

**Application Number:** 15/11406 Full Planning Permission

**Site:** 33 ALBERT ROAD, NEW MILTON BH25 6SP

**Development:** Two-storey rear extension; Juliet balconies; side and rear extension to existing detached garage

**Applicant:** Mr & Mrs J Bryant

**Target Date:** 20/11/2015

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**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary Town Council view

**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
2. Climate change and environmental sustainability
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  
Achieving Sustainable Development  
NPPF Ch. 7 - Requiring good design

**5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

SPD - New Milton Local Distinctiveness

**6 RELEVANT PLANNING HISTORY**

- 6.1 85/NFDC/30118 - addition of kitchen bedroom/study and cloakroom.  
Granted 2.10.85

6.2 15/11405 - use as swimming tuition business, retractable pool cover, garage extension, parking. Item 3j on this Agenda.

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

New Milton Town Council - object and would not accept a delegated approval. Overdevelopment when viewed in conjunction with 11405, out of character and lack of amenity space.

## **8 COUNCILLOR COMMENTS**

None received

## **9 CONSULTEE COMMENTS**

Land Drainage Engineer - no comment

## **10 REPRESENTATIONS RECEIVED**

- 10.1 A comment has been received from a local resident concerned with how the parking would be managed as the road is quite narrow.
- 10.2 The applicants have also provided a lengthy response to comments received detailing revised operating hours and how they hope to run the business and associated parking area (this relates more to the proposals under 15/11405).

## **11 CRIME & DISORDER IMPLICATIONS**

None

## **12 LOCAL FINANCE CONSIDERATIONS**

Local financial considerations are not material to the decision on this application.

## **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 other than to request a corrected drawing in respect of the roof plan.

## 14 ASSESSMENT

- 14.1 The site lies within the built up area of New Milton in a residential area. The property is a detached two storey chalet style property which has some character having Tudor effect gables. It has a garage adjacent to the boundary in the rear garden and an irregularly shaped garden which is well screened by trees or hedgerows either within (to the north east) or outside of (to the west) the site boundary. The proposal entails the provision of a two storey rear extension and internal alterations resulting in a 5-bedroom dwelling (two ensuite) and a family bathroom at first floor level and large kitchen, utility room and open plan sitting/dining room at ground floor level. A side extension to the garage is also proposed along with a rear addition which is also shown in the proposal under 15/11405.
- 14.2 The proposed extension would not impact on residential amenity in terms of shading and the proposed side windows lighting the ensuites can be restricted to obscure glazing in order to maintain privacy - this is particularly key with regard to the south facing window which could otherwise look towards the flat roofed addition and garage to the rear of no.31. The bedroom windows would be some 27m away from properties in Pleasance Way and would be screened by trees within the site. The proposed Juliet balconies would face down the rear garden and would not give rise to unacceptable levels of overlooking.
- 14.3 In visual terms, the proposal would have two relatively large areas of flat roof. However, given the siting of the dwelling in relation to the road and public vantage points, the extension would have little impact on the street scene. The Tudor effect detailing would be retained in the new rear gable and this would ensure the character is maintained.
- 14.4 The side addition to the garage would increase its height by about 0.5 metres although being to the north of the adjacent property's garage, would have little impact on residential amenity. Due to its set back nature from the road, the street scene would not be harmed.
- 14.5 In addition to the loss of character, the Town Council are also concerned that the proposal, when viewed in conjunction with 15/11405, would be over development and there would be a lack of amenity space. However,

in terms of built form, the addition of a pool canopy and shower room to the rear of the garage would not significantly reduce the available amenity space for occupiers of the dwelling as the pool is already in situ and the garage addition would involve the loss of a small shed. The remaining main garden lawn area would be in excess of 110m<sup>2</sup>. Permission was granted for a single storey addition to the property in 1985 which had a similar, but slightly larger, footprint than that proposed (it was not implemented).

- 14.6 In conclusion the proposed extensions would be appropriate to the character of the area with no adverse implications for neighbours.
- 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, 1183:06A, 1183:04A, 1183:05B, 1183:03B, 1183:02, 1183:01.  
  
Reason: To ensure satisfactory provision of the development.
  
3. The external facing materials shall match those 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.

**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 other than to request a corrected drawing in respect of the roof plan..

**Further Information:**

Major Team

Telephone: 023 8028 5345 (Option 1)



**New Forest**  
DISTRICT COUNCIL

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**Planning Development  
Control Committee  
December 2015**

**Item No: 3j & 3k**

33  
Albert Road  
New Milton  
15/11405/06  
SZ2395

Scale 1:1250

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



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