

Application Number: 21/11313 Full Planning Permission

Site: 24 OAKWOOD AVENUE, ASHLEY, NEW MILTON BH25 5DY

Development: Single-storey front & rear extensions; new garage with office/storage space above

Applicant: Mr & Mrs Kelsey

Agent: Simpson Hilder Associates

Target Date: 15/11/2021

Case Officer: Kate Cattermole

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Impact on street scene and character of the area
2. Neighbour amenity
3. Protected trees

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

2 SITE DESCRIPTION

The application site is situated in an established residential area, in the built up area of New Milton.

The application site consists of a detached chalet style dwelling with front and rear dormers, and a rear conservatory. The dwelling is located on an outward bend, forming a wide frontage, with the site tapering to the rear of the dwelling and then widening out at the end of the garden. The plot backs onto a garage block in the adjacent Woodvale Gardens, and the land levels decline towards the rear boundary of the site. There are several single storey outbuildings concentrated in the area at the end of the garden of varying appearance and materials, including a double carport. The area housing the outbuildings has a graveled surface, but there is an existing tarmaced driveway which runs the majority of the length of the garden providing access to this area.

A Tree Preservation Order (69/01) which relates to 7 Oak trees on land between Oakwood Avenue and Woodvale Gardens, extends over the rearmost part of the application site. There are also a number of other trees within the immediate area of the application site.

3 PROPOSED DEVELOPMENT

The application is for single storey front and rear extensions to the dwellinghouse; the rear extension would replace in part the existing conservatory with a larger flat roofed structure with roof lantern over. The proposal also seeks permission for a two storey detached outbuilding to be utilised as a double garage and workshop with office over to be sited at the end of the garden, which would replace the existing double carport, attached shed and portacabin.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
11/96771 1.95 metre high front boundary fence	02/06/2011	Refused	Decided
95/NFDC/57350 Extension/dormers & roof alts to form rooms in roof	18/09/1995	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

New Milton Neighbourhood Plan

Policy NM4 - Design Quality

Supplementary Planning Guidance And Documents

SPD - New Milton Local Distinctiveness

Constraints

Tree Preservation Order: 69/01/G1

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council comments 4 November 2021

OBJECT (non-delegated)

1. Detrimental impact to group of TPO trees to the rear of the site, TPO/0069/01
2. No vehicular access to the garage without risk of damaging tree roots.
3. Overdevelopment concerning the proposed garage/office space
4. Lack of ecological enhancements
5. Should it be approved, the Council would want a condition that the garage is not used for ancillary living accommodation.

New Milton Town Council, Town Hall comments 6 December 2021

OBJECT (non-delegated) The Council do not feel that the amended plans have mitigated our concerns and our reasons for objection still stand.

1. Detrimental impact to group of TPO trees to the rear of the site, TPO/0069/01
2. No vehicular access to the garage without risk of damaging tree roots.
3. Overdevelopment concerning the proposed garage/office space
4. Lack of ecological enhancements

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environmental Health Contaminated Land: no concerns

NFDC Tree Team: no objection Subject to Condition(s)

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against: 2

comments received from Mr Marshall, 20 Oakwood Avenue (on original submission):

- no objections to the proposed extensions to the dwelling
- no reason to approve higher front boundary fence [wall]
- proposed garage/office should not adversely impact property, unless any fenestration at first floor level results in overlooking.
- possibility in future proposed outbuilding could be converted to a separate residential dwelling
- concerns with impact on root system of protected tree, T1 which is on neighbour's property
- replacement of recently felled diseased trees

Objections:

Mrs Charge 21 Oakwood Avenue (objection to original submission):

- no need for a two storey building - denotes a commercial building not a residential one
- concerns with potential loss of trees due to proposal - road suffers with subsidence and flooding and removal of trees would be detrimental
- outbuilding would ruin outlook and perception of overlooking and loss of privacy for neighbours in immediate location of application site

Mr & Mrs Farrer 22 Oakwood Avenue (objections to original submission and amended plans):

- Overlooking, as 4 windows shown on rear elevation on amended plan, why are windows on front roofslope required?
- size of outbuilding not conducive to be sited in rear garden
- assurances that two mature oak trees that were felled would be replaced

10 PLANNING ASSESSMENT

Principle of Development

Amended plans and a change to the description was accepted during the course of the application. Originally the proposal also included changes to the front boundary, but this has now been removed from the description and does not fall to be considered. The amendments also included changes to the proposed outbuilding, reducing the overall height and changes to the fenestration.

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.

There are two distinct elements to this application namely the proposed additions to the dwelling and the proposed outbuilding, and these will be dealt with separately in the report.

Extensions to the dwellinghouse

Impact on the street scene and general character of the area

The proposed extensions to the dwelling would be single storey and by reason of their location on site and the existing screening to the front boundary, these additions would not impact on the street scene.

The single storey front addition would square off an area to the front of the dwelling, and would alter the pitch of the front roofslope, as well as lengthening it, which would mirror the rear roofslope.

The proposed rear extension would replace the existing brick and glazed conservatory, and albeit a larger footprint could easily be accommodated within the curtilage of the application site. Furthermore, by reason of its design it allows for the dominant form of the existing dwelling to be retained.

The proposed extensions would form sympathetic additions and would be appropriate to the character and appearance of the dwellinghouse and wider area.

Neighbour amenity

It is considered that because of their single storey form and siting, the proposed extensions to the dwelling would not impact on neighbour amenity. Furthermore, no concerns have been raised in respect of this part of the proposal.

Proposed outbuilding

Impact on the street scene and character of the area

Even though sited at the end of garden, the proposed outbuilding would be visible from Woodvale Gardens. However the existing garage block (outside of the application site) would create a barrier between this development and Woodvale Gardens, and coupled with the amendments which have reduced the height of the proposed outbuilding and replaced a proposed rear dormer with rooflights, it would not be overly prominent within the street scene of Woodvale Garden, which is characterised by two storey dwellings.

The proposed outbuilding would replace existing outbuildings within the site, including a carport. As such the principle of vehicles being in this part of the plot is already a feature of the application site. Even though a two storey building it would be at a lower level to the dwellinghouse, and subservient in height to the main dwellinghouse. The removal of the rear dormer has helped simplify the overall design, and even though dormers are still proposed on the front elevation these have been reduced in number from three to two and have also been reduced in size.

Furthermore, the replacement of existing outbuildings which sprawl across the site, would consolidate the built form in this location. Taking all these factors into consideration, the view is that this would be an appropriate outbuilding in this location, which could easily be accommodated within the plot.

Neighbour amenity

The side boundaries of the application site narrow towards the end of the garden, and then widen out at the end where the existing outbuildings are located. As such the boundaries with the neighbouring properties are not straight. Taking into account the relationship with the neighbouring boundaries of the proposed

outbuilding, the direct views from the proposed front dormers would be over the application site, and any views over the neighbouring properties would be oblique. Furthermore, the amended plans have reduced both the height of the outbuilding and the number of dormers, and coupled with the land levels across the site would not result in an unacceptable level of overlooking to either of the adjoining properties in Oakwood Avenue.

The rooflights in the rear roofslope would look over the public street scene of Woodvale Gardens and as such would not create issues of loss of privacy to the residents of this adjacent road.

Landscape impact and trees

There is a group of protected Oak trees at the rear of this site that are covered by Tree Preservation Order TPO/0069/01. Two Oak trees have been removed in the past under tree work applications TPO/18/1187 and TPO/20/0552, in both cases the replacement planting was a condition of consent. According to the Council records neither tree has been replaced as of yet. To support the application the applicant has submitted a Tree Report by Complete Arb services dated 7th September 2021. The existing outbuildings already incorporate a double car port and there is an existing tarmaced driveway running the length of the garden to the existing graveled area which contains the outbuildings.

Three Lawson Cypress trees, numbered T4, T5 & T6 within the submitted tree report, would be lost to this proposal. These trees are small specimens and have limited public amenity value and therefore are not considered a constraint to development.

The most prominent tree that could be affected by this proposal is an off-site Oak tree, T3 within the submitted tree report. The proposed replacement garage would be outside the root protection area of this tree, however tree roots have the potential to be damaged by site traffic or through the storage/mixing of materials. If the barriers and ground protection measures are set out as specified in the submitted tree report then any adverse impact on this tree should be minimised.

The council's Tree Officer considers that overall, the proposed extensions and replacement garage should not adversely affect trees which are considered a constraint to development, if the tree protection measures set out in the above report are carried out in full and this can be secured by an appropriately worded condition. Furthermore, the tree planting to replace the two felled Oak trees (allowed under previous tree works application) can be achieved through this application, and a condition has been applied to achieve this.

Ecological enhancements

There are no ecological enhancements identified to be incorporated in the proposed outbuilding, which taking into account the setting of these buildings in close proximity to established trees is disappointing. Nevertheless, taking into account the scale of the proposed development this would not be grounds to refuse this part of the proposed development.

Other considerations

Comments received during the course of the application have questioned whether in the future this building would be intended to be used as a separate unit of accommodation. However, this would require the benefit of further planning permission and therefore does not require a condition. With regard to the use in connection with ancillary accommodation for the main dwelling, this would not be altering the use of the plot as a single residential unit and the addition of a condition to prevent this would not be justified in this case.

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	271.78	158.3	113.48	113.48	£80/sqm	£11,627.34 *

Subtotal:	£11,627.34
Relief:	£0.00
Total Payable:	£11,627.34

11 CONCLUSION

For the reasons given above, it is considered that the proposed development is acceptable and accords with the Government advice contained with 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:
 - 8626.HS-100-P1 Existing floor plans as deposited with the Local Planning Authority on 17 Sept 2021
 - 8626.HS-101-P1 Existing Elevations as deposited with the Local Planning Authority on 17 Sept 2021
 - 8626.HS-102-P1 Existing Site plan as deposited with the Local Planning Authority on 17 Sept 2021
 - 8626.HS-103-P1 Proposed floor plans as deposited with the Local Planning Authority on 17 Sept 2021
 - 8626.HS-104-P1 Proposed elevations as deposited with the Local Planning Authority on 17 Sept 2021

- 8626.HS-107-P2 Proposed garage floor plans and elevations as deposited with the Local Planning Authority on 17 Nov 2021
- 8626.HS-105-P2 Block and Location Plan as deposited with the Local Planning Authority on 17 Nov 2021
- 8626.HS-106-P2 Proposed site plan as deposited with the Local Planning Authority on 17 Nov 2021

Reason: To ensure satisfactory provision of the development.

3. No development, demolition or site clearance shall take place until a Tree Planting Schedule and Tree Plan specific for tree planting including (tree species, size, spacing, form, planting method and location) in accordance with BS 8545: 2014 has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only take place in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area. in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

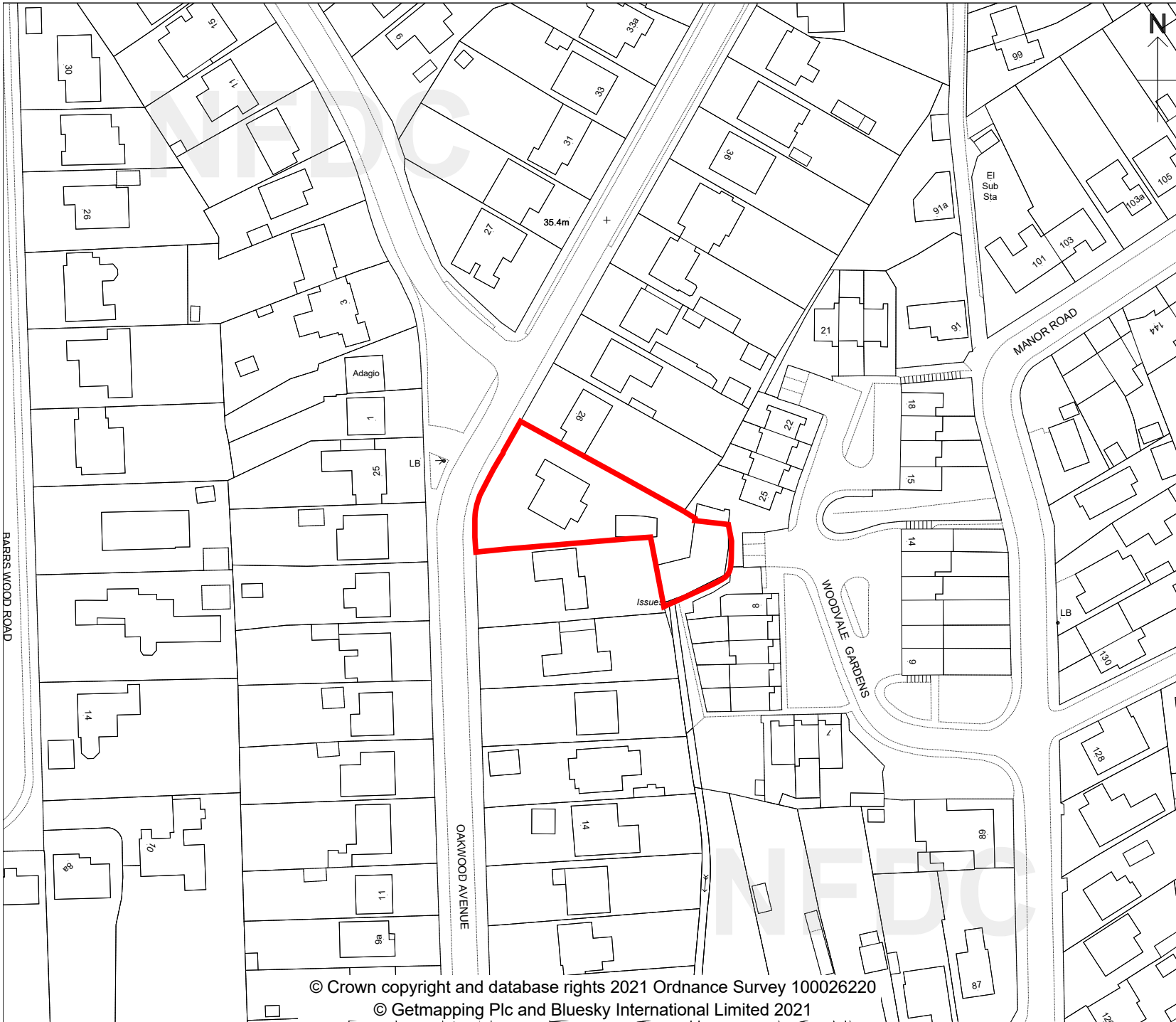
4. The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural Complete Arb Services Ltd, BS5837:2012 Trees in Relation to Design, Demolition and Construction dated 7th September 2021.

Reason: To protect the said trees in the interests of the visual amenities and character of the locality, in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

Further Information:

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

January 2022

24 OAKWOOD AVENUE
 ASHLEY, NEW MILTON
 BH25 5DY
 21/11313

Scale 1:1250

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