

**Application Number:** 15/11088 Full Planning Permission

**Site:** 7 ARNOLDS CLOSE, BARTON-ON-SEA, NEW MILTON  
BH25 7JW

**Development:** Retention of garage roof alterations; re-clad garage walls

**Applicant:** Mr A Saliba

**Target Date:** 17/09/2015

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## 1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council view

## 2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

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

## 5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

New Milton Local Distinctiveness

## 6 RELEVANT PLANNING HISTORY

15/10886 Roof alterations; rear dormer in association with new first floor; single-storey rear extension. - Application under consideration

## **7 PARISH / TOWN COUNCIL COMMENTS**

New Milton Town Council: Strongly object

- (1) Detrimental to the amenities of number 9
- (2) Unneighbourly.

Members expressed frustration that the development had already commenced on site.

## **8 COUNCILLOR COMMENTS**

None received

## **9 CONSULTEE COMMENTS**

Land Drainage - No comment

## **10 REPRESENTATIONS RECEIVED**

One letter of representation has been received from occupiers at No.9 Arnolds Close raising objection to the proposal for the following reasons;

- Overshadowing, loss of light to lounge and kitchen
- Loss of outlook
- Question how walls can be 're-clad' when they have never been previously clad.

## **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 the applicant did not seek pre-application advice from the Council. Further to the submission of additional details the application was acceptable and no specific further actions were required.

## **14 ASSESSMENT**

- 14.1 The site is located within the built up area in an established residential part of Barton-on-Sea, Arnolds Close being characterised by bungalow style development.
- 14.2 The property is a detached bungalow, externally clad in render above a brick plinth under a concrete tile roof. It has an open parking / driveway area to its front with driveway to its side leading to a detached garage which appears to be partially complete. The rear garden area is enclosed by a combination of timber fencing and hedgerow planting.
- 14.3 This application seeks consent for alterations to the existing garage. These incorporate the re-cladding of three of its external walls in shiplap timber and a revised roof form, with increase in height to form a steeper pitch and provide a tiled finish, replacing the original asbestos roofing. At the time of the case officer's visit it was noted that works had already commenced.
- 14.4 The proposal would not see any increase in the footprint of the garage and a modest increase in its maximum height, by 600mm, which results in a garage of proportionate appearance. Furthermore the proposed cladding would be acceptable in this residential context. As such the impacts on visual amenity would be acceptable.
- 14.5 The garage is positioned adjacent to the site's north-west boundary and it is recognised that the increase in height with the proximity and orientation, would lead to some addition overshadowing. This said, given the modest scale of the increase, separation of the garage from the neighbouring dwelling and size of their garden area this would not lead to such loss of light that would be significantly detrimental to the enjoyment of their living environment. Given the separation from the

neighbouring premises to the south this would not lead to any additional overshadowing impacts. Given the nature of the development the proposal would not see any loss of privacy to neighbouring occupiers.

14.6 In terms of outlook it is noted that the roof of the garage is immediately visible from the neighbouring lounge patio windows and garden area. However, it is noted that the garage only extends along part of this side boundary and that the increase in height is of such modest extent that the resulting visual impact is not overly dominating or oppressive.

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: Location Plan; 01A; 02; 03.

Reason: To ensure satisfactory provision of the development.

#### **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 the applicant did not seek pre-application advice from the Council. Further to the submission of additional details the application was acceptable and no specific further actions were required.

2. This decision relates to amended / additional plans received by the Local Planning Authority on 01/09/2015

**Further Information:**

Householder Team

Telephone: 023 8028 5345 (Option 1)



**New Forest**  
DISTRICT COUNCIL

Tel: 023 8028 5000  
www.newforest.gov.uk

Chris Elliott  
Head of Planning & Transportation  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

**Planning Development  
Control Committee  
October 2015**

**Item No: 3j**

**7  
Arnolds Close  
Barton on Sea  
15/11088  
SZ2393**

**Scale 1:1250**

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



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