

Application Number: 16/11188 Full Planning Permission

Site: 9 MARINE DRIVE WEST, BARTON-ON-SEA,
NEW MILTON BH25 7QH

Development: Boundary wall; gates

Applicant: Mr & Mrs Noakes

Target Date: 19/10/2016

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council view

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Plan Area

Plan Policy Designations

Built-up Area

National Planning Policy Framework

Section 7

Core Strategy

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

DM7: Restrictions on new soakaways

Supplementary Planning Guidance And Documents

SPD - New Milton Local Distinctiveness

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	Decision Date	Decision Description	Status	Appeal Description
12/99257 Single-storey side extension (revised proposal)	26/11/2012	Refused	Appeal Decided	Appeal Allowed with Conditions
12/98958 Single-storey side extension	21/08/2012	Withdrawn by Applicant	Withdrawn	
12/98518 First floor side and rear extension; removal of west chimney	30/05/2012	Granted Subject to Conditions	Decided	

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: Object (non-delegated):

- (1) The boundary treatment facing Cliffe Road is out of character;
- (2) The proposed gates for each opening are out of character due to their height and material use. Local Distinctiveness Study text on 'Front Boundary - for character area Barton Sea front is relevant.

7 CONSULTEE COMMENTS

No comments received

8 REPRESENTATIONS RECEIVED

No comments received

9 CRIME & DISORDER IMPLICATIONS

None Relevant

10 LOCAL FINANCE CONSIDERATIONS

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

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

12 ASSESSMENT

- 12.1 The application site consists of a large detached house, which is situated on a corner location at the junction of Marine Drive West and Cliffe Road. It has boundaries on both road frontages, but the dwelling itself is orientated facing Barton Cliff.

The existing boundary treatments consist of a low wall with a close boarded fence on top fronting Marine Drive West with an open gap to allow vehicular access to the front of the dwelling. The Cliffe Road frontage consists of a close boarded fence with two separate pairs of metal gates providing vehicular access, at two separate points within this boundary.

- 12.2 The proposed boundary treatment facing Marine Drive West is for a single wall, constructed of light coloured brick similar in colour to the existing wall. The existing hedge behind the wall would be retained. The plans indicate that this section of the proposed boundary would be lower than the existing brick wall and fence. The proposed wall facing Marine Drive West would measure 900mm whilst the brick piers either side of the gate and the solid timber gates would be 1.2m in height. (The existing wall and fence measures 1.2m, with the brick piers 1.4m in height).
- 12.3 The majority of this wall on this frontage would appear similar in height to the property immediately to the west of the application site no 10 Marine Drive West. Notwithstanding this, along this section of Marine Drive West there are varied forms of front enclosures in terms of height, materials and styles of frontages. The introduction of the solid timber gates would be appropriate within the proposed wall and while creating a more enclosing frontage, by reason of their height and design would not be overly dominant or harmful to the street scene, and would be appropriate to the scale and setting of the house.
- 12.4 The proposed wall fronting Cliffe Road would be the same height as the existing fence (which measures 1.8m), with the exception of the section of wall that would tie in with the Marine Drive West frontage which would be lower and then graduate up to the height of the remainder of the proposed wall. The wall would have brick piers at regular intervals which would measure 2m in height, and the metal gates would be replaced by solid timber gates.
- 12.5 This frontage would be read in the context of Cliffe Road. On the opposite corner of the junction with Cliffe Road there is a similar boundary treatment of brick wall with railings on top. The frontages in Cliffe Road incorporate some higher frontages and again there is a mixture of fencing and walling.
- 12.6 The proposed wall would not have a significant impact compared to the existing boundary treatment, and taking into account the variety of heights and materials of other boundaries within Cliffe Road it is not considered to be harmful to the street scene or the general character of the immediate area. The replacement of the existing metal gates with solid timber would provide greater privacy, but would remain in keeping with the prevailing street scene character.

- 12.7 The New Milton Local Distinctive Supplementary Planning Document recommends that boundaries should respect typical heights. The proposed wall fronting Marine Drive West would be lower than the existing, whereas the wall fronting Cliffe Road would replicate the height of the existing fence with just the brick piers and timber gates being marginally higher. The existing boundaries to the application site are established, and new boundary walls would respect these and therefore would not conflict with this advice.
- 12.8 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: 4944 BW 03, 4944 BW 02, 4944 BW 01

Reason: To ensure satisfactory provision of the development.

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.

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Further Information:

Householder Team

Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

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**Planning Development
Control Committee
November 2016**

Item No: 3m

9

Marine Drive West
Barton on Sea
16/11188
SZ2393

Scale 1:1250

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

