

Application Number: 17/11685 Full Planning Permission

Site: 24 FERNHILL ROAD, NEW MILTON BH25 5JZ

Development: Roof alterations and side dormers in association with new first floor; outbuilding

Applicant: Mr Newman

Target Date: 07/03/2018

Extension Date: 19/03/2018

RECOMMENDATION: Grant Subject to Conditions
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Case Officer: Kate Cattermole

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 (non-delegated)

- 1) The outbuilding constitutes back land development;
- 2) There is concern that the outbuilding will become fully self-contained despite a relevant planning condition being suggested.

7 CONSULTEE COMMENTS

Tree Officer: a small tree is situated within the rear garden of 26 Fernhill Road, however given its small size and the nature of the proposal, this would not be considered a constraint to the development.

8 REPRESENTATIONS RECEIVED

No comments received

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 Fernhill Road has a varied street scene, which has been partly due to roof alterations to create first floor accommodation on a number of properties within the road. There is a two storey property at No. 26. The existing bungalow has a hipped roof, which is proposed to be changed to create front and rear cropped gables together with an extended ridge and small infill extension to the rear. However, there is a varied street scene including other examples of similar development within the road. As such these alterations would not adversely impact upon the street scene. Furthermore, the existing ridge height of the dwelling would be respected. The proposed dormers would be set back from the front elevation, and although quite deep would not be disproportionate to the overall scale of the enlarged roof. Therefore, the alterations to the dwelling would not detract from the street scene and would be appropriate to the general character of the house.
- 12.2 To the north of the application site is a detached house (no 26), with two first floor windows facing the application site. The proposed dormer could achieve views into these windows but as the floor plans show this window as serving a hallway an appropriate condition to obscure glaze and restrict the opening would mitigate any harm that could be caused by loss of privacy to no 26. The dormer on the south elevation facing No 22 would serve a bathroom and is indicated as being obscure glazed. Despite there being a number of side windows to this neighbour it would not create undue overlooking. There would be a separation distance of over 40 metres with properties at the rear on Leigh Road and so the introduction of a rear facing window would not lead to unacceptable impacts within this urban area.
- 12.3 The increased mass of the roof form including a small infill extension to the rear (south eastern elevation) would have some additional impact, however its cropped roof form together with retention of the low eaves and existing ridge height would ensure acceptable impacts. Although located to the south of No 26 this is a two storey property and there is separation to the boundary. Overall these factors would ensure no unacceptable overdominant impact would result.
- 12.4 The proposal also includes a large outbuilding, to provide further accommodation understood to be for elderly parents to give a degree of independent living. This outbuilding would be sited to the rear of the garage so would not be visible from the street scene or other public vantage points. Pre application advice was sought prior to the application being submitted in relation to this building. The advice was followed in that the length of the outbuilding has been reduced. This outbuilding, being reduced is now considered to be subservient to the extended dwelling and within its context would be acceptable within its garden setting.
- 12.5 The proposed outbuilding would appear to be self contained but it is expected to be used in conjunction with the main dwelling. A condition would be required, to ensure that this building should be continued to be used by family members not be severed in the future. With this control the proposal is considered to be acceptable.

- 12.6 There are examples of large outbuildings in other plots along Fernhill Road, and by reason of its flat roofed form and overall height it would not adversely impact upon neighbour amenity. Furthermore, the property has a reasonable sized plot which could accommodate this outbuilding.
- 12.7 The objections raised by the Town Council have been considered, but as the use of this building can be adequately controlled by condition refusal on this basis would not be justified. In addition, by reason of its siting within the plot its potential to be used as a separate dwelling would be limited.
- 12.8 Overall, having considered all the material planning considerations the development complies with relevant local plan policies and as such is recommended for approval.
- 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 approved plans submitted with 17/11685

Reason: To ensure satisfactory provision of the development.

3. The external roofing materials and facing bricks to dwellinghouse shall match those used on the existing building.

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

4. The first floor windows on the north and south elevations (dormer windows) of the approved building 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. The aforementioned windows should be fitted with obscure glass with a minimum obscurity of level 3 glazing and not an applied film.

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).

5. The outbuilding hereby approved shall only be used in conjunction with the existing accommodation as an extended family unit ancillary to the use of the site as a single dwelling house and at no time shall a separate dwelling be created, unless otherwise formally agreed in writing by the Local Planning Authority.

Reason: To provide the Planning Authority with the opportunity to properly assess the planning implications of independent use of the outbuilding and whether it would be harmful to the amenities of the area, contrary to Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

Notes for inclusion on certificate:

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Further Information:

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New Forest DISTRICT COUNCIL

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Planning Development
Control Committee
March 2018

Item No: 3c

24
Fernhill Road
New Milton
17/11685
SZ2495

Scale 1:1250

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

