

Application No: 16/00084/FULL Full Application

Site: Land To The Rear Of 7 Brookley Road, Brockenhurst, SO42 7RR

Proposal: New dwelling

Applicant: Ms M Matysik

Case Officer: Deborah Slade

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area: Brockenhurst (Waters Green)
Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
CP1 Nature Conservation Sites of International Importance
CP12 New Residential Development
CP9 Defined Villages
CP2 The Natural Environment
DP6 Design Principles
CP7 The Built Environment
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 11 - Conserving and enhancing the natural environment
Sec 12 - Conserving and enhancing the historic environment
Sec 6 - Delivering a wide choice of high quality homes
Sec 7 - Requiring good design

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal. A lot of work has been done to reduce the size of the proposed new dwelling and improve the access. However there is too much massing for the site. The construction would be very close to the adjacent dwelling. The Parish Council have concerns over the shared access and parking.

8. CONSULTEES

- 8.1 Building Design & Conservation Area Officer: No objection subject to conditions.
- 8.2 Tree Officer: No objection subject to condition.
- 8.3 Highway Authority (HCC): No objection subject to condition.

9. REPRESENTATIONS

- 9.1 Objections received from five neighbouring properties:
- The house is too big, too high and cramped for the site
 - Parking and turning arrangements are not satisfactory and would impact upon the neighbour's right of access
 - The timber will be a fire risk
 - The proposal will be overbearing upon neighbours, and will cause loss of light to neighbours, adversely affecting residential amenity
 - The air source heat pump could be noisy
 - The bins would cause air pollution
 - Additional traffic movements will be detrimental
- 9.2 Objection received from the Friends of Brockenhurst:
- The house seems bigger than the recent withdrawn application. The house remains too big for the site. There should be a greater gap between the house and Latchmoor Court.

10. RELEVANT HISTORY

- 10.1 New dwelling (15/00369) withdrawn on 6 July 2015
- 10.2 New dwelling (14/00996) withdrawn on 30 January 2015
- 10.3 House (86112) refused on 28 November 2005 and dismissed at appeal on 17 October 2006
- 10.4 House (03/78995) approved on 25 September 2003 (*this is the consent for the adjacent property, Maiko House*)

11. ASSESSMENT

- 11.1 The site comprises a grassed parcel of land of 0.06 hectares in size, located within the Defined Village of Brockenhurst, and

adjacent to Brockenhurst Conservation Area. The site is surrounded by residential properties, except where it is bounded by the Redmayne site to the south

- 11.2 The site has a long planning history. Permission has been sought for residential development of this plot since around 2000, with consent being granted and implemented for one dwelling on half of the original site (Maiko House) in 2003. That dwelling was built. A dwelling on the remaining plot now under consideration was dismissed at appeal in 2005, but only on grounds that an affordable housing contribution was not provided.
- 11.3 This proposal is for a detached 3-bedroom chalet-bungalow style dwelling, of timber frame construction, with a ridge height of 6.5 metres, an eaves height of 2.3 metres, and a gross internal floorspace of 119 square metres.
- 11.4 The first issue to consider is the scale of the dwelling compared to the plot available. The site is quite constrained, with neighbours in close proximity to the north, east and west. However, the plot coverage would be similar to that of the neighbour, Maiko House, and there would be sufficient space to boundaries for the house not to be cramped or confined within its plot in footprint form, with a garden size comparable to that of surrounding dwellings situated in the village centre. The dwelling would be smaller in bulk and mass than that proposed in 2005.
- 11.5 The access way to the house via Brookley Road is already established, and no changes to this arrangement would be required to facilitate the new house. Impact upon the adjacent conservation area would be neutral, with glimpses of the proposed dwelling not causing any form of harm to an otherwise village-centre streetscene. The design approach of the house is traditional, with oak detailing, a large clay plain tile roof and wooden casement windows.
- 11.6 The potential for impact upon neighbouring amenity has been considered at length, and concerns from neighbours about previous schemes have shaped the present proposal. The house is now smaller than was originally proposed. The new house would be 17 metres from 7 Brookley Road, which is also a bungalow. As the proposed house would only feature 2 rooflights at first floor level, it is not considered that there would be any significant additional overlooking on 7 Brookley Road. At present there is an established hedgerow bounding the plot and 7 Brookley Road, although this is within the ownership of Maiko House. The hedge affords a good deal of privacy to 7 Brookley Road. Were the hedge to be removed, this could be replicated by a fence of similar height. Overall it is considered that the residential amenity of 7 Brookley Road would be preserved.

- 11.7 The neighbour at Maiko House to the west has raised concerns about the potential for overbearing impact upon the ground floor side windows of the east elevation of Maiko House. The flank wall of the proposed dwelling would be 6.5 metres away from Maiko House. There would be a small overlap between the flank wall of the property and the glazing of Maiko House, however this would not be sufficient to cause a harmful impact by way of loss of light or overbearing. An existing fence between the two properties provides privacy at ground floor level.
- 11.8 The new house would be 1.7m away from the boundary with 24 and 25 Latchmoor Court, both of which have short back gardens of only around 6 metres in length. However, the main mass of the proposed building, with a depth of 6.5 metres, would be positioned across the shared boundary between these two neighbouring properties, ensuring that both retained some degree of outlook. The fully hipped roof of the proposal, combined with its low eaves height, would prevent an overbearing impact or loss of westerly light to either of these houses. There would be no first floor side windows which would result in overlooking. There would be no first floor within the rear pile of the house; rather it is proposed that the house would feature a vaulted roof, and this can be conditioned, to ensure no overlooking from the side rooflights.
- 11.9 Air source heat pumps generally do not require planning permission and therefore are not considered to be detrimental to neighbouring amenity. Similarly it is possible and necessary to provide bins within the site; these are not considered to be specifically harmful to neighbouring amenity. Timber can be treated to meet with Building Regulations and would not necessarily cause fire risk to neighbours. Restrictions on external lighting and slab levels can be secured by planning conditions.
- 11.10 There is a protected Oak tree just beyond the rear boundary of the site, and a tree survey has been undertaken with consequent measures of non-invasive foundation design incorporated in the proposal to ensure that the tree would not be harmed by the development.
- 11.11 The parking and turning arrangements have been considered at in conjunction with the Highways Officer. A swept path analysis has been submitted with the application which demonstrates that the site can provide on-site parking and turning for at least 2 cars at the new house, as well as at least 2 cars at Maiko House. This relies on the neighbour at Maiko House's ability to cut back hedges within his ownership and to park on areas of hardstanding which are not presently used for parking. Provided that no boundary treatment was erected at the front of the new dwelling, then there would be no need for the owner of Maiko House to cut back or remove the hedge. This can be secured by planning

condition.

- 11.12 The neighbour at Maiko House still has concerns that the swept path analysis does not take account of decking and planting within his curtilage which further restrict the ability to manoeuvre on site. However the applicants consider that this space could be used for parking if needed, and point out that at present a front boundary fence along the plot is more restrictive than what could be secured by condition if the current permission were granted. Overall it is considered that satisfactory parking and turning arrangements to serve both houses could be secured by planning condition.
- 11.13 As the site comprises mown grassland it is unlikely that protected species would be affected by the proposal, however an informative should be added in the unlikely event that reptiles are encountered when clearing the site, to alert the applicants to their duties under separate protected species legislation.
- 11.14 Overall it is recommended that consent is granted subject to conditions.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 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 No development shall take place until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 3 No development shall take place until the following details have been submitted to, and approved in writing by the New Forest National Park Authority:

Typical joinery details including windows, doors, porch, eaves,

verge, bargeboards.

Development shall only take place in accordance with those details which have been approved.

Reason: To protect the character and architectural interest of the building in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: In view of the physical characteristics of the plot, the New Forest National Park Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy DP10 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 All development works must be carried out in accordance with the approved Arboricultural Method Statement provided by Trevor Heaps Arboricultural Consultancy Ltd report (ref: TH1122)

Before the commencement of any demolition/construction work on site, protective fencing is to be erected as stated within (Section 7.0 - Specifications of protective measures), this should also include the installation of ground protection for the remaining RPA as specified on page 6 of Section 7.0. Once installed this shall be in position for the duration of the development unless otherwise agreed with the National Park Authorities Tree Officer

Once approved, the tree protection plan (drawing ref: TH/A3/1122/TPP) included within Arboricultural method Statement (ref: TH1122) including the above ground protection shall be implemented and at least 3 working days' notice shall be given to the Local Planning Authority to allow inspection.

Reason: To safeguard the protected Oak tree which is important to the visual amenities of the area, in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 6 All new roof lights shall be of a 'Conservation' type and shall be fitted so that, when closed, their outer surfaces are flush with the plane of the surrounding roof covering.

Reason: To protect the character and architectural interest of the building in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 7 No first floor or roof windows other than those hereby approved shall be inserted into the building unless express planning permission has first been granted. In addition, no first floor shall be inserted above the living room, as shown on approved drawing 1415.1F

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 8 No development shall take place until the exact arrangements for parking and turning within the curtilage of the site have been submitted to and approved in writing by the local Planning Authority. This shall include:

Arrangements to cut back and remove existing fences
details of all proposed boundary treatment and hard surfacing
details of inward-opening gates to the site

The development shall only take place in accordance with the approved details.

The areas for parking and turning, including the integral garage, shall be kept available for their intended parking and turning purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policies DP1 and CP19 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) and Section 4 of the National Planning Policy Framework.

- 9 Development shall only be carried out in accordance with:

Drawings 1415.3G, TH/A3/1122/TPP, 1415.2G, 1415.7A, 1415.1F.

No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New

Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 10 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

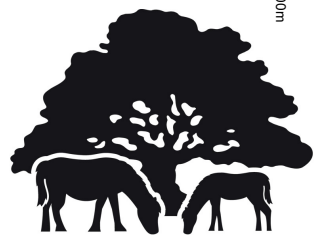
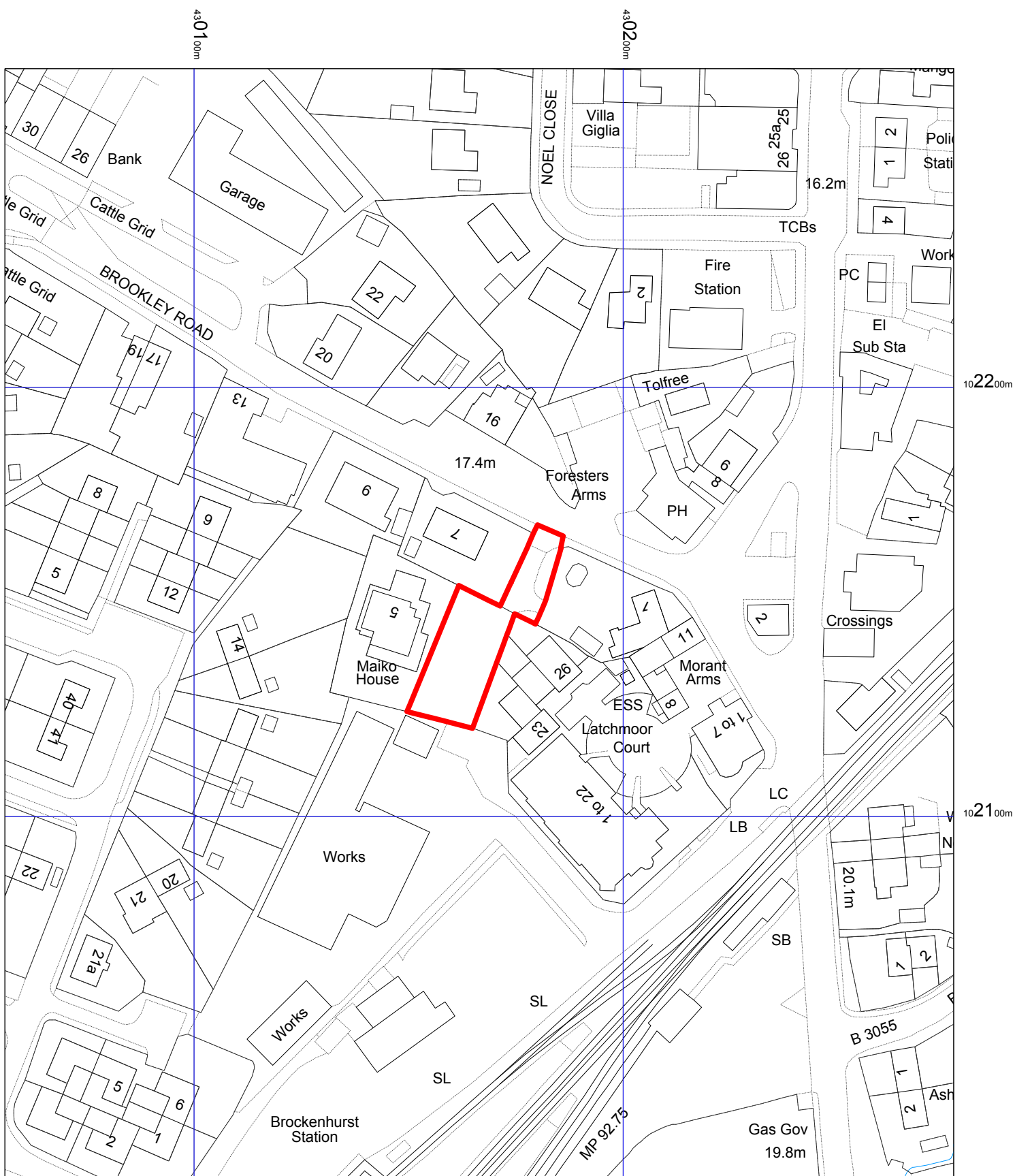
- 11 No development shall take place until the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the New Forest National Park Authority.

Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

Informative(s):

- 1 All reptiles are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. Should any reptiles or evidence of reptiles be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is 0845 600 3078, or the project's own ecologist.



NEW FOREST
NATIONAL PARK

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