

Application Number: 18/10832 Full Planning Permission

Site: 11 CARLTON AVENUE, BARTON-ON-SEA, NEW MILTON BH25
7PS

Development: Roof alterations in association with new first floor; Two-storey side extension; single-storey front extension; two storey rear extension

Applicant: Mr Lewis

Target Date: 29/08/2018

Extension Date: 14/09/2018

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

Chap 12 Achieving well designed places

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

**4 National Planning Policy Framework
RELEVANT SITE HISTORY**

Proposal	Decision Date	Decision Description	Status
14/10760 Single-storey front & two-storey rear extensions; raise ridge height; dormers and rooflights in association with new first floor	16/07/2014	Granted Subject to Conditions	Decided

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: object (non-delegated)

- 1) Overdevelopment as the footprint is too large for a bungalow plot, with subsequent loss of amenity space;
- 2) Unneighbourly due to the overlooking potential from the rear gable window and extension roof lights.

7 CONSULTEE COMMENTS

Trees Officer: no objection

8 REPRESENTATIONS RECEIVED

Two objections received on the following grounds (summary):

- overlooking to 20 Naish Road
- increased footprint would be an erosion of green space and garden area
- overdevelopment of the site
- reduction of natural drainage on site
- no burning on site should be allowed during construction
- the front wall extends over the boundary with no 9

Comments from applicant (summary):

- Confirms line of side boundary with 9 Carlton Avenue
- Windows in rear elevation (although of a different design) are as previously approved under 2014 planning permission
- no 7, 9 and 3 Carlton Avenue all have first floor windows on the rear elevation that would overlook dwellings to the rear
- 20 Naish Road already overlooked
- current accommodation very small and want to take advantage of south facing aspect by extending to rear
- Increase in rear extension would not increase effect of overlooking
- Rooflights proposed to remain fixed shut
- No objections from previous occupants of 20 Naish Road, during first application

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. Whilst the development is over 100sqm GIA under Regulation 42A developments within the curtilage of the principal residence and comprises up to one dwelling are exempt from CIL. As a result, no CIL will be payable provided the applicant submits the required exemption form. Tables setting out all contributions are at the end of this report.

Based on the information provided at the time of this report this development has a CIL liability of £0.00.

11 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraph 38 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.

No pre application advice was sought prior to application being submitted. The proposed scheme is more extensive than a previously approved development on site, however it is considered to have an acceptable impact within the street scene and on residential amenity so approval is recommended. An extension of time for determination has been agreed as this application needs to be determined by the Planning Committee.

12 ASSESSMENT

12.1 The application site consists of a semi-detached bungalow, which forms a pair with no 15 Carlton Avenue; these properties are currently connected by single storey flat roofed garages. No 11 & 15 are the only pair of semi-detached properties within the road, as the prevailing character is of detached properties, being a mix of bungalows and houses. There are examples of roof alterations to some of the bungalows to provide first floor accommodation, generally achieved by the addition of dormers.

12.2 A previous consent for extensions to the dwelling was approved in 2014 (Reference 14/10760) for a single storey front and two storey rear extensions, raise ridge height, dormers and rooflights in association with new first floor. This consent has now expired. The current proposal would be a larger development than that previously approved.

12.3 The current proposed increase to the overall ridge height would measure 6.9m but the eaves height of the existing dwelling would be respected; the two storey extension to the eastern side of the existing dwelling, would result in the development being set off the side boundary with 9 Carlton Avenue by approximately 1 metre; the roof form would have cropped gables on both side elevations; the existing single storey

garage would be demolished, effectively detaching the dwelling from no 15 Carlton Avenue, the side wall on the western elevation would be set a further 400mm from the boundary with no 15, although the two storey rear extension would kick out resulting in a set off from the side boundary with no 15 of 300mm; the proposed two storey rear extension would project out 7m- an additional 2.5 m over the previous approval - and the apex of the rear gable would be glazed; dormer windows are proposed in the front and rear elevations, and also rooflights on the side roofslopes of the two storey rear extension- which reflect what was previously approved.

- 12.4 The principle of increasing the height of the dwelling was accepted under the previous planning permission, and taking into account the varied street scene this change in roof form to cropped gables on both side elevations would be appropriate. Furthermore, by separating the dwelling from no 15, it would be respecting the prevailing character of detached dwellings within the road.
- 12.5 The proposed development would also include an extension to the eastern side of the dwelling by a further 1.0 m. This would result in the extended dwelling virtually spanning the width of the plot. However, taking into account the varied street scene, which includes two storey houses, there is no defined rhythm with regard to gaps between properties. Therefore, even though the visual bulk of the extended dwelling would be increased, this would not create a demonstrable level of harm to either the street scene or the general character of the area.
- 12.6 The existing dwelling has a modest rear garden measuring 15m in depth, and enclosed by fencing. The rear extension, by reason of its length which extends a further 2.5m than that previously approved, could be considered a disproportionate form of extension to the existing dwelling. As it is to the rear of the dwelling only limited views of this element would be visible from public vantage points, and therefore it would not adversely impact upon the street scene. Even though it would increase the footprint of the dwelling and would be larger than other dwellings within the immediate area, it is set within a reasonably sized rear garden which could accommodate these extensions.
- 12.7 There could be an impact on the light to no 15 Carlton Avenue due to the increase in the scale and overall length of the rear extension over that previously approved. Nevertheless due to the relative orientation of these properties; with no 15 to the west; it should still not create a significant level of harm to this neighbour's amenities. Furthermore, even though it would occupy just under half of the depth of the rear garden boundary, by reason of its single storey form, low eaves and the roof pitching away from the boundary it would not result in an overbearing or unacceptably enclosing form of development to this neighbour.
- 12.8 The increase in the width of the dwelling to the east would bring the development closer to the boundary 9 Carlton Avenue. However this neighbouring property is set away from its boundary and the increased width is limited to the depth of the existing dwelling with the rear extension set away so no additional impact would result.
- 12.9 The proposed rear dormers on the extended dwelling, are as previously proposed and would have a back to back distance with the bungalow to the rear - 20 Naish Road - of approximately 34m. It is noted that there

are two existing large dormer windows also on the rear elevation of no 7 Carlton Avenue.

- 12.10 The rear extension has been increased in length by 2.5 m with a larger rear facing apex first floor window. This change would result in a distance to the rear boundary of the application site of only 8m. Despite this and the associated reduction in the separation there would still be a back to back distance of approximately 26m with the bungalow to the rear. Due to the urban setting there is already overlooking from rear windows of two storey properties, and roof alterations incorporating dormers in the vicinity of the site. Whilst there would be a change in the impact on the adjoining properties this is not considered to be an untypical urban relationship and as such no harmful additional overlooking would result sufficient to justify refusal on these grounds
- 12.11 Rooflights are proposed on the side elevations of the rear extension, these would be sited below 1.7m from the finished floor level of the bedroom they would serve and as such could achieve direct views over the rear gardens of no 9 and 15 Carlton Avenue. This concern could be addressed by applying a condition to obscure glaze and fix shut these rooflights, and this could be considered to mitigate any overlooking from these rooflights. This would be a reasonable condition as there is another window to the rear serving this room.
- 12.12 The application site is not subject to any Tree Preservation Orders and is not situated within a Conservation Area. A mature oak tree is however situated in the front garden of 9 Carlton Avenue and so the tree officer was consulted. While the building footprint extends into the root protection area, this minor extent of encroachment would be of no significance to the health of the tree, therefore specialist foundations would not be required. Overall, given the compact ground conditions and presence of a driveway, the proposal would not have a detrimental impact on this oak tree and as such no tree objection is raised.
- 12.13 New Milton Town Council have objected to the application on the grounds that it would be overdevelopment of the plot and there would be potential overlooking. These matters are considered in the assessment made but are not considered to be justifiable reasons for refusal. It is accepted that the scale of the dwelling would be significantly increasing, but the property would still have an acceptable amenity space and as such it is not considered to be an overdevelopment of the site. With respect to overlooking, the rooflights could be conditioned to be obscure glazed and fixed shut which would mitigate any overlooking to the neighbours either side. The rear window would achieve views over the rear garden of 20 Naish Road, but as this property is already overlooked from neighbouring properties, and there remains a sufficient back to back distance between the properties, this is considered to be acceptable in an urban setting. Overall the proposals are therefore recommended for approval.
- 12.14 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.

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
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Self Build (CIL Exempt)	220.3	78.47	141.83	141.83	£80/sqm	£13,659.32 *
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Subtotal:	£13,659.32
Relief:	£13,659.32
Total Payable:	£0.00

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2018 this value is 1.2

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: 11-CA-01 (Rev 2), 11-CA-02 (rev 7)

Reason: To ensure satisfactory provision of the development.

3. The first floor roof lights on the east and west elevations of the approved extension shall at all times be glazed with obscure glass and fixed shut. 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).

Notes for inclusion on certificate:

1. In accordance with paragraph 38 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.

No pre application advice was sought prior to application being submitted. The proposed scheme is more extensive than a previously approved development on site, however it is considered to have an acceptable impact within the street scene and on residential amenity as so approval is recommended. An extension of time for determination has been agreed as this application needs to be determined by the Planning Committee.

2. New Forest District Council has adopted a Community Infrastructure Levy (CIL) charging schedule and any application now decided, including those granted at appeal, will be CIL Liable. CIL is applicable to all applications over 100sqm and those that create a new dwelling. Under Regulation 42A developments within the curtilage of the principal residence are likely to be exempt from CIL so CIL may not be payable provided the applicant submits the required exemption form prior to commencement of the development.

Further Information:

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New Forest DISTRICT COUNCIL

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**Planning Development
Control Committee**
September 2018

Item No: 3h

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Carlton Avenue
Barton on Sea New Milton
18/10832

Scale 1:1250

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

