

Appeal Decision

Site visit made on 22 May 2017

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 May 2017

Appeal Ref: APP/B9506/D/17/3171602

Old School House, Church Lane, Sway, Lymington, Hampshire, SO41 6AD.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R Galton against the decision of New Forest National Park Authority.
 - The application Ref 16/00910 dated 26 October 2016, was refused by notice dated 18 January 2017.
 - The development proposed is for the retention of single storey rear extension.
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Preliminary matters

1. There is a slight difference between the fenestration of the existing rear extension and that shown on the submitted drawing. In view of the minor nature of this discrepancy it is a matter that could be dealt with by condition. This would also accord with the description for the proposed development, which is for the retention of the existing single storey rear extension. The Appeal scheme has been determined on this basis.
2. It is noted that planning permission is required for the proposed extension due to the removal of various permitted development rights, when planning permission was first granted for the dwelling. The merits or otherwise of removing such permitted development rights is not a matter before me as the Appeal relates to the refusal to grant planning permission for the retention of the existing extension. For the avoidance of any doubt I confirm that the Appeal has been determined on this basis.

Decision

3. The appeal is allowed and planning permission is granted for the retention of single storey rear extension at Old School House, Church Lane, Sway, Lymington, Hampshire, SO41 6AD in accordance with the terms of the application, Ref 16/00910 dated 26 October 2016.
 - 1) Within twelve weeks of the date of this decision revised drawings which clearly and accurately show the rear fenestration, as built, shall be submitted to and approved in writing by the local planning authority.
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Main Issue

4. The main issue is the effect of the scheme on the character and appearance of the area.

Reasons

5. The Appeal site is located in a primarily residential area on the edge of the main built up area of Sway and where there is a broad range of buildings and uses. There is a diverse range of dwellings in the area which typically have informal building lines and occupy varied sized plots. The pasture land and nursing home on the east side of Church Lane are all screened from the street scene by mature tree and hedge planting immediately adjacent to the road. This planting, together with the planting within and around the church grounds and the absence of a pavement on the east side of the road, contribute to the verdant and enclosed character and appearance of the street scene.
6. Together the National Planning Policy Framework (NPPF), policies CP7, DP1 and DP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) seek to ensure that new development demonstrates high quality design and adds to the quality of the area. Development should respect and maintain the natural and built environment and be appropriate in terms of scale, appearance, form and siting. Policy DP11 of the DPD requires extensions to be appropriate to the host dwelling and its curtilage.
7. The Appeal dwelling is one of five newly constructed detached houses built on a large corner site adjacent to the junction of Church Lane and Westbeams Lane. Four of these dwellings front onto Church Lane and the Appeal site is located at the southern end of the site and is set back further from the street than the other dwellings. As a consequence the Appeal dwelling is largely screened from the open area around the road junction by the existing dwellings.
8. Whilst the other dwellings within this recent housing development have modest sized front and rear gardens the Appeal dwelling occupies a materially larger plot and has comparatively deep and generous sized front and rear gardens. Even with the proposed extension the rear garden is spacious in comparison to the adjacent gardens.
9. To the southwest, St Luke's Church is set back from the street scene and projects beyond the rear building line of the Appeal dwelling, including the proposed rear extension. The soft landscaped grounds to the front of the church contribute to the spacious setting of the Appeal dwelling, whilst the hedges and trees adjacent to the northeast and southwest boundaries of the church grounds partially screen the Appeal dwelling in views from the churchyard and from the southwest along Church Lane. The boundary trees and hedges around the church grounds totally screen the proposed rear extension, which is only visible from the narrow pedestrian track to the side of the church.
10. For these reasons, the proposed extension is visually discrete and the resultant property respects the spatial characteristics of the immediate and wider area.

11. The extension is modest in depth and height and breaks up the rear wall of the host dwelling. At the same time the fenestration within the extension has been appropriately positioned and designed to respect the existing fenestration and the proportions of the dwelling as a whole. As a consequence the proposed extension is visually modest and respects the character and appearance of the host dwelling.
12. The Council has suggested the imposition of a condition requiring the extension to be built in accordance with the submitted drawings. Other than the fenestration the extension has been built in accordance with the submitted drawings. According, it would be more appropriate and indeed necessary to impose a condition which deals with the discrepancy between the existing and proposed fenestration.
13. I conclude that the proposed extension respects and blends in appropriately with the character and appearance of the area and complies with policies CP7, DP1, DP6 & DP11 of the DPD and the NPPF.

Elizabeth Lawrence

INSPECTOR