

Application Number: 17/10298 Full Planning Permission

Site: THE LODGE, 1 KERRY GARDENS, SANDLEHEATH SP6 1QW

Development: Erection of a timber store/shed

Applicant: Mr Bennett

Target Date: 09/05/2017

Extension Date: 14/06/2017

1 REASON FOR COMMITTEE CONSIDERATION

Contrary view to Parish Council

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Plan Area
Meteorological Safeguarding
Planning Agreement
Aerodrome Safeguarding Zone
Tree Preservation Order: 13/96

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

None relevant

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
NFDC/98/64925 Dwelling & garage	23/11/1998	Granted Subject to Conditions	Decided	

5 COUNCILLOR COMMENTS

No Comments Received

6 PARISH / TOWN COUNCIL COMMENTS

Sandleheath Parish Council

After a short discussion at Sandleheath Parish Council meeting on 23rd March 2017, the following decision was resolved.

We recommend permission, for the reasons listed below.

The application would have no adverse effect on the street scene

7 CONSULTEE COMMENTS

Tree officer: no objection

Comments in full are available on website.

8 REPRESENTATIONS RECEIVED

The applicant has written informing the Authority that he is chairman of the Sandleheath Community Association and needs the proposed shed to store several gazebos, a large tent, two barbecues, a large generator and many other items associated with the annual Sandleheath Fete and November 5th bonfire on its behalf.

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.

The applicant did not use the Pre-application advice service available from the Council. The Officer's initial briefing was published on the Council's website which indicated some of the Case Officer's concerns with the proposal. Given the nature of the proposal and the issues raised there was no opportunity for the applicant to amend the application within the Government's time scale for decisions. No request to withdraw the application was received.

12 ASSESSMENT

- 12.1 The property is positioned on a corner plot at the entrance to a row of properties. The garden to the side of the property also fronts Station Road and is therefore prominent in this location. Within this garden there are an existing detached garage and potting shed which are sited behind the perceived building line of the row of properties.
- 12.2 The proposal is for the erection of a timber framed shed within the front garden of the dwelling and the main considerations were the impacts on visual amenities and the resulting effect on the street scene.
- 12.3 There are protected trees within the vicinity of the proposed development. The Arboriculture officers was consulted and advised that the proposed shed would be a suitable distance from the protected tree and therefore raised no objection.
- 12.4 The proposed shed would be sited forward of the existing garage and to the front of the building line, consequently the proposed development would be prominent on the entrance to this road. Furthermore, taking into consideration the existing structures in this part of the garden, the addition of the proposed development would extend the built form further forward and create a form of development which would appear cramped on the plot to the detriment of the open character at the entrance to the road. The proposed development would be a visually intrusive form of development to the detriment of the street scene and that of the character of the area.
- 12.5 The stated personal needs of the applicant, to store equipment on behalf of the Sandleheath Community Association is not considered sufficient in this case to override adopted planning policy which seeks to protect the character and appearance of the area from harmful development. The application is recommended for refusal.
- 12.6 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 this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

13. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposed shed by reason of its siting to the front of the property on a corner plot would be visually intrusive in the street scene and detrimental to the character and appearance of the surrounding area. Furthermore as there are already two outbuildings in close proximity to the proposed shed the additional built form would create a cramped form of development to the detriment of the open character at the entrance to the road. As such the proposal would be contrary to policy CS2 of the Core Strategy for the New Forest District outside the National Park.

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**
June 2017

Item No: 3d
The Lodge
1 Kerry Gardens
Sandleheath
17/10298
SU1214

Scale 1:1250

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

