
Appeal Decision

Site visit made on 13 March 2017

by Veronica Bond LLB (Hons), Solicitor (non-practising)

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

Decision date: 7 April 2017

Appeal Ref: APP/B1740/W/16/3163468
5 Bingham Drive, Lymington SO41 3PR

- 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 B Bourn against the decision of New Forest District Council.
 - The application Ref 16/11176, dated 22 August 2016, was refused by notice dated 13 October 2016.
 - The development proposed is demolish existing dwelling and erect a pair of semi detached dwellings and two detached dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area and on the safe and efficient operation of the highway network in the vicinity of the application site.

Reasons

Character and appearance

3. The appeal site is the plot of a detached dwelling located at the head of a cul-de-sac. The plot is larger than others within the cul-de-sac and it would appear that the original intention was for two dwellings on the site, as the plot is located between 3 and 6 Bingham Drive, with No 4 missing. Property designs within the cul-de-sac show some variation but all are detached dwellings, with most spaced quite far apart above ground floor level. This creates a sense of spaciousness in the immediate area.
4. The proposal would introduce two detached houses onto the site, along with a pair of semi-detached dwellings. The semi-detached houses would be set back from the detached dwellings either side. All would be positioned closely together, with very limited spacing above ground floor level. The effect would be of a tightly and awkwardly arranged development, out of character with the detached dwellings and open character of Bingham Drive. This would be apparent from within the cul-de-sac and in views from the adjoining road.
5. The proposal seeks to draw on details from the existing property and to respect the setback, scale and density of other dwellings within the cul-de-sac, maintaining the curved building line. The proportion of landscaping to the front would not be so different from that surrounding as to cause visual harm.

Nonetheless, the proposal would appear out of character with the immediate area for the reasons identified.

6. Although the width of the semi-detached pair might be similar to other properties within the cul-de-sac, this does not alter the fact that the semi-detached design and awkward arrangement proposed would not accord with the pattern of development within the cul-de-sac. For the same reasons, it would not represent good design or appropriate innovation in the terms of the National Planning Policy Framework (the Framework).
7. The Lymington Local Distinctiveness Supplementary Planning Document (adopted February 2011) (LLD SPD) indicates a variety of housing types within the surrounding area and it is apparent that the wider locality includes semi-detached dwellings and bungalows. Nonetheless, within the street scene of Bingham Drive, the proposed semi-detached houses would be visually discordant, given the surrounding detached properties. I do not have full details of the planning circumstances leading to other plot severance developments cited in order to form a proper comparison with the appeal proposal, which I have considered on its merits.
8. I conclude then on the first main issue that the proposal would harm the character and appearance of the area. It would conflict with Policy CS2 of the Council's Core Strategy – New Forest District outside the National Park (adopted October 2009) (CS). This seeks, amongst other things, that new development contributes positively to local distinctiveness and is appropriate to its setting. It would fail to accord also with the LLD SPD which includes in its aims ensuring that changes respect key local distinctive characteristics.

Safe and efficient operation of highway network

9. The Council's parking standards as contained within the Parking Standards Supplementary Planning Document (adopted October 2012) indicate recommended average residential provision. As regards the appeal proposal, this would equate to a total of 11 spaces recommended for the four new dwellings proposed. The scheme would allow for 8 off street parking spaces, resulting in a deficiency of 3 parking spaces.
10. However, many houses within the cul-de-sac have off street parking for more than one car, some parking spaces seem to be available on the adjoining road, and there is nothing to indicate any significant parking pressure in the immediate area. As such, any overspill parking from the proposed development would be unlikely to result in any harm relating to the operation of the highway network.
11. The proposed access would not be wide enough to allow two cars to pass. Given though the relatively small numbers of cars using the access, likely low traffic speeds within the cul-de-sac, and space within the large turning circle at the head of Bingham Drive, no harm would result from any limited instances of reversing into the turning head.
12. As regards the second main issue, I find that the proposal would not have any materially adverse effect on the safe and efficient operation of the highway network in the vicinity of the application site. It would accord in this way with the underlying aims of Policies CS2 and CS24 of the CS related to highway safety.

Other Matters

13. The proposal would provide four units of residential accommodation of a good standard for future occupants and in an accessible location. This would be in accordance with national and local policy requirements related to boosting the supply of housing and making efficient use of land. These aspects weigh moderately in favour of the proposal.
14. Third party concerns, including related to living conditions, have not, given my finding on the first main issue above, led me to any different overall conclusion. Representations were made related to the New Forest and the Solent European Nature Conservation Sites and as to whether the development would require the payment of a contribution or mitigation measures. As I am dismissing the appeal for other reasons, I have not dealt with this matter any further.

Conclusion

15. Although the proposal would offer moderate benefits as outlined, and would not result in harm relating to highway safety, these matters do not outweigh the development plan conflict identified and harm that would result to the character and appearance of the area. For the reasons above, the appeal should fail.

Veronica Bond
INSPECTOR