

Application No: 17/00306/FULL Full Application

Site: Weirs End, Burley Road, Brockenhurst, SO42 7TB

Proposal: Swimming Pool; Decking; creation of pond

Applicant: Mr & Mrs Stanton

Case Officer: Carly Cochrane

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village
Site of Special Scientific Interest
Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP6 Design Principles
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 7 - Requiring good design
Sec 11 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend Refusal: Object to this proposal due to the potential adverse effect on the neighbouring property and the SSSI of the detrimental noise and disturbance of a swimming pool.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 Two storey side extension, new dormer (16/01057) granted 27 February 2017

11. ASSESSMENT

11.1 The application site is located on a corner plot of Burley Road and Armstrong Lane, within the Defined New Forest Village of Brockenhurst. The front (south) and side (east) boundaries border SSSI land and The Weirs Conservation Area, and there are a number of protected trees along these boundaries. The dwellinghouse is located within the north western corner of the plot, and as such the garden area is to the south and east. Vehicular access is via Armstrong Lane, and there is a pedestrian gate accessed via a gravel track which runs parallel with Burley Road. The applicants have recently laid a new driveway, which runs parallel with the southern boundary.

11.2 This application seeks planning permission for the installation of a pond, pool and raised decking within the garden area to the east of the dwellinghouse. There is an existing outbuilding adjacent which would serve as the pool house. The area of decking would project above the ground level by approximately 600mm, and would measure approximately 14 metres in length and 8 metres in width. Within this would be a pool measuring 5 metres square. There would be a natural pond immediately adjoining the decking.

11.3 The Parish Council has raised concerns that the proposal would have a detrimental effect on neighbouring amenity as a result of the potential noise and disturbance the swimming pool could generate. A cross section has been submitted with the application to demonstrate the ground and decking levels in comparison with that of the neighbouring property of Merryoak. There is a 2 metre high close boarded fence along the boundary. The cross section illustrates that Merryoak is at a higher ground level than Weirs End, and the decking raises the ground level to meet that of Merryoak. As such, the proposed decking does not result in the levels being raised above that of Merryoak, and would not result in any loss of privacy for these occupiers. As a result of the layout and size of the respective plots, the proposed pools and decking, along with the existing outbuilding to be used as the pool house, would occupy the majority of the length of the boundary with Merryoak, with the pond aligning with the rear garden, and

decking, pool and existing outbuilding aligning with the dwellinghouse and front garden area of Merryoak. The proposals would be set back from the boundary by approximately 3 metres. No letter of objection has been received from the occupiers of Merryoak. Overall, it is not considered that the proposals would result in any significantly exacerbated levels of noise disturbance or adverse impact upon neighbouring amenity.

- 11.4 The Parish Council has also raised concern that the proposals could result in an adverse effect upon the adjoining SSSI, as a result of the potential detrimental noise and disturbance generated. It is noted that the application site is located on a corner plot of Burley Road, which provides a link between Brockenhurst and Burley, and beyond; the level of vehicular traffic along this road is commensurate to this link, and as such, is a relatively busy route which generates noise. The application site is located within the Defined Village, and as such is surrounded to the north and west by other residential properties. The proposal would be located within the garden area of the application property, and it would not normally be considered that the addition of a pool would give rise to an exacerbated noise level over and above that reasonably expected to be generated by a residential property. Other properties which share a boundary with the SSSI comprise their respective garden areas. It is not considered that the reasonable enjoyment of these garden areas, including the addition of a pool, would result in any harm to the SSSI.
- 11.5 The proposals would be well contained within the site, and screened from the street scene by a fence and vegetation. On the basis that the proposals are considered appropriate types of development for a residential garden, it is not considered that the proposals would result in any adverse impact upon the setting of the adjacent conservation area.
- 11.6 There are a number of protected trees along the boundary of the site. The proposal would not interfere with these trees; the pool house would be located within an existing outbuilding, and therefore there would only be internal works. It is not considered that the proposal would result in any impact upon the protected trees.
- 11.7 Although not part of the proposal, the existing outbuilding is shown to be used as a pool house. This use is considered incidental to the main dwellinghouse, and as such, would remain compliant with Policy DP12 of the Core Strategy, and needs no express permission.
- 11.8 As the site is located adjacent to the SSSI, a Construction Management Statement has been submitted, detailing that materials, spoil, waste materials and site equipment would be stored in the area of the old driveway, well within the site boundaries and away from the SSSI. This is considered

appropriate, and can be conditioned so as to ensure no harm to the SSSI as part of the development.

- 11.9 It is therefore recommended that permission is granted subject to conditions, as the proposal accords with Policies DP1, DP6, DP12 and CP8 of the Core Strategy.

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 Development shall only be carried out in accordance with

Drawing nos: 4511 GS 01 REV A, 4511 GS 02 REV A, 4511 GS 03, 4511 GS 04

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

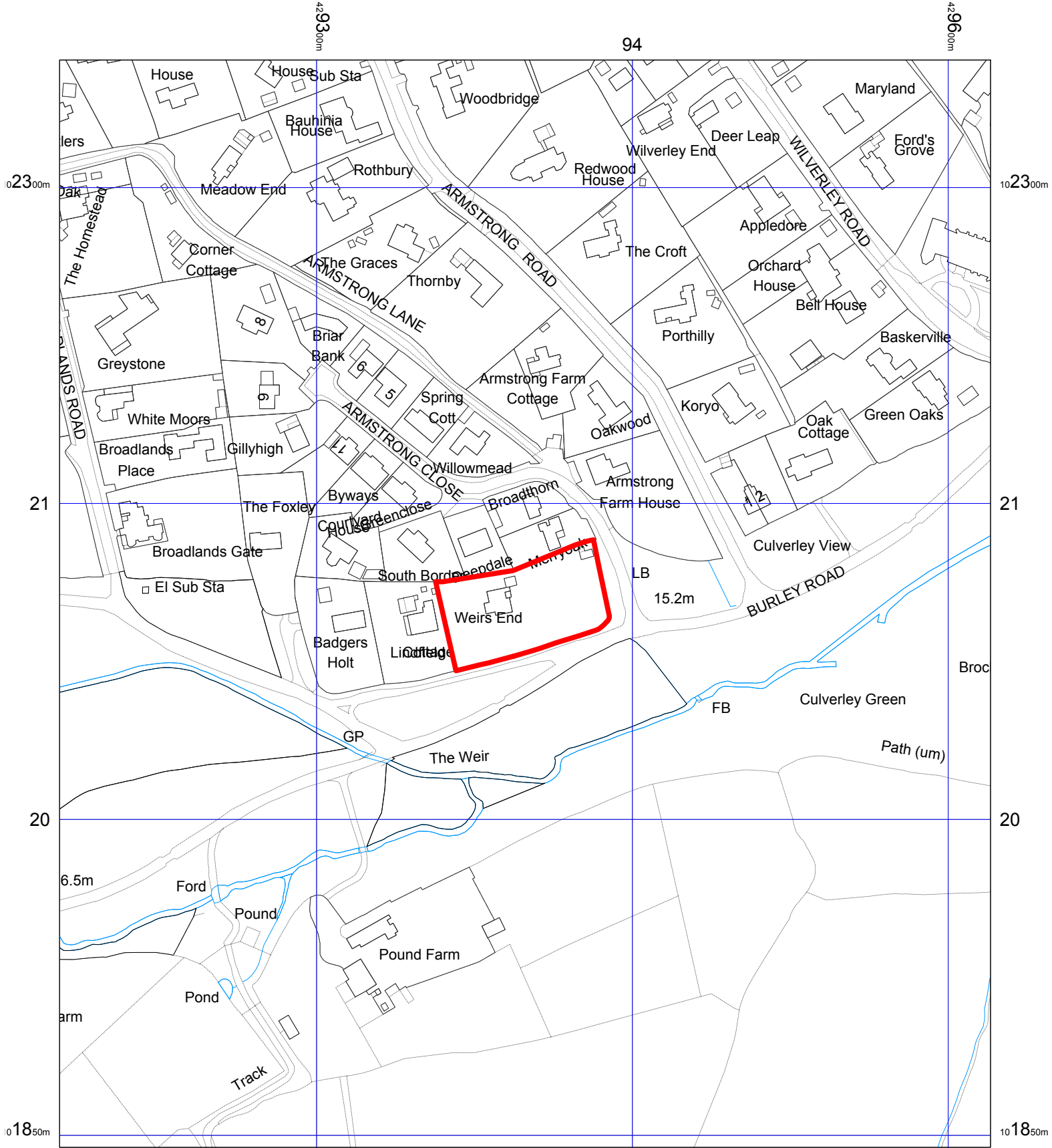
Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 3 All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

Informative(s):

- 1 The Authority has considered the application in relation to its adopted Core Strategy, the National Planning Policy Framework and any other relevant material planning consideration and has confirmed to the applicant or their agent that the development is compliant and does not harm the character and appearance or amenities of the area.



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 Date: 01/06/2017

Ref: 17/00321/FULL

Scale: 1:2500

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