

Application Number: 15/10601 Full Planning Permission

Site: COPPICE, 90 BARTON LANE, BARTON-ON-SEA, NEW MILTON
BH25 7PW

Development: Single-storey side extension; use of garage as ancillary
accommodation

Applicant: Mr West

Target Date: 27/08/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary view to Town Council

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up 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

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

New Milton Local Distinctiveness

6 RELEVANT PLANNING HISTORY

Single-storey side extension; use of garage as ancillary accommodation.
26/04/2012 Granted, subject to conditions.

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council Object:- Object due to the impact on visual amenity and living conditions of the nearby occupier from the additional height and fenestration changes to the front elevation.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Land Drainage – No comment

10 REPRESENTATIONS RECEIVED

One letter has been received from a neighbouring resident to the rear at "Seamore" in Christchurch Road, raising objection on the grounds that;

- The extension will encroach on his property, blocking out light and invade privacy, and
- Devaluation of property

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.

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.

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 application site is within an established built up area of Barton-on-sea, New Milton. It is at the north end of Barton Lane with a neighbouring bungalow to the south and opposite, and larger premises to the north which fronts onto Christchurch Road. A fence delineates the boundary with the adjacent bungalow and there is an existing side window on this neighbouring property. Separation is provided by the neighbouring driveway.
- 14.2 This application seeks consent for the erection of a single storey side extension and the use of the garage as ancillary accommodation. It follows an approved scheme under PA 12/98385 and seeks consent for changes, some of which have already been constructed.
- 14.3 Alterations to the design from that approved under PA 12/98385 comprise an increase in height of the side extension from a maximum of 2.6m as approved, to 3.0m. They also include the introduction of lantern lights; fenestration changes, with the omission of the side window and rearrangement of the door and window on the extensions front elevation.
- 14.4 The proposed development would overall be a comparatively modest addition to the existing property. In this case consideration also needs to be given to the increase in height of the proposal and fenestration changes, relative to the previously approved scheme. Although the increase in height will take the extension more notably above the existing eaves height of the property, given its set back positioning this would not result in any wider harm to the street scene. The extension would retain a visually subservient relationship with the main dwelling. On this basis the impacts on visual amenity would be acceptable.
- 14.5 The proposed extension would remain separated from the neighbouring premises to the south of the site by virtue of their existing driveway. Considering this with the relative height of the extension and orientation this would not lead to any harm through loss of light. Furthermore the proposal now sees the omission of any windows on the side facing this neighbouring , such that this would not lead to any loss of privacy.

- 14.6 Changes to the front elevation see alterations to provide a pair of French doors and a window, opposed to a single door and window. This would enable views onto the driveway towards the road. Given the separation from neighbouring residential premises on the other side of the road and staggered relationship, this would not lead to any harm through loss of privacy.
- 14.7 It is noted that a letter of objection has been received from a neighbouring resident to the north-east side of the site. Given the orientation and considerable separation present and the modest extent of the proposal it would not have any significant impact on the light to that property. Furthermore, no new window openings are proposed in the east end wall of the garage and as such this would not lead to any harm through loss of privacy.
- 14.8 Given the nature and layout of accommodation that would be provided by this development, it is considered appropriate to attach a condition to approval such that it shall only be used ancillary to the use of the application site as a single dwelling unit.
- 14.9 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: 409/PL/05; 409/PL/02; 409/PL/04; 409/PL/03; TPN/PE/05/15 Rev C; IPW/GFP/05/15 Rev D; IPW/CBE/05/15 Rev B; IPW/CFP/05/15/Rev D.

Reason: To ensure satisfactory provision of the development.

3. The render to be used as external facing material for the walls shall match that 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 development hereby approved shall only be used in conjunction with or ancillary to the use of the application site as a single dwelling unit.

Reason: To ensure a separate use is not created which would be harmful to the amenities of the area and contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

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.

Further Information:

Householder Team
Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

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**Planning Development
Control Committee
October 2015**

Item No: 3b

Coppice
90 Barton Lane
Barton on Sea
15/10601
SZ2393

Scale 1:1250

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the internet, it will not be to
scale.



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