

Appeal Decision

Site visit made on 20 September 2016

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 18th October 2016

Appeal Ref: APP/B1740/W/16/3151562

Invicta, West Road, Bransgore, Hampshire BH23 8BD

- 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 Ms Gillian Cartwright against the decision of New Forest District Council.
 - The application Ref 16/10247, dated 23 February 2016, was refused by notice dated 25 April 2016.
 - The development proposed is 'demolition of 2 bed bungalow and erection of 2 No. 3 bed chalet bungalows'.
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Decision

1. The appeal is dismissed.

Main Issues

2. As both main parties have agreed that the Council's concern regarding the effect of the appeal proposal on the New Forest and Solent Coast European Conservation Sites could be addressed through the use of a suitably worded planning condition, that issue is no longer in dispute. The main issues, therefore, are the effect of the appeal proposal on the character and appearance of the locality, on the living conditions of neighbouring occupiers, with regard to outlook, daylight and sunlight and highway safety.

Reasons

3. The appeal site includes a small bungalow and a garage set back from the highway behind a hedged boundary. It sits in a large plot with large gardens, both to the front and rear along with space on either side. Even though dwellings in other parts of West Road have a tighter more urban layout, in this part, properties are generally large bungalows, some of which span the full width of their plots. However, they sit within large gardens, such that the locality has a spacious feel. The narrow road with grass verges, the boundary hedges, trees and planting along with large gardens and the fields nearby, give the locality a verdant and semi-rural character and appearance.
 4. The appeal proposal would result in two dwellings very close to one another in narrower plots than seen elsewhere in the locality. In addition, they would span nearly the full width of the appeal site which, together with the narrower plot width, would result in a cramped development that would fail to respect the spacious layout of development nearby. Whilst the existing property spans nearly the full width of the appeal site, the single storey garage is set back from the property frontage which differentiates it from the appeal development. Associated with a large area of hard standing at the front to
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accommodate parking and vehicle access, even though a grasscrete hard surfacing product is proposed, it would represent a more urban form of development than seen this part of West Road. The loss of a small section of the front boundary hedge would increase that harm, even though a fence would replace it.

5. Furthermore, the proposed design with large garage doors on the narrow front elevation would be uncharacteristic in this area and would add to the proposed development's urban feel. Whilst I note other garages on front elevations nearby, none replicate the design proposed in this appeal. Whilst I note that a palette of materials is proposed to complement the neighbouring property this would not overcome the harm to the character and appearance of the locality that I have identified.
6. I conclude that the appeal proposal would adversely affect the character and appearance of the locality and would fail to accord with Policy CS2 of the New Forest District (outside the National Park) Core Strategy (2009) (CS). That policy states that new development will be required to be well designed to respect the character, identity and context of the area's towns, villages and countryside.

Living Conditions

7. The appeal dwellings would be very close to the joint boundary with Lulworth and Daneslea, the neighbouring dwellings. As the proposed dwelling nearest Daneslea would extend in front of it and that nearest Lulworth would extend past its rear, and each property has windows or doors in the elevations nearest, the proposed dwellings would appear dominant in views, both from those dwellings and their gardens. This would be the case, even though the existing appeal site boundary is a mixture of fencing and planting and a single storey garage is near the boundary with Daneslea. Furthermore, due to its orientation in relation to Lulworth it would reduce the amount of sunlight received into the rear of that property. Due to its orientation in relation to Daneslea, it would not adversely affect the sunlight received into that property. As both neighbouring properties have open aspects to the front and rear with large undeveloped gardens, a material reduction in daylight received into those properties or their gardens would not result.
8. In coming to this conclusion, I have noted the appeal site boundaries and the eaves height of the proposed dwellings. However, neither matter overcomes my concerns outlined above.
9. I conclude that the appeal proposal would adversely affect the living conditions of the occupiers of Lulworth and Daneslea, with regard to outlook. It would adversely affect the sunlight received into the rear of Lulworth. It would therefore fail to accord with CS Policy CS2, which seeks that new development shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities. However, it would not adversely affect the sunlight received into Daneslea or the daylight received into either neighbouring property and in this regard, would accord with the same policy.

Highway Safety

10. Two parking spaces are shown for each property, which would be below the Council Parking SPD¹. It is not demonstrated that more parking plus adequate manoeuvring space could be provided on the appeal site and therefore I cannot be assured that it would not result in vehicles being parking on the road. As West Road is narrow with limited forward visibility in places and as any on-street parking would further narrow the road, such a situation would be likely to reduce the safety of road users. Furthermore, I agree with the Council that additional on-street parking would be likely to degrade the grass verges along the road, which would reduce the locality's semi-rural character and appearance. This would be the case whether the proposed garages were used for parking a vehicle or not and even though cars may be able to exit and enter in a forward gear. For this reason, it would fail to accord with CS Policies CS24 and the Council's Parking SPD, which aim to minimise the impact of new development on the existing transport infrastructure.

Other Matters

11. I am aware that the appeal development would result in an additional residential unit. However, the weight I accord this matter is reduced by the fact that the Council can demonstrate in excess of a five year supply of deliverable housing sites; a matter that is uncontested. I have also noted the appellant's assessment of the appropriate Community Infrastructure Levy payment that the proposed development would attract and contribution to local infrastructure. However, together, these matters do not outweigh the unacceptable harm that I have identified.
12. I have noted the appellant's comments regarding the way in which the appeal application was determined, the views of the Parish Council and comments made in this regard in relation to other development nearby. However, these are matters between the appellant and Council in the first instance and do not affect the outcome of this appeal. I have also noted comments made in relation to the motives of local objectors, but I have made my decision on the basis of the planning merits of the proposed development alone.
13. I am aware that trees on the appeal site are protected by Tree Preservation Order TPO/00004/16 Land at Invicta and Daneslea, West Road, Bransgore dated 14 June 2016 (TPO). However, I have no reason to disagree with the Council that unacceptable harm to those trees as a result of the proposed development could be dealt with by a suitably worded planning condition. That the TPO was made during the consideration of the appeal application is not unusual and does not affect my decision.

Conclusion

14. For the above reasons, and taking all other matters into consideration, including the views of third parties, I conclude that the appeal should be dismissed.

R Barrett

INSPECTOR

¹ New Forest District Council Parking Standards Supplementary Planning Document (2012) (Council's Parking SPD)