

Application Number: 16/11649 Full Planning Permission

Site: 18 FAIRFIELD ROAD, BARTON-ON-SEA,
NEW MILTON BH25 7NL

Development: Two-storey side extension; porch

Applicant: Mr Sgambaro

Target Date: 09/02/2017

Extension Date: 10/03/2017

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council view

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Aerodrome Safeguarding Zone
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

None relevant

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

None relevant

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: object due to over development

7 CONSULTEE COMMENTS

No comments received

8 REPRESENTATIONS RECEIVED

Total Number of Representations Received: 1

Comment(s): 0 In Favour: 0 Against: 1

Objection from neighbour at 20 Fairfield Road

- over intensive development taking into account previous extensions at property since it was built in 1927
- loss of light to study/hobbies room and contravenes right to light
- overlooking from additional windows
- other extensions within the road have not created similar issues

Representation from applicant

- reference to previous garage on site adjacent to neighbour would have had same impact as current proposed extension
- reference to other similar and larger extensions within road
- reasons for requiring extension

Comments in full are available on website.

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

12 ASSESSMENT

- 12.1 The proposed two storey side extension would reduce the gap with the neighbouring bungalow, No20 Fairfield Road, but taking into account the varied form of development within the road, this would not be harmful to the street scene.
- 12.2 The 2 storey extension would be appropriate in scale and design to the existing dwelling. The first floor would be set back slightly retaining, to a degree, the definition of the existing dwelling. The proposed porch would respect the existing design and therefore would be appropriate.
- 12.3 The existing dwelling is situated in a reasonable sized plot, which could accommodate the increased footprint of the dwelling and would be comparable to other dwellings within the road.
- 12.4 The 2 storey side extension would introduce built form closer to the neighbouring property, no 20 Fairfield Road which is a bungalow with front and rear dormers to serve rooms within its roofspace. This property is located to the north west of the application site. There is an existing ground floor window on the side elevation of no 20 which faces the application site. This window currently looks out onto the existing boundary fence between the two properties and is described as serving a study/hobbies room. It would appear from the floor plans submitted with the application for No.20 (00/68926 approved in 2000) that this side window is a secondary window, as this room is also served by a larger window on the front elevation. Furthermore, it would appear that previously there was a single storey garage within the curtilage of the application site that would have compromised this window.
- 12.5 The introduction of a two storey extension within 2m of the neighbouring bungalow would have an impact on it. However, taking into account that this side window has a secondary function and was previously compromised to a degree by a garage on this application site should not create an unacceptable level of harm to the amenities of this neighbour that would justify a refusal on loss of light to this room. Furthermore no additional impacts in this respect are likely to result to the rear bedroom window of No.20.
- 12.6 There is a first floor side window on the existing dwelling. The proposed extension would have two first floor windows positioned further forward on the side elevation. There is some potential for overlooking of the rear garden of no 20 from the rear most sited window, but as this would only be serving a staircase and is quite narrow this should not significantly impact on their amenities. Nevertheless, as it could lead to a perception

of being overlooked, it would therefore be reasonable to condition this window to be obscure glazed with fan light opening only. The rooflights would be at a high level in relation to the rooms they are serving, and therefore would not create an issue in relation to neighbour amenity.

- 12.7 There are already first floor windows on the existing rear elevation, so the proposed additional window would not create any issues over the existing situation. Furthermore, oblique views only would be achievable over neighbouring rear gardens, so as not to create an unacceptable level of overlooking in this built up urban area.
- 12.8 Due to the orientation of the dwellings, the proposed extension would not create issues of overshadowing to no 20 Fairfield Road. There are no other neighbour amenity issues in this case.
- 12.9 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: tdb-69 1-7

Reason: To ensure satisfactory provision of the development.
3. The rearmost first floor window on the west elevation of the approved building serving the stairs shall be obscurely glazed and fixed shut at all times unless the parts that can be opened are more than 1.7m above the floor.

Reason: To safeguard the privacy of the adjoining neighbouring properties 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.

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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
March 2017**

Item No: 3f

18 Fairfield Road
Barton on Sea
New Milton
16/11649
SZ2393

Scale 1:1250

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

