

**Application Number:** 16/10583 Full Planning Permission

**Site:** CHANCE, HARE LANE, HORDLE SO41 0GE

**Development:** Single-storey rear extension; raise ridge height; front and rear dormers in association with new first floor; detached double garage

**Applicant:** Mr Everett

**Target Date:** 21/07/2016

**Extension Date:** 11/08/2016

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## 1 REASON FOR COMMITTEE CONSIDERATION

Request of Member of Planning Development Control Committee

## 2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

### Constraints

Plan Area  
Historic Land Use

### Plan Policy Designations

Built-up Area

### Core Strategy

CS2: Design quality

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

DM5: Contaminated land

### Supplementary Planning Guidance And Documents

SPD - Hordle Village Design Statement

## 3 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan  
Planning and Compulsory Purchase Act 2004  
National Planning Policy Framework

#### 4 RELEVANT SITE HISTORY

Proposal / Site	Decision Date	Decision Description	Status
<b>15/11662:</b> Raise ridge height, front and rear dormers, rooflights in association with new first floor; two-storey rear extension; front porch; detached garage with hard standing	11/01/2016	Withdrawn by Applicant	Withdrawn

#### 5 COUNCILLOR COMMENTS

Cllr Carpenter has requested that this application come before the Committee to give the objectors a chance to come and speak about their concerns.

#### 6 PARISH / TOWN COUNCIL COMMENTS

##### Hordle Parish Council

We recommend permission but would accept the decision reached by the Planning Officers under their delegated powers. Request a condition that the bathroom window should be obscure glazed.

#### 7 CONSULTEE COMMENTS

- 7.1 Land Drainage: No comment
- 7.2 Environmental Health Contaminated Land: Recommends informative in the event that contamination is found
- 7.3 Tree Officer: Recommends a condition in respect of the means of removal of the remaining garage slab

#### 8 REPRESENTATIONS RECEIVED

Four letters of objection have been received from residents at 1 Golden Hill Cottages, 5 Windsor Close and 52 Lavender Road. These raise the following;

- Increase in height excessive for a loft conversion, result in sense of enclosure to neighbouring premises
- Loss of privacy and impact on quality of life
- Forward position of garage would result in a congested appearance from the road
- Set precedent for future development which would be inappropriate for a rural village
- Suggest that the first floor bathroom window is obscured glass and tree planting scheme
- The site could accommodate ground floor extensions only

#### 9 CRIME & DISORDER IMPLICATIONS

None Relevant

#### 10 LOCAL FINANCE CONSIDERATIONS

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments.

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.

## **11 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 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 the applicant has worked actively with the Council following the withdrawal of a previous submission and this proposal meets with the recommendations made during pre-application discussions.

## **12 ASSESSMENT**

- 12.1 The site is located in Hordle on the edge of the built up area. A detached bungalow it is set back from the road with a large driveway area to the front and an enclosed rear garden area. Neighbouring premises include a detached bungalow to the east and a two storey dwelling, part of a new development to the west. There are two protected existing trees to the rear of the property, situated close to the boundary in the neighbouring rear garden. The site is also close to historic gravel pits.
- 12.2 This application follows a previously withdrawn scheme under PA 15/11662 over which there were concerns in terms of the design of the proposal and its impact on visual amenity. It proposes a revised scheme for alterations to the roof of the property, a ground floor front extension and the addition of a detached garage at the front of the site.
- 12.3 In comparison with the withdrawn scheme, the roof alterations would see a more limited increase in height, with retention of the property's existing span, the increase in which was a concern with the previous submission. Additional space at ground floor level would be provided by a new single storey rear addition. The proposed front elevation has also seen a reduction in the size of the dormer additions and porch and at the rear, a revised dormer window design. The detached garage has been adjusted in position, recessing further back into the site, reduced in size and its roof redesigned to a fully hipped form.
- 12.4 The proposed alterations to the property would result in modest changes in respect of the front elevation. Although the ridge height would increase by 1 metre this would not appear out of keeping in the context of the existing varied street scene, with the backdrop of adjacent larger properties to the west. Overall the roof alterations, in maintaining the principle span of the property, would respond to the existing form. Proposed dormer additions would remain well balanced and although the rear dormer is large, screened from wider street scene views and subject to appropriate external cladding this would not result in any wider visual harm. Ground floor extensions would represent proportionate and sympathetic additions to the property with the porch providing interest to the front elevation.

- 12.5 Although positioned to the front of the property, the proposed garage would not be inconsistent with the form of development in the vicinity. A garage in a forward position serves the adjacent property No.1 Golden Hill Cottages. The garage would be viewed against the backdrop of this neighbouring structure and, considering its design and size, would not result in a conspicuous or visually harmful addition in respect of the appearance of the street scene. It is noted that the proposals would see a change in external cladding materials, however, these would not be inconsistent with those used in the vicinity. It is however recommended that further details of these are conditioned, to ensure an appropriate finished appearance.
- 12.6 The proposed development would impact on adjacent neighbouring premises, however given the scale of the additions and orientation it is not considered this would lead to any demonstrable harm through loss of light. Objections have been received on grounds of loss of privacy from neighbouring residents at No.1 Golden Hill Cottages and it is noted that this neighbouring property has windows on this side at ground floor level which serve a kitchen and dining area, and also a study. The proposed rear windows would likely enable some views towards these neighbouring windows above the existing boundary wall. However any views would be limited by the angle of view and distance, such that it is not considered this would result in material harm through loss of privacy. It is recognised that the existing boundary shrubs provide additional screening in this respect and the applicant has stated their intention to maintain these. However, it is not considered necessary in the interests of the acceptability of this application, to condition this matter.
- 12.7 Objection has been received from a neighbouring occupier at No 5 Windsor Close which is separated from the site by an appreciable distance (approximately 40m). Given this distance of separation and aspect of views, with intervening trees it is not considered that the extent of views from these windows would result in any material harm to the privacy of these occupiers. Furthermore given the separation and the limited extent to which the roof height would be increased, it is not considered that this would lead to any overbearing impacts on the outlook of these occupiers.
- 12.8 In respect of other neighbouring premises and garden areas the proposed first floor windows would have direct views to the rear of the site and, again, the views at an oblique angle are not considered to result in material harm through loss of privacy.
- 12.9 With reference to comments from the Hordle Parish Council, it is not considered that the proposed first floor windows would result in any material harm to the privacy of neighbouring occupiers. As such it would not be appropriate to recommend a condition restricting glazing of the bathroom window. Furthermore, in respect of other matters raised through representations, this application is being considered on its individual merits and any subsequent application for future development in the area would also be considered on this basis.
- 12.10 The site is close to former gravel pits which may be been infilled with contaminative material. As such the Environmental Health Officer recommends an informative in the event that contamination is found.

- 12.11 The Tree Officer has raised no objections to the proposed extension or garage, on grounds of potential impacts on the two protected oak trees, which overhang the site. They have however recommended details are submitted in respect of the means of removal of the remaining garage slab, which falls within the root protection area. The removal of this could result in harmful impacts on the root protection area.
- 12.12 In conclusion it is considered that these proposals would have an acceptable impact on visual amenity, and would not lead to any material harm to the living conditions of neighbouring occupiers. They would also be acceptable in their impacts on protected trees and not lead to harm through contaminated land risks. As such this meets with local plan Policies and objectives. Approval, subject to condition, is therefore recommended.
- 12.13 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.

## **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: 1021/P00A; 1021/P05C; 1021/P03 B; 1021/P04A; 1021/P06B; 1021/P02A; 1021/P01; A3/3041  
  
Reason: To ensure satisfactory provision of the development.
  
3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4. Prior to the removal of the former garage concrete slab a method statement for the works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter works shall be undertaken in accordance with the details agreed.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policy CS2 of the Local Plan for the New Forest District outside of 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 the applicant has worked actively with the Council following the withdrawal of a previous submission and this proposal meets with the recommendation made during pre-application discussions.

2. There are a number of sites near to this property which have had past contaminative uses. It is possible that some contamination may have migrated through the ground and groundwater. Whilst the Authority has no evidence to suggest that this is the case, any observed presence of contamination during any ground invasive works should be reported to the Local Authority Environmental Health Officer and works halted whilst the matter is considered. It is advisable to obtain specialist advice concerning the potential for contamination and its recognition. Under the National Planning Policy Framework, where a site is affected by contamination, responsibility for securing a safe development and/or new use, rests with the developer and/or landowner and as a minimum requirement the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.
3. This decision relates to amended plans received by the Local Planning Authority on 18.07.2016 & 18.07/2016

**Further Information:**

Householder Team  
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**New Forest**  
DISTRICT COUNCIL

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**Planning Development  
Control Committee  
August 2016**

**Item No: 3q**

Chance  
Hare Lane  
Hordle  
16/10583  
SZ2695

Scale 1:1250

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

