

Appeal Decision

Site visit made on 31 January 2017

by L Gibbons BA (Hons) MRTPI

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

Decision date: 03 March 2017

Appeal Ref: APP/B1740/W/16/3161294

17 Walkers Lane South, Blackfield SO45 1YN

- 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 Christopher Trussler (CPT Resources Ltd) against the decision of New Forest District Council.
 - The application Ref 16/10729, dated 24 May 2016, was refused by notice dated 19 July 2016.
 - The development proposed is demolition of existing three bedroom bungalow and erection of 2No. Two bedroom bungalows with associated dropkerbs, parking, landscaping, sheds and boundary treatment.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Christopher Trussler (CPT Resources Ltd) against New Forest District Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is located within a mainly residential area. The dwellings in the immediate area are a mix of detached and semi-detached bungalows. The design of the bungalows varies somewhat, although hipped roofs and the use of red brick are very common features. The views along Thornbury Avenue are a key characteristic of the street scene. Some of the buildings are close to their boundaries. However, the houses are set back from the street with gardens and parking to the front. Overall, there is an open spacious quality to the junction of Walkers Lane South and Thornbury Avenue, and along both roads.
 5. No 17 Walkers Lane South is a detached bungalow which is similar in design to other properties in the area. It is in a large plot with a large garden. The position of the garden relative to Thornbury Avenue allows views towards the rear gardens of the properties, and it is possible to see that they are on fairly generous plots. Due to the space around the dwelling it contributes
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significantly to the spacious nature of the area. Although the bungalow comes slightly forward of the building line on Thornbury Avenue it still allows clear views of those properties. The property appears to have been vacant for some time and is slightly dilapidated, and the garden is somewhat untidy. However, I consider this is not to such a degree that it has a significant effect on the quality and appearance of the street scene.

6. The appeal site has a planning history that includes a previously refused planning application. The scheme before me seeks to overcome the previous concerns of the Council including changes to the design and mass of the dwellings. The Council does not object to the detailed design of the dwellings and materials would match those found in the area. I also note that the Council does not raise any concerns in respect of the amount of garden space to be provided.
7. I note that the Council does not have specific standards for density of development or footprint ratios as set out in paragraph 47 of the National Planning Policy Framework (the Framework). Nevertheless, from the information before me the density of development would be considerably higher than the immediate surroundings. The proposed dwellings would take up most of the plot. Plot 1 would be very tight to its boundaries. Even with a hipped roof the lack of spacing and small size of the plots would be visible and this would be exacerbated due to their position within the street scene. Although the dwellings would be single storey, I consider they would dominate the space they would occupy, and would appear cramped in comparison to surrounding properties. It would be seen as being out of context with the character of the immediate surroundings.
8. The dwellings would match the building line of No 15 Walkers Lane South. However, Plot 2 would come slightly more forward of the building line along Thornbury Avenue than the existing bungalow. Plot 2 would have a small side garden although the size of this area would be reduced by the changes in the boundary needed to accommodate the access for Plot 1, and it would not appear as spacious as the existing garden. The dwelling would result in a slight decrease in the visibility of the building line along the southwest side of Thornbury Avenue which would be harmful to the local setting.
9. For the reasons given above, I conclude that the proposed development would cause considerable harm to the character and appearance of the area. It would be in conflict with Policy CS2 of the Core Strategy for the New Forest outside the National Park (CS) 2009 in so far as it relates to seeking new development that contributes positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of density and layout, and requiring new development to be well designed to respect the character, identity, and context of the area's towns, villages and countryside.

Other matters

10. The appeal site is located within an area that would require mitigation for the impact of residential development on the New Forest and Solent Coastal European sites which are designated for their nature conservation interest. The Council have proposed a condition that they consider would secure appropriate mitigation measures and have referred to other appeal decisions where this type of condition has been attached to planning permissions.

11. Nevertheless, I am not persuaded that the suggested condition is sufficiently precise, and whether it would be reasonable in all other respects. The Council does not clarify which range of measures within the New Forest Mitigation Strategy for European Sites Supplementary Planning Document would apply in this case. The Council have referred to the potential for a section 106 agreement, and the condition also refers to Suitable Alternative Natural Greenspace (SANG). In this case it is not clear whether this would be provided due to the size of the site. However, as I am dismissing the appeal for other reasons, I have not pursued this matter further with the parties.
12. No 15 Walkers Lane South has windows serving habitable rooms which would face directly towards Plot 1. The low eaves and hipped design of the roof of Plot 1 would ensure that the outlook from the windows of No 15 would not be significantly affected, and would allow light in to the rooms. I have also taken into account the existing boundary between the two properties which is fairly tall. However, this does not outweigh the harm I have found.
13. The Council does not object to the scheme in respect of highway safety and parking subject to suitable conditions. Based on my observations and the evidence before me, I see no reason to disagree with this. However, this matter is of limited weight in the overall assessment of the appeal.

Conclusion

14. Although the CS was adopted before the Framework was published, I am satisfied that the content of Policy CS2 is consistent with the aims of paragraph 58 of the Framework and the core planning principle that planning should always seek high quality design, and accordingly I give it full weight.
15. The Framework identifies three dimensions to sustainable development – economic, social and environmental. The Framework makes it clear that the three roles the planning system is required to perform in respect of sustainable development should not be undertaken in isolation because they are mutually dependent.
16. The appeal site is located within an accessible location with a range of services and facilities close by, and good access to public transport. The scheme would make a very small contribution to the supply of housing in the area, and would make use of land which is not currently in active use. These factors attract limited weight in favour of the proposal. However, I have found that appeal scheme would cause harm to the character and appearance of the area and this would significantly and demonstrably outweigh the very modest benefits of the appeal scheme. It is thus not sustainable development for which there is a presumption in favour.
17. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L Gibbons

INSPECTOR