

Application Number: 17/10953 Full Planning Permission

Site: 7 PLOVER DRIVE, MILFORD-ON-SEA SO41 0XF

Development: Single-storey side extension; front porch; fenestration alterations

Applicant: Mr & Mrs Chase

Target Date: 29/08/2017

Extension Date: 20/09/2017

RECOMMENDATION: Grant Subject to Conditions
--

Case Officer: Rosie Rigby

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Parish Council View

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Aerodrome Safeguarding Zone
Plan Area
Planning Agreement

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

SPG - Milford-on-Sea 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	Decision Date	Decision Description	Status	Appeal Description
16/11693 Single-storey side extension; front porch; alterations; alterations to fenestration	07/02/2017	Granted Subject to Conditions	Decided	
77/NFDC/07362 100 dwellings and garages with construction of roads and drainage, pedestrian/vehicular accesses and landscaping and maintenance.	24/11/1977	Granted Subject to Conditions	Decided	

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

Milford On Sea Parish Council: recommend refusal.
Would not accept the decision by the DC Officers if different from the Parish Council.

7 CONSULTEE COMMENTS

No comments received

8 REPRESENTATIONS RECEIVED

One objection received against the proposal from 5 Plover Drive:
- Overdevelopment,
- Detrimental effect on privacy and light.

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.

This application is an amendment to the recently approved application 16/11693. As there is a contrary view to the Parish Council, this application needs to be referred to the Planning and Development Control Committee and therefore cannot be determined by the target date. An extension of time has been agreed.

12 ASSESSMENT

- 12.1 The application site consists of a detached bungalow in the built up area of Milford-on-Sea. The immediate vicinity is characterised by open frontages with two-storey houses and single-storey properties opposite.
- 12.2 Permission was granted for a single-storey side extension under application 16/11693 in February 2017. However, it is not possible to build this extension due to the location of a shared foul drainage pipe under the rear corner of the extension. This is the reason for this new application which seeks to increase the extension by a further 1.3 metres beyond the rear wall of the dwelling to overcome this issue. It should also be noted that permitted development rights have been removed.
- 12.3 The additional extension of 1.3m is modest and it is located to the rear of the dwelling, and so it would not be obtrusive in the street scene or impact adversely on the character of the area. As with the extant consent, it is proposed to render the extension which would make it appear more prominent in the street scene. However given its single storey form and modest scale located in the built up area, no concerns are raised to this aspect of the development. Consequently, the proposal complies with the design and character related provisions of Policy CS2, the Milford on Sea Village Design Statement Document and NPPF.
- 12.4 The main consideration is therefore the impact on neighbour amenity, most specifically no 5 Plover Drive. The extant permission is a relevant consideration. The additional 1.3 metres proposed would take the extension beyond the garage at no. 5 Plover Drive and consideration therefore needs to be given to any sense of enclosure, additional loss of light or impact on the outlook from this neighbour.
- 12.5 The separation of the two dwellings would be maintained at 3 metres. The proposed single-storey extension is modest with the roof pitching away from the boundary the ridge height that would be lower than the existing dwellinghouse. However, due to the relationship with the 3 existing windows on the western elevation of No 5 there would be some loss of light. There is an existing 1.8 metre fence to the boundary and the facing windows are of a secondary nature. Furthermore, some loss of light already occurs to these windows during the mid to late afternoon due to the height and orientation of the existing dwelling.
- 12.6 Taking these factors into consideration, despite its increased length, due to the relatively modest size and form of this proposal its impact on this neighbour's windows would be mitigated to an acceptable level. As such, as in the previous application, any loss of light would not be so significant or harmful to justify refusal of permission as it would not cause an unacceptable level of harm to this neighbour.

- 12.7 There are two existing windows facing this boundary, furthermore, there are no additional side windows when compared to the extant consent. The proposals would result in 3 windows facing this boundary. However these windows would be partially screened by the existing boundary fence and separated from the neighbour by 3 metres so as not to lead to unacceptable overlooking. This assessment has not changed since the previous planning permission was granted earlier this year.
- 12.8 It was suggested to the agent that the rear wall could be reduced in length by up to 1.0 metre from the position on the extant permission to address the issues with the drain. If this was done it is likely to have been able to be considered as a minor amendment to the planning approval 16/11693 without the need for a further planning application. However, concern was expressed by the agent whether this would be sufficient to satisfy the requirements of Southern Water in keeping the foundations clear of the drain and also it would not meet the layout specification preferred by the applicant
- 12.9 Overall the proposed development would be consistent with Core Strategy policies and objectives and as such the application is recommended for permission.
- 12.10 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: 7/PD/001 Rev 2, 7/PD/002 & 7/PD/003 Rev3.

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.

This application is an amendment to the recently approved application 16/11693 and as no concerns were raised has been determined as originally submitted.

Further Information:

Rosie Rigby

Telephone: 023 8028 5588



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
September 2017**

Item No: 3c
7 Plover Drive
Milford on Sea
17/10953

Scale 1:1250

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

