

**Application Number:** 24/10799 Full Planning Permission  
**Site:** 7 IVOR CLOSE, HOLBURY, FAWLEY SO45 2NY  
**Development:** Construction of 1.5 Storey building to create home office and home gym facilities  
**Applicant:** Tab Weld Ltd  
**Agent:** Mr King  
**Target Date:** 11/11/2024  
**Case Officer:** Julie Parry  
**Officer Recommendation:** Refuse  
**Reason for Referral to Committee:** Contrary Parish Council view

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Impact on the local character and appearance in terms of scale and design
- 3) Use of the outbuilding
- 4) Impact on neighbour amenity in terms of outlook, loss of light and privacy

This application is to be considered by Committee because of a contrary view received from the Parish Council.

## 2 SITE DESCRIPTION

The property is a detached bungalow, positioned towards the end of a cul-de-sac of similar dwellings within the built-up area of Holbury. To the side of the property is a detached garage with a pitched roof which is consistent with neighbouring outbuildings. Within the rear garden, construction commenced on a detached outbuilding which was the subject of a previous planning permission in 2021 but which has not been completed. The generous rear garden is enclosed with high fences and a row of fir trees on the west and north boundary, along with a lower wall on the east boundary. Beyond the rear of the site is the large retail unit, Co-Op on Long Lane, which is visible from Ivor Close.

## 3 PROPOSED DEVELOPMENT

The application seeks planning permission for a one and a half storey detached outbuilding within the rear garden. The building would be used as a gym with kitchen and shower room at ground floor, with a mezzanine floor at first floor for a home office, with both floors being served by a large glazed frontage.

The proposed development overlaps with the outbuilding approved in 2021, and so it would not be possible for both schemes to be implemented.

#### 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
21/10443 Garage in rear of garden (Retrospective)	09/06/2021	Granted Subject to Conditions	Decided

#### 5 PLANNING POLICY AND GUIDANCE

##### **National Planning Policy Framework (NPPF)**

NPPF Para.131: The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

NPPF Para.135: "Achieving well designed places" requires development to be sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

##### **Local Plan 2016-2036 Part 1: Planning Strategy**

Policy ENV3: Design quality and local distinctiveness

##### **Plan Policy Designations**

Built-up Area

#### 6 PARISH / TOWN COUNCIL COMMENTS

##### **Fawley Parish Council:**

We recommend permission with the proviso that this building should not be used for commercial use.

#### 7 COUNCILLOR COMMENTS

No comments received

#### 8 CONSULTEE COMMENTS

No comments received

#### 9 REPRESENTATIONS RECEIVED

2 letters of objection and 1 of support received:

##### Objections - 5 & 6 Ivor Close

- Loss of privacy
- Overshadowing due to height and size

##### Support - 8 Ivor Close

- The proposal would be a good structure and would not obstruct their property

## 10 PLANNING ASSESSMENT

### Principle of Development

The proposal is located within the built-up area of Holbury where there is a presumption in favour of sustainable development, subject to material considerations. In this case, there is a particular need to assess the proposal against the design and amenity related provisions of Policy ENV3 of the Local Plan Part 1.

### History

A previous planning permission for a partly retrospective detached outbuilding was approved in 2021 (Ref: 21/10443). This development, which had commenced in the form of a metal frame structure, has not been completed, and the frame remains within the rear garden. The design of this previous scheme was for a flat-roofed outbuilding to a height of 3.2 metres.

### Street scene and local character

The National Planning Policy Framework (NPPF) requires new development to be well designed. Good design is a key aspect of sustainable development, creating better places in which to live and work (paragraph 131). The NPPF is clear that development that is not well designed should be refused (paragraph 139).

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.

Within the immediate vicinity of the application site, there are similarly styled properties, with many benefiting from detached outbuildings within the rear garden; however, these outbuildings are modest in height, and many are finished with traditional pitched roof designs and therefore appear sympathetic to their host dwellings in terms of scale and design.

The proposed outbuilding would be positioned within the rear garden of number 7 and would be used as a home gym at ground floor and would include a first floor mezzanine floor to be used as a home office. The outbuilding would have a height of 4.98 metres and would incorporate a heavily glazed gable to the front, which would give emphasis to the building's upper storey and overall scale. The building would also have an uncharacteristic flat topped roof which has resulted from a design solution specifically in attempt to reduce the overall height. However, rather than mitigating the building's scale, this cropping of the roof in such a contrived manner, serves simply to emphasise the building's discordant design.

The height of the main bungalow is 5.6 metres, and therefore the proposed outbuilding, with its obvious upper storey, would lack subservience and appear out of scale with the main single-storey dwelling. With its awkward roof design - a pitched roof up to a large flat-roofed area - along with the amount of glazing on the front elevation, the building's design would appear contrived and out of keeping in this location. This awkwardness would be further emphasised by the different proportions of the ground floor and upper floor windows, which would lack cohesion.

With its height and large footprint, the mass and bulk of the resulting building, which would be clearly visible from the road to the front of the property, would be unsympathetic to its environment and would fail to respect the local character of the close.

The materials to be used for the exterior of the outbuilding would be a brick plinth with metal sheet cladding on the walls, along with a concrete tiled roof. The use of these materials would appear acceptable for a structure to the rear of the property. However, to ensure an acceptable appearance of the resulting building, a condition requiring approval of materials would be appropriate if the application were otherwise acceptable.

Overall, for the reasons set out above, the proposed outbuilding would be a poor design that would be unduly dominant in this setting, with a harmful impact on the local area. Therefore, the proposal would not appear sympathetic to its environment or enhance the character of the close and, as such, would not comply with policy ENV3 of the Local Plan Part 1.

#### Use of the outbuilding

Fawley Parish Council have commented that the outbuilding should not be used for commercial use. The plans and application form indicate that the proposed outbuilding is to be used as a home gym and home office. Whilst there is also a bathroom and kitchen shown at ground floor, this does not create a fully self-contained unit but would be considered to be ancillary to the main dwelling house as part of the main residential use. The use of the proposed outbuilding as a separate, self-contained unit for holiday lets, rental or other commercial use would require planning permission in its own right.

#### Residential amenity

Policy ENV3 states that new development will be required to avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on residential amenity.

The neighbouring property at number 6 Ivor Close has objected to the proposal for the reasons of overlooking and overshadowing due to the height and size of the outbuilding.

The neighbour at number 6 has glazed patio doors on the rear elevation of their property, serving their lounge which is located close to the shared boundary with number 7. They also have a fully glazed conservatory to the rear. The front of the proposed outbuilding would include a large area of glazing at first floor, which would be clearly seen from number 6 and its rear garden.

Whilst the internal mezzanine floor within the proposed outbuilding is shown on the plans as to be set back from the front glazing, there would, from the rear aspect of 6 Ivor Close, be a strong perception of being overlooked, given the large area of glazing proposed at this high level. These impacts are considered to result in a level of harm to the amenities of the occupants of 6 Ivor Close that would justify a refusal of planning permission.

The proposed outbuilding would have an eaves height of 2.5 metres and have a roof pitched away from the shared boundary with number 6. The distance from the shared boundary would be 1.5 metres; and then a further 2.2 metres to the ridge. This neighbouring property does have a seating area adjacent to the east boundary close to the proposed outbuilding. Given the height of the proposal, the built form would be visible from the rear of the neighbouring property and their garden amenity space. Whilst this would have some impact on the outlook from 6 Ivor Close, the impact is not considered to be materially harmful due to the level of separation and the relatively low eaves proposed. More generally, the outbuilding would be

positioned within the northern end of the garden, and whilst there would be some loss of light early in the morning to some parts of this neighbour's garden, this would only be a proportion of the day when the sun is low. Therefore, there would not be a significant adverse impact on this neighbour's amenity from additional shading.

A further objection was received from the neighbour at number 5 Ivor Close in terms of loss of privacy. The proposed rooflights facing number 5 & 6 on the west roof slope are close to the shared boundary with number 6 and would allow views into this neighbour's rear garden. The submitted section plan shows that the bottom of the proposed rooflights would be 863mm above the floor level and therefore views could be obtained to the garden area with the rooflights open or closed. If granted planning permission, a condition could be added to any approval for these rooflights to be obscure glazed and fixed shut so that they would not cause any overlooking. The rooflights on the east roof slope would result in some views to the rear garden of number 8 Ivor Close, where there is a swimming pool. There is a distance of 15 metres from these proposed rooflights to the boundary which is defined in part by a low wall. Given that there is a swimming pool in the neighbour's rear garden and given the low boundary treatments, a restrictive condition in respect of the rooflights being obscure glazed and fixed shut would be justified if the scheme were otherwise acceptable.

The neighbour to the rear, 5 Southbourne Avenue, shares a rear boundary with the application site. The proposed development would introduce a high gable which would be positioned to the south of their garden. However, as the outbuilding would be set away from the shared boundary, which consists of high fir trees, there would not be an unacceptable impact on this neighbour's amenity.

Overall, as detailed above, the proposed outbuilding would have a harmful impact on the privacy of the neighbouring property at 6 Ivor Close in terms of a perception of being overlooked from the large glazed frontage. Policy ENV3 of the Local Plan Part 1 seeks to avoid unacceptable affects on neighbour amenity which includes overlooking. Therefore, the proposal would not comply with this Policy.

## **11 OTHER MATTERS**

None

## **12 CONCLUSION / PLANNING BALANCE**

The proposed development would not comply with the design advice within the NPPF and Policy ENV3 of the Local Plan Part 1, as the proposed outbuilding, because of its height, mass and incongruous design, would be out of scale with the main bungalow to which it relates and out of keeping in this location. Therefore, the proposal would not contribute positively to local character, It would also have an adverse impact on neighbour amenity in terms of perceived overlooking.

To conclude, the proposed outbuilding would result in an unacceptable form of development that would be contrary to th National Planning Policy Framework and local planning policy, and therefore the application is recommended for refusal.

## **13 RECOMMENDATION**

**Refuse**

**Reason(s) for Refusal:**

1. The proposed outbuilding, by reason of its scale and mass, along with its contrived and awkward roof form with prominent and poorly proportioned glazed front gable, would appear an incongruous design in this location and out of scale with the host property and other adjacent properties. As such, the proposal would appear unsympathetic to its environment and detrimental to the locally distinctive character of Ivor Close, contrary to Policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy for the New Forest outside of the National Park.
2. The proposed outbuilding due to its position close to the neighbouring property at number 6 Ivor Close, along with the large expanse of glazing on the front gable, would result in a harmful perception of overlooking of the neighbouring property, resulting in an unacceptable affect on the amenity of its occupants. As such, the proposal would be contrary to Policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy for the New Forest outside of the National Park.

**Further Information:**

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**New Forest**  
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**PLANNING COMMITTEE**

**December 2024**

7 Ivor Close  
Holbury  
Fawley  
24/10799

Scale 1:500

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