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# Appeal Decision

Site visit made on 3 July 2017

**by Richard Aston BSc (Hons) DipTP MRTPI**

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

**Decision date: 20<sup>th</sup> July 2017**

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**Appeal Ref: APP/B1740/W/17/3173502**

**Pyrford Gardens, Belmore Lane, Lymington, Hampshire SO41 3NR**

- 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 and Mrs P Hall against the decision of New Forest District Council.
  - The application Ref 16/11548, dated 7 November 2016, was refused by notice dated 8 February 2017.
  - The development proposed is extension to provide warden's office.
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## Decision

1. The appeal is allowed and planning permission is granted for extension to provide warden's office at Pyrford Gardens, Belmore Lane, Lymington, Hampshire SO41 3NR in accordance with the terms of the application, Ref 16/11548, dated 7 November 2016, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 Location Plan, 1215:05 Rev C, 1215 03, 1215 01 Rev C, 1215 04 Rev B and 1215 02.

## Main Issues

2. The main issues are the effect of the proposal on the living conditions of the occupier of No. 4 Pyrford Gardens, with particular regard to outlook and the effect on the living conditions of existing and future occupiers, with particular regard to access to amenity space.

## Reasons

3. The host property is an existing care facility comprising 22 warden assisted flats. It is constructed from a variety of materials, including brick, render and tile hanging under a tiled roof and the building's shape and siting results in an enclosed amenity space to the rear. The proposal would be located where access is currently available from the main entrance and through a set of double doors to this area. At the time of my visit these doors were bolted shut and did not provide a fire exit.
4. The extension would be a very modest addition that would not extend beyond the existing elevation by a significant amount. I was able to view at my site visit that No. 4 has an existing conservatory accessed from the internal lounge

and a window serving a bedroom close to the boundary. Although the side elevation would be constructed from white painted brickwork it would also contain glazing which would lessen its prominence and would reflect other ground floor conservatory extensions that exist on the building. Moreover, views of the space to the rear would still be prevalent from the conservatory and bedroom. Consequently the proposal would not be overbearing or visually intrusive to the outlook from that property.

5. In terms of access to amenity space, the other ground floor units had conservatories and patio doors that faced onto and gave direct access to the rear amenity space. There was also access directly around the side of the building and via a walkway between the units which provides access for wheelchair users. Whether or not the doors are locked is essentially a management issue but from my observations it would appear that the access was restricted and was not well used.
6. Although a longer route, the route around the front and side of the building was flat and in no way did it appear to be hazardous or difficult to traverse. Whilst I accept those using it may suffer from mobility problems I did not find that this was such a lengthy diversion that it would be unattractive or unusable for the small number of residents who may need to use it.
7. For these reasons, the proposal would not harm the living conditions of the occupiers of No. 4 Pyrford Gardens in terms of outlook and would not harm the living conditions of existing and future occupiers in terms of access to amenity space. The proposal would comply with Policy CS2 of the New Forest District Council Local Development Framework Core Strategy 2009 which, amongst other things, requires new development to be well designed and to not cause unacceptable effects by reason of visual intrusion or other adverse impact on local character and amenities.

### **Other Matters**

8. In reaching this view I have had regard to the concerns of a third party that the land is being overdeveloped and the character of the landscape needs to be preserved. However, the Council did not object on these grounds and I have no substantive evidence before me to disagree with their assessment. Therefore such concerns do not alter my views in relation to the main issues.
9. I have also had regard to a representation on behalf of the current occupier of No. 4 in relation to loss of light. In my view, because of the depth of the proposal and orientation of the property it would not cause an unacceptable loss of light or overshadowing to No. 4 that would warrant dismissing the appeal on these grounds.

### **Conditions**

10. I have considered the conditions put forward by the Council and have amended the wording where necessary in the interests of clarity and simplicity. A condition is required to ensure compliance with the approved plans as this provides certainty.
11. The Council have requested a condition relating to windows in the side elevation facing No. 4 to be obscurely glazed. However, these are clearly shown as being obscurely glazed on the plans and given the requirements of condition 2 I have not therefore imposed it.

## **Conclusion**

12. For the above reasons, the proposal would comply with the development plan, when taken as a whole. Material considerations do not indicate that a decision should be made other than in accordance with the development plan. Having considered all other matters raised, I therefore conclude that the appeal should be allowed.

*Richard Aston*

INSPECTOR