

Application Number: 21/11349 Full Planning Permission

Site: 11 MARINE DRIVE, BARTON-ON-SEA, NEW MILTON
BH25 7EG

Development: Outbuilding (to replace existing outbuilding to be demolished)

Applicant: Mr & Mrs Simmons

Agent: Brian Turner

Target Date: 22/11/2021

Case Officer: Kate Cattermole

Extension Date: 22/12/2021

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- (1) Impact on the street scene and character of the area
- (2) Neighbour amenity
- (3) Coastal erosion

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

2 SITE DESCRIPTION

This application site consists of a large detached two storey dwelling typical of this part of the Barton on Sea cliff top, and is located in the built up area. The rear garden is enclosed by a brick wall with timber panels and there are small sheds and a larger outbuilding sited adjacent to the rear boundary. The site is relatively level and the properties either side are two storey detached dwellings. Properties immediately to the rear in Sandmartin Close are single storey bungalows with two storey dwellings to the east of these.

Green Belt land is located opposite the site along the cliff top and the site is within the Coastal Change Management Area where development is strictly controlled and no soakaways are permitted.

3 PROPOSED DEVELOPMENT

Two storey outbuilding, incorporating a double garage with hobbies room/study over. The proposed building would replace an existing single storey outbuilding which is sited adjacent to the rear boundary.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
20/10992 Chalet-style dwelling, detached garage, bin & cycle store (resubmission following refusal of 20/10011)	13/11/2020	Refused	Appeal Decided	Appeal Dismissed

20/10012 Extensions	04/05/2020	Granted Subject to Conditions	Decided
20/10011 'Chalet' bungalow; detached garage; bike & bin stores	17/03/2020	Refused	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Policy STR1: Achieving Sustainable Development

Local Plan Part 2: Sites and Development Management 2014

DM6: Coastal Change Management Area

DM7: Restrictions on new soakaways

New Milton Neighbourhood Plan

Policy NM13 - Barton-on-Sea

Policy NM4 - Design Quality

Supplementary Planning Guidance And Documents

SPD - New Milton Local Distinctiveness

Plan Policy Designations

Built-up Area

Coastal Change Management

No Soakaway

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council (response to original plans received 22 October 2021)

OBJECT (Non-Delegated)

- (1) Despite reduction in floorspace from 20/10992 there is great concern this two storey build with more western siting will set a principle and precedent
- (2) North elevation flank wall will create a negative character impact on Sandmartin Close
- (3) The siting and roof form make it contrary to local character as regards 'Set Back' (page 60) and 'Rhythms, Patterns and consistency in features and detail '(page 61) of Local Distinctiveness Study SPD
- (4) Use of the site long drive will create disturbance for number 10 Marine Drive.

New Milton Town Council, Town Hall (response to amended plan received 17 December 2021)

OBJECT (Non-Delegated)

- (1) The two-storey nature of this outbuilding will set a precedent;
- (2) North elevation flank wall will create a negative character impact on Sandmartin Close;
- (3) Use of the site long drive will create disturbance for number 10 Marine Drive.

- (4) There is concern that aspects of the appeal text (APP/B1740/W/21/3267842) are still relevant and would preclude this outbuilding. Namely para.6 'indicating strongly that the policy is primarily seeking to restrict new build development' and para.8 'From the evidence I am not convinced that the development would likely be safe over its planned lifetime due to coastal erosion'.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Southern Water: comment only

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against: 5

Objections:

Mr Unger 2 Sandmartin Close (comments relate to both original and amended plans):

- impact on value of neighbouring properties
- application unfit for purpose
- garage building so close to Sandmartin Close would be injurious to residents health
- amended plans do not overcome initial objection

K & M Billington 3 Sandmartin close (comments relate to both original and amended plans):

- two previously refused applications for a chalet bungalow in this location
- visually inappropriate and fail to enhance the character and appearance of the area
- amended plans do not overcome initial objection

Mr J Masters 1 Sandmartin Close (comments relate to both original and amended plans)

- following refusal of two applications for a dwelling, the outbuilding has the appearance of a dwelling
- above the height of what is permitted for a garage
- siting would affect light from kitchen
- should be in line with building line of Sandmartin close
- out of keeping with the area
- amended plans do not overcome concerns, objection remains

Mrs Shelton, 5 Sandmartin Close (comments relate to both original and amended plans):

- similar to previously refused chalet bungalow. Services are likely to be installed so what would prevent change of use at a later stage?
- Even though a hedge is to be planted would be very close to the back fence
- could set precedent for similar development
- amended plans do not overcome concerns

Mr S Aindow, 29 Beach Avenue (comments relate to both original and amended plans):

- loss of visual amenity, light and privacy and detrimental impact on the character and appearance of the street scene and neighbourhood as well as environmental concerns
- amended plans do not overcome concerns, objection remains

10 PLANNING ASSESSMENT

Amended plans were accepted during the course of the application, which has moved the outbuilding away from the rear boundary, and reduced the overall height and altered the first floor fenestration.

Two previous applications for a new dwelling, in a similar location to the currently proposed outbuilding, were refused. The second application (20/10092) which was refused did not raise issues with the siting or design of the proposed new dwelling. This decision was the subject of an appeal, which was subsequently dismissed. The Appeal Inspector identified that the only issue with the proposal was the effect of coastal change on the development (the second reason for refusal was not challenged, as this had been resolved by a legal agreement with regard to the impact on internationally significant ecological sites).

Principle of Development

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. The principle of the development is considered to be acceptable subject to compliance with these policy criteria and the relevant material considerations relating to its impact on the character and appearance of the area and residential amenity.

The application site falls within the Coastal Change Management Area and is within the indicative erosion zone 2055 to 2105. Policy DM6 allows for limited residential extensions that are closely related to the existing scale of the property. Furthermore, the site is within an area that does not allow for new soakaways, but this can be ensured by an appropriately worded condition.

Impact on the street scene and character and appearance of the dwelling

By reason of its siting within the rear garden of the application site, the proposed outbuilding would not impact on the street scene of Marine Drive. In respect of Sandmartin Close (which is a narrow no through residential road) the proposed outbuilding would be visible. There is currently a large single storey outbuilding closer to the rear boundary, and albeit single storey its presence is detectable from this adjacent road. Notwithstanding that the two storey outbuilding would be more visible by virtue of its height, the amendments have moved it further away from the rear boundary. Furthermore, it has been reduced in height and with its simple roof form with no openings in the rear elevation forms a simple building form. Also it would be located within the curtilage of a large dwellinghouse, and as such is appropriate in form and scale to the host dwelling. Even though it would be visible from Sandmartin Close, it would not form part of the street scene by virtue of it being within the rear garden of the application site and facing into the site and unlike the previous proposals would not form a physical presence within the street scene of Sandmartin Close.

Parallels have been drawn between the current proposal and the previously refused schemes for a chalet dwelling. However, this current application is being considered on its merits as an outbuilding only, and the amendments have reduced and changed the design of the front dormer resulting in a less domestic appearance of the building. If there were proposals in the future to sever this building from the main dwellinghouse, this would need to be the subject of a separate planning application.

Concerns have also been raised about this proposed outbuilding setting a precedent for similar development in the area, however all applications are judged on their individual merits.

Neighbour amenity

The only first floor windows on the building would be on the south elevation, and as such would look towards the rear of the host dwelling. The proposed building does not meet the criteria of permitted development by reason of its height, and therefore any future alterations to the building would require the benefit of planning permission too under the current legislation and therefore it has not been considered necessary to apply a condition to restrict further openings at first floor level within the building.

The proposed outbuilding would have an overall height of 5.1m and the plans indicate that there would be a distance of 7m with the side wall of 1 Sandmartin Close, which is sited to the west of the application site. Having reviewed the original plans for this neighbouring property (which dates from the 1990s) these show that the existing kitchen has a dual aspect with windows on both the side and the front elevation. Furthermore, there appears to be a small shed and greenhouse within the curtilage of this neighbouring dwelling which are located to the side of the property. Taking into account the orientation and relationship of the outbuilding with this neighbouring property it is not considered that this would create an unacceptable level of harm to the amenities of this neighbour by virtue of overshadowing or loss of light.

Concerns have also been raised in respect of the impact of the driveway to access the proposed outbuilding, which would incorporate a double garage. Firstly the proposed driveway would be to the rear of the dwelling and could be installed without the benefit of planning permission, as such it does not form a consideration for this application. Notwithstanding this, it should be noted that 10 Marine Drive has a garage to the rear of the property, which is accessed by a driveway off Marine Drive. The officer report for the relevant application (20/11177) indicated that this arrangement was to remain to serve the replacement dwelling on site, and no objections were raised with regard to the use of this driveway in respect of neighbour amenities.

Reference has also been made that the position of the proposed garage could adversely impact on the residents of Sandmartin Close, however there are other garages within the area close to boundaries with neighbouring properties, so this is not an untypical arrangement in an urban situation.

The devaluation of properties is not a planning consideration.

Coastal Erosion

The site lies within the indicative erosion zone 2055-2105 where there are restrictions on residential development. However, the proposed outbuilding would be required to serve the needs of the occupants and there is no suggestion that this building would result in any increase in occupancy numbers on site. The policy does not make specific references to outbuildings, but it should also be noted that this would replace an existing outbuilding and would have a smaller footprint than the

current building. Policy DM6 allows for limited residential extensions that are closely related to the existing scale of the property, and this extension would be proportionate in scale and massing to the dwelling it would be serving. The National Planning Policy Framework 2021 para 172, states that development in a Coastal Change Management Area will be appropriate where it is demonstrated that it will be safe over its planned lifetime and not have an unacceptable impact on coastal change. As the use of the proposed outbuilding would be in conjunction with the host dwelling which is located to the front of the site, it is reasonable to conclude that it would be safe over its planned lifetime.

Soakaways

Soakaways are not appropriate in this location due to the proximity to the cliff top. Taking into account that this building would consolidate built form within the rear garden and would have a smaller footprint it is unlikely that this would create a requirement for a soakaway. However as no details of surface water drainage are required as part of a householder application, but to ensure no new soakaways are installed a condition to secure details of surface water drainage has been applied.

11 CONCLUSION

For the reasons given above, and in particular the recent appeal decision, it is considered that the proposed development is acceptable and accords with the Government advice contained within the National Planning Policy Framework (2021) and other Local Plan policies. Permission is therefore recommended

12 OTHER CONSIDERATIONS

None

13 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:
 - 1321-36 Existing outbuilding as deposited with the Local Planning Authority on 27 September 2021
 - 1321-35B Proposed elevations as deposited with the Local Planning Authority on 29 November 2021
 - 1321-34C Proposed floor plans as deposited with the Local Planning Authority on 29 November 2021
 - 1321-37C Proposed Site Plan as deposited with the Local Planning Authority on 29 November 2021

- Location Plan as deposited with the Local Planning Authority on 27 September 2021

Reason: To ensure satisfactory provision of the development.

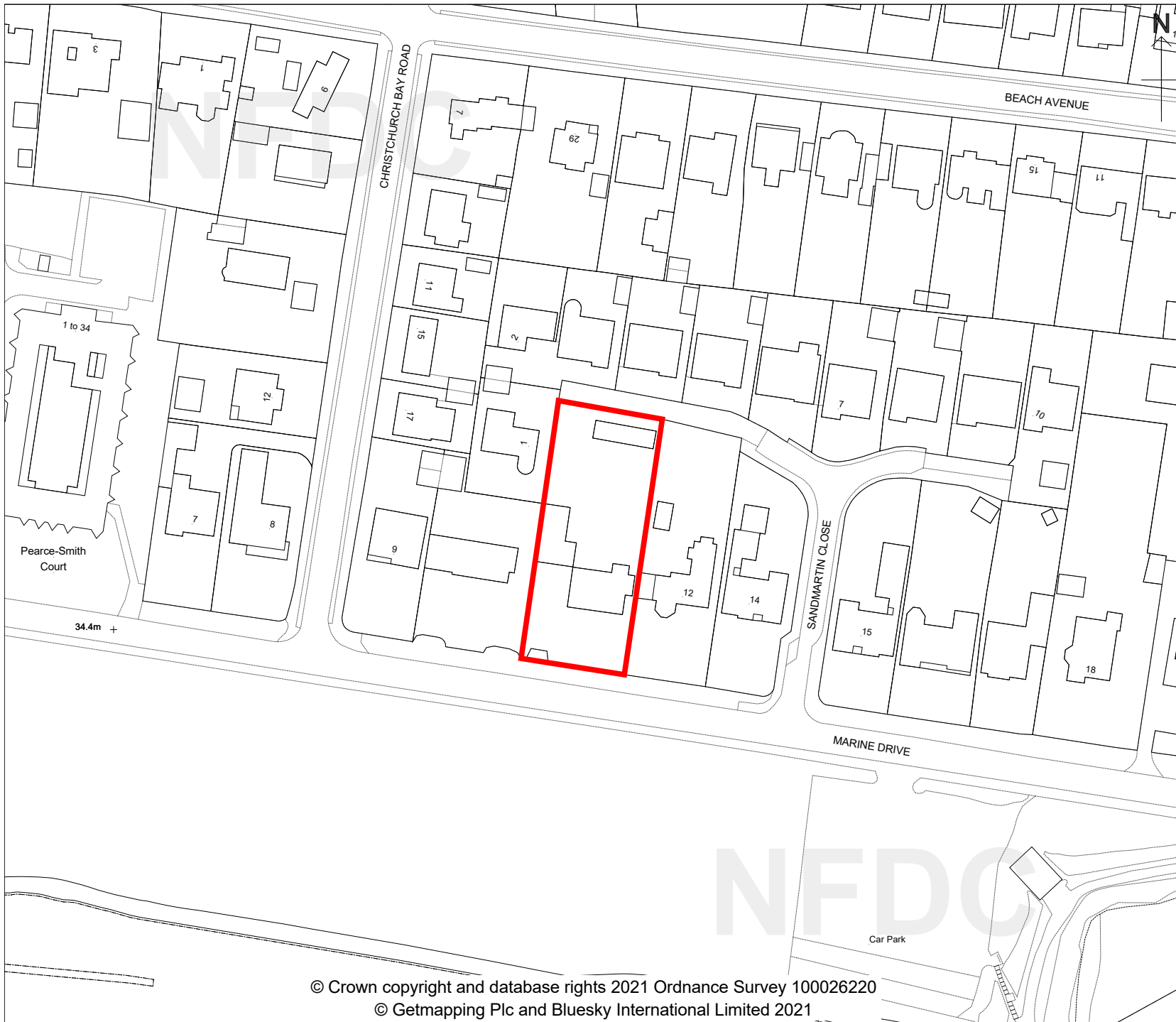
3. No new soakaways shall be constructed on the site and no development shall take place above slab level until full details of an alternative scheme of disposal of surface water has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details unless otherwise agreed in writing.

Reason: The site lies within a zone where new soakaways are not to be used for the disposal of surface water due to the proximity of the cliffs and to comply with Policy DM7 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

Further Information:

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

January 2022

11 MARINE DRIVE
 BARTON-ON-SEA, NEW MILTON
 BH25 7EG
 21/11349

Scale 1:1250

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