

**Application Number:** 16/10341 Full Planning Permission

**Site:** 28 CORSAIR DRIVE, DIBDEN, HYTHE SO45 5UF

**Development:** Rear dormer in association with new first floor; rooflights;  
Juliet balcony

**Applicant:** Mr Graves

**Target Date:** 06/05/2016

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**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary view to Parish Council

**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
6. Towns, villages and built environment quality

Policies

CS2: Design quality  
CS24: Transport considerations

**Local Plan Part 2 Sites and Development Management Development Plan Document**

No relevant policies

**4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE**

Section 38 Development Plan  
Planning and Compulsory Purchase Act 2004

National Planning Policy Framework  
NPPF Ch. 7 - Requiring good design

**5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

No relevant documents

**6 RELEVANT PLANNING HISTORY**

16/10014	Rear dormer in association with new first floor; rooflights (Lawful Certificate that permission is not required for proposal) 28 Corsair Drive, Hythe SO45 5UF	11/03/2016	Was Lawful
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**7 PARISH / TOWN COUNCIL COMMENTS**

Hythe and Dibden Parish Council recommend refusal. The Council objects to the application because the dormer windows and Juliet balcony provide the opportunity for significant overlooking into 29 Corsair Drive.

**8 COUNCILLOR COMMENTS**

None received

**9 CONSULTEE COMMENTS**

Land Drainage - No comment

**10 REPRESENTATIONS RECEIVED**

None received

**11 CRIME & DISORDER IMPLICATIONS**

No relevant implications

**12 LOCAL FINANCE CONSIDERATIONS**

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 all the above apply and as the application was acceptable as submitted no specific further actions were required.

## 14 ASSESSMENT

- 14.1 This semi detached bungalow is on a lower level than the road and also set slightly lower than No.29. There is a large copse to the rear. The proposal is for a dormer to the rear roofslope with a Juliet balcony and rooflights to the front roofscape. The main considerations when assessing this application are design and impact on the neighbouring properties.
- 14.2 The rear dormer - with a full length rear window - and front rooflights are permitted development and a recent Lawful Development Certificate, (ref 16/10014) confirmed this in March. The change from these plans is the introduction of a Juliet balcony and the materials. The Juliet balcony would be permitted development so the only alteration which would require planning consent is the change of materials. The current application proposes to use Cedral boarding to finish the dormer. These materials would replace the plain concrete tiles to match the existing roof colour, approved as part of the LDC.
- 14.3 While the dormer does appear relatively large in comparison to the roofslope where it is sited, it should be noted that, with the exception of the materials used, it is permitted development. Furthermore, there are other dormers to the rear of properties in the area and therefore the principle of a dormer would be acceptable. The use of Cedral boarding to the dormer would be different from the existing roof but being to the rear of the property there would be limited impact on the street scene so as to make it acceptable.
- 14.4 The Parish Council has objected to the application in that there would be overlooking into the neighbour's garden at number 29. The adjoining property at number 29 has been extended to the rear with a conservatory. While there would be views into the neighbouring gardens to either side, these would be oblique and form a normal back garden relationship. In any case, the fall back position would be the approved Lawful Development Certificate, with matching materials, which included a full length rear window. In this context it would be difficult to object on these grounds.
- 14.5 There would be adequate parking to the front of the property to allow for the introduction of an additional bedroom.
- 14.6 Overall, the proposed development would be consistent with Core Strategy policies and objectives and as such, the application is recommended for approval.

- 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: 100 & 101.

Reason: To ensure satisfactory provision of the development.

#### **Notes for inclusion on certificate:**

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.

#### **Further Information:**

Householder Team  
Telephone: 023 8028 5345 (Option 1)



# New Forest DISTRICT COUNCIL

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

David Groom  
Service Manager  
Planning and Building Control  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

## Planning Development Control Committee May 2016

Item No: 3h  
28  
Corsair Drive  
Dibden Hythe  
16/10341  
SU4007

Scale 1:1250

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

