **Plan Policy Designations**

Built-up Area

#### **Neighbourhood Development Plan**

Submission draft New Milton Neighbourhood Plan

NM4 – DESIGN QUALITY

NM13 – BARTON ON SEA

## **6 PARISH / TOWN COUNCIL COMMENTS**

### **New Milton Town Council:**

STRONGLY OBJECT (Non-Delegated)

- 1) The erection of the fence creates a starkness and is contrary to local character, as per page 39 of the Local Distinctiveness Study text entitled 'Front Boundary'.
- 2) This development sets a precedent.

The Committee stated that this retrospective application should not be permitted and enforcement action should be robust (not closed as expedient). The Committee expects full support from NFDC on this matter due to the policies available.

## **7 COUNCILLOR COMMENTS**

No comments received

## **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

**Southern Water:** no objections

## 9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 1

- required for privacy and security
- other examples including rest home on corner

Against: 1

- out of keeping
- stark, too high and unattractive
- will set precedent

## 10 PLANNING ASSESSMENT

### Principle of Development

The principle of the development is acceptable subject to relevant material considerations relating to residential amenity and character and appearance of the area.

Policy ENV3 requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality.

As well as the standard policies as previously stated The New Milton Neighbourhood Plan is a material consideration when determining this application, including Policy NM4 – DESIGN QUALITY and NM13 – BARTON ON SEA

### Design, site layout and impact on local character and appearance of area

In assessing the effect on the character and appearance of the area, the site lies within Character Area 3 of the adopted New Milton Local Distinctiveness Document. Within the document it, states the character is defined by green and tranquil atmosphere feeling that one is living against a backdrop of trees and close to the countryside.

The document also states that changes to enclosure of front boundary by raising or lowering height can alter the character of the street. On Page 40, it list main elements of Green Infrastructure. This includes 'Retained field boundary tree lines and hedgerows'.

*The fence is 1.4m in height and is elevated by sitting above the existing stone wall, the box hedge is retained behind the fence, there are also established shrubs behind a short length of the fence.* its appearance would be improved further with some additional native planting, which is encouraged as part of our Biodiversity net gain.

The context of the road has been eroded, and this fence is regrettable , however there is greenery as part of the stone wall below the fence and the shrubs form a frame behind, further planting and the natural weathering over time will soften this fence. Also the needs of the occupants must be taken into consideration and this is a large property on a raised plot that is still clearly visible from the road.

Permitted Development would allow a fence of 1m in this position and the fence is only marginally taller. The land is raised behind the fence and drops down to the road. This change in levels has determined the height of the fence.

It is considered that there would be no demonstrable harm to the character of the area and a reason for refusal will not be substantiated on appeal.

It is not considered that in granting consent would set a precedent because each application should be judged on its own individual merit and no two sites are identical. As such, should other applications be submitted for close boarded fencing, the Local Planning Authority will still have the ability to consider the visual impact.

#### Highway safety, access and parking

The fence would not result in any material or greater impact on visibility and as such, it is considered that the proposal would not result in any significant harm to public highway safety.

#### Residential amenity

The proposal has been carefully assessed on site. Due to the spatial characteristics of the application site and the adjacent properties, the design of the proposed development, its location and positioning in relation to the common boundaries and the neighbouring properties, the proposal would not cause unacceptable effects on the privacy, light and outlook available to the adjacent neighbours.

#### Biodiversity and Ecology

Householder developments are not exempt from the requirement to deliver biodiversity net gain as part of development. However, in proportion to the scale of the development, they can deliver features that will be valuable to wildlife and enhance local biodiversity. Additional planting of native species of shrubs and trees and the addition of bird boxes should be considered as a proportionate measure to address biodiversity net gain.

## **11 CONCLUSION**

The application has been considered against all relevant material considerations including the development plan, relevant legislation, policy guidance, government advice and the views of consultees and interested 3<sup>rd</sup> parties.

On this occasion it is considered that the development accords with the local development plan for New Forest District and New Milton Local Distinctiveness document and that the issues raised are not so significant as to warrant a refusal of planning permission. It is therefore recommended that conditional permission be granted.

## **12 OTHER CONSIDERATIONS**

None

## **13 RECOMMENDATION**

**Grant Subject to Conditions**

**Proposed Conditions:**

1. The development permitted shall be carried out in accordance with the following approved plans:

SITE LOCATION PLAN

BLOCK PLAN

ADDENDUM 1 = INSIDE ELEVATION

ADDENDUM 2 = OUTSIDE ELEVATION

ADDENDUM 3 = SIDE GATE ELEVATION

Reason: To ensure satisfactory provision of the development.

**Further Information:**

Jacky Dawe

Telephone: 023 8028 5447



# 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

June 2021

POSTGATES, 25 BARRS AVENUE  
NEW MILTON  
BH25 5HL  
21/10214

Scale 1:1250

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

