

Application No: 20/00583/FULL Full Application

Site: Corner Ground, Norley Wood Road, Norley Wood, Lymington, SO41 5RS

Proposal: Raised garden terrace

Applicant: Mr & Mrs Strom

Case Officer: Claire Woolf

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
SP17 Local distinctiveness
DP18 Design principles
DP37 Outbuildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Boldre Parish Design Statement
Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 12 - Achieving well-designed places
Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Boldre Parish Council: Recommend refusal for the reasons listed below - summarised to include additional re-consultation comments:

- mitigation screening will block the existing neighbour's views and does not address the fundamental issue that this platform is too high and

invades the privacy of neighbouring properties.

- not in keeping with the Boldre Parish Council Design Statement or planning policy as Boldre Parish Council understand it.
- far beyond what would be considered decking.
- additional loss of privacy and designs should as far as possible maintain a status quo.
- disagree with the comments of the applicant regarding overlooking towards Two Pines.
- potential for noise from platform users which through its height would not be mitigated by hedges or other screening at a lower level.
- the application would grant the applicant to look into the neighbour's property.
- usage of the platform cannot be conditioned or enforced.
- serious concerns regarding the safety of the platform - dangerous and unwelcome precedent.
- single tree does not offer sufficient screening and cannot be conditioned against removal.
- re-locating the platform in a different location would provide similar views whilst maintaining neighbouring amenity.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 Two representations received objecting for the following reasons:

- Direct overlooking on the same plane towards the main bedroom window of Two Pines creating a loss of privacy. (previously no overlooking into, or out of the property from this plane)
- Concern regarding recorded measurements of the distance from Two Pines
- Trellis removes view from the bedroom window and would be incongruous
- Not in keeping with the village and impinges on neighbour's privacy; hedges could be reduced in height in the future

10. RELEVANT HISTORY

10.1 3 no. single storey extensions: re-roofing; alterations to fenestration; cladding; render; extension to existing car parking area (18/00528) granted on 5 September 2018

11. ASSESSMENT

11.1 Corner Ground is a bungalow sited within a corner plot with Norleywood Road wrapping round the property on the north east and south boundary. The dwelling has undergone a significant

transformation since the completion of planning permission reference 18/00528. The application site is in the Forest South East Conservation Area. Across the road to the north east from the application site is the neighbouring property, Two Pines.

- 11.2 Consent is retrospectively sought for a raised garden terrace constructed of hardwood timber decking and the addition of a timber trellis in the north east corner. The total height, including trellis, would be 2.7 metres above ground level. The 'floor level' is 1.5 metres above ground level edged by a 0.28 metre lip and is accessed via a short flight of stairs. The trellis would measure 1.25 metres above standing level. The hedge, which has been cut to regenerate, measures approximately 2.8 metres from ground level. The structure would result in a covered void below the terrace which would be used for a play area accessed on the north elevation.
- 11.3 The key issues are:
- The impact on neighbouring amenity (Policy DP2); and
 - Design and outbuildings (Policy DP37).
- 11.4 The garden terrace is sited behind a deep hedge and offset from Corner Ground's boundary by a deep hedge. The distance between the structure and Two Pines is between 30.5 to 36 metres from the closest to furthest point. Representations received from Two Pines have raised concerns over the accuracy of the distance, but the applicant has clarified these distances using a digital laser confirming the distances measured on the plans. At this distance, it is not considered that the structure would facilitate any significant detrimental overlooking. To further reduce any potential impact, the applicant has amended the application to include the trellis (mitigating any hedge height differences) and a tree to mitigate the outlook towards Two Pines.
- 11.5 The terrace cannot be seen outside of the curtilage due to its low height and therefore there would not be any direct impact on the character and appearance of the conservation area. The trellis would not be visible from the street scene due to the depth of the hedge. The trellis would be constructed of natural materials and would be lightweight in design. The total structure is for an incidental use and is clearly proportionate and subservient to the dwelling it would serve in accordance with Policy DP37.
- 11.6 In addition to the loss of privacy, Boldre Parish Council raise an objection on grounds of safety, noise, non-compliance with the Boldre Parish Design Statement and Planning Policy and suggest the relocation of the structure.
- 11.7 The safety of using the structure is not controlled by the Local Planning Authority, so cannot be taken into account in determining the application. At over 30 metres away from Two

Pines, the distance is considered far enough away so as not to be detrimental to neighbouring amenity. The structure itself would not be visible outside of the curtilage and the applicant has the right to quiet enjoyment within their garden. Whether Two Pines is overlooked from other locations is not applicable in determining this application as this case needs to be determined on its own merits.

- 11.8 The Boldre Parish Design Statement sets out design guidelines. These guidelines re-iterate the need for the use of natural and traditional materials in new buildings and that the form and massing should be in keeping with the part of the parish that the development takes place in. In this instance, the structure is constructed of natural materials and the form and massing is low. The existing boundary treatments are not proposed to be reduced and instead strengthened through the planting of a tree and as such the proposal is considered to accord with the Boldre Parish Design Statement and National Park Design Guide.
- 11.9 Planning permission is therefore recommended subject to conditions as below.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 Within three months of the date of this decision works shall be carried out in full so that the development strictly accords with drawing no: 1704-150 Rev C. and the Authority notified in writing to enable a post completion check to be undertaken.

Reason: The existing structure does not benefit from formal planning consent and conflicts with Policy DP2, SP17, DP18 and DP37 of the Local Plan. The proposed works to complete the the development would comply with local policy.

- 2 Development shall only be carried out in accordance with drawing number: 1704-150 Rev C.

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 SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

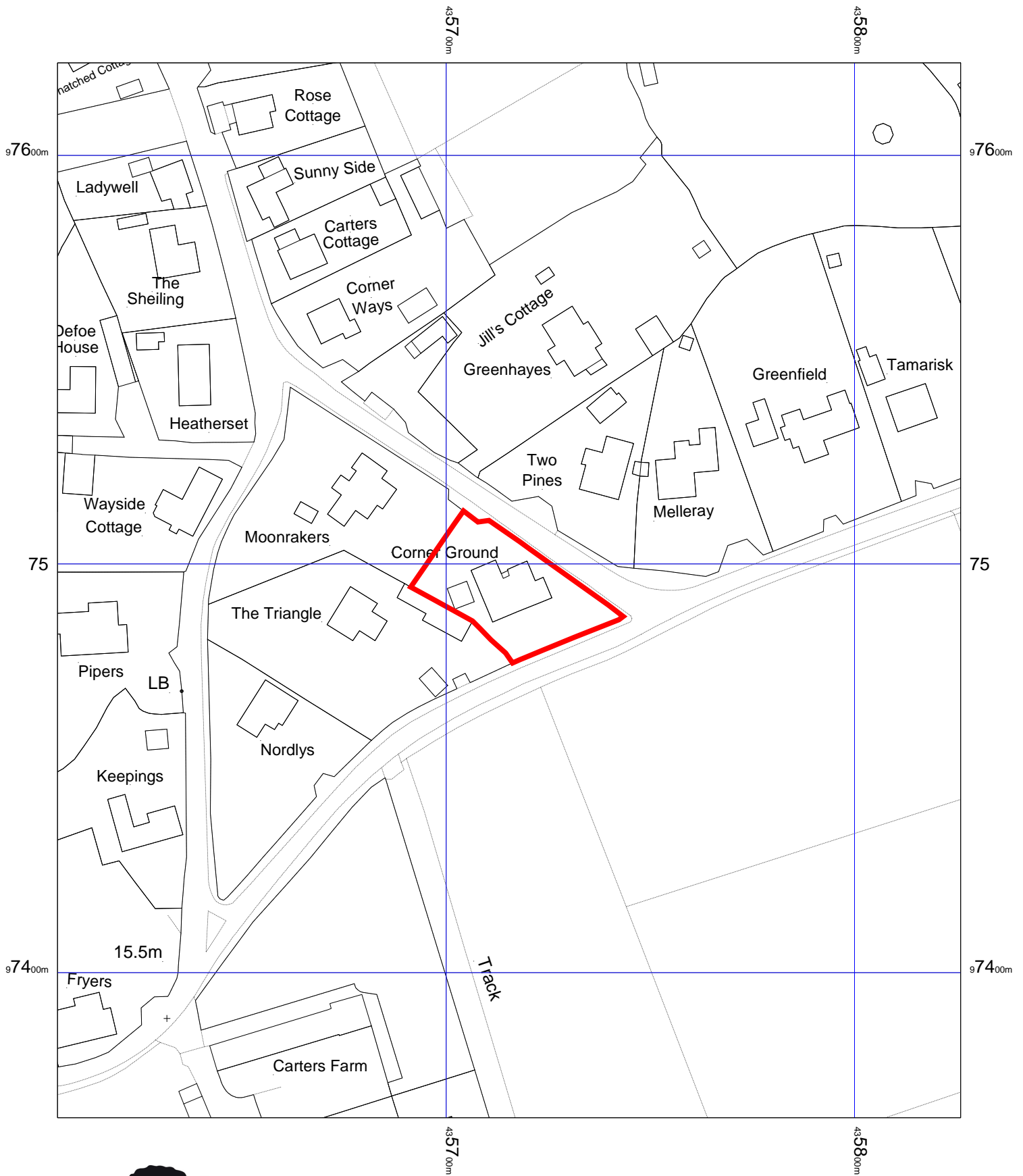
- 3 The external facing materials to be used in the development shall match those used on the existing building, unless otherwise

agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4 The building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

Reason: To protect the character and appearance of the countryside in accordance with Policies DP36 and DP37 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST
NATIONAL PARK

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Date: 18/12/2020

Ref: 20/00583

Scale: 1:1250

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