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# Appeal Decision

Site visit made on 30 July 2019

**by James Taylor BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 06 September 2019**

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**Appeal Ref: APP/B1740/D/19/3228127**

**85 Wainsford Road, Pennington SO41 8GG**

- 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 & Mrs S Morris against the decision of New Forest District Council.
  - The application Ref 19/10126, dated 27 January 2019, was refused by notice dated 4 April 2019.
  - The development proposed is described as "replacement garage, demolish existing, replacement porch with new window replacement window above, demolish existing porch and oriel window, small works to bay windows roofs".
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The effect on the character and appearance of the area and the living conditions of the occupiers of 83 Wainsford Road with regard to outlook and privacy.

## Reasons

### *Character and appearance*

3. 85 Wainsford Road is a two-storey property constructed with external materials of brick, render and slate tiles. Within the Lymington Local Distinctiveness Supplementary Planning Document (Adopted February 2011) it is highlighted as part of a row of "important buildings, groups or street frontages". It has a wide frontage with two bay windows either side of a modest porch. The porch is enclosed and has a lean-to roof, and above this is a projecting window detail. Both the porch and window appear to be later additions to the dwelling, and it is proposed to replace them. The replacement details would be sympathetic in terms of character and appearance.
4. To the side, occupying the gap to the neighbouring property, is a modest detached garage with brick walls. Its roof has a pitch similar to the host building, although it has a projecting gable rather than the hipped detail of the house. The roof of the appeal property is an attractive feature of the building's character and appearance and the dwelling contributes positively to the street scene.

5. The proposed replacement garage would have a greater width and steeper pitch than the existing, the combination of which results in a significantly higher building than the one to be replaced. Furthermore, the steep pitch of the building would be strikingly at odds with the form of the host building. Whilst I do note a similar pitch to other properties in the street scene, such as adjacent at 83 Wainsford Road, these buildings are generally 2-storey and do not have gables to the front. Although the ridge of the proposal would be lower than the adjacent buildings, it would nonetheless have a scale, height, form and appearance that would be visually intrusive and relate poorly to the architecture of 85 Wainsford Road.
6. I have viewed the proposal from a number of vantage points and note that it is prominent and clearly visible from the public realm, including Pennington Common. Whilst I note the presence of the existing garage, its modest scale is such that it does not unduly diminish the sense of openness to the side of the dwelling. The proposal would substantially infill the space to the side of 85 Wainsford Road. This openness, along with the adjacent dwellings contribute positively to the character and appearance of the ribbon development fronting the common. Whilst the proposal would be set back from the established building line this would not be sufficient to mitigate the impact of the proposed garage's scale, and the poor relationship to the buildings and the spaces between them in the street scene.
7. In regard to the character and appearance of the area, for the reasons above, I find that the proposal would be harmful contrary to Policy CS2 of the adopted New Forest District outside the National Park Core Strategy (the Core Strategy), which amongst other aims seeks good contextual design. It would also fail to accord with the design objectives of the National Planning Policy Framework (the Framework).

#### *Living conditions*

8. 83 Wainsford Road is a 2-storey semi-detached property to the east of the proposal. It has a blank side gable with a 2-storey projection at the rear, stepped-in from the side. To the ground floor of the rear projection is a kitchen diner and to the upper floor is a small bedroom and a bathroom. The side window and glazed door at ground floor serve the dining space, and the side window to the first floor serves a bedroom. Externally, the property has its garden at the side and at the rear.
9. The proposed garage would be set in from the boundary, as are the aforesaid habitable room windows of the neighbouring property. Whilst this affords some separation, the windows would be approximately level with the rear of the proposed garage. Furthermore, the replacement structure would be significantly greater in height, sited deeper within the plot and slightly closer to the boundary than the existing. Consequently, save for oblique views to the south west, the outlook from the habitable room windows would be upon the mass and bulk of the proposal from close proximity, rather than the more open outlook currently experienced. Therefore, due to the siting, scale and proximity of the proposed garage structure to the habitable room windows of 83 Wainsford Road it would have a dominant and overbearing impact upon the living conditions of the occupiers. The impact would be most significant to the ground floor accommodation.

10. Furthermore, from my observations on site and the information provided, the proposed external staircase would provide significant opportunity for overlooking to 83 Wainsford Road's kitchen dining room, bedroom and garden area. Whilst it is acknowledged that people are not likely to linger on such an external staircase, it nonetheless would provide opportunity for overlooking and would erode, with regard to privacy, the living conditions currently experienced. Based on the current orientation of the staircase, effective screening could not be achieved through conditions.
11. Additionally, there is some potential for the proposed rooflight at the south east corner of the garage to cause overlooking. However, I am satisfied that, of itself, the roof light concerns could be adequately addressed through a condition.
12. Nonetheless, for the reasons above, I find that the proposal would harm the living conditions of the occupiers of 83 Wainsford Road with regard to outlook and privacy. As such, the proposal would be contrary to Policy CS2 of the Core Strategy, which amongst other aims seeks to protect living conditions. It would also fail to accord with the design objectives of the Framework.

### **Conclusion**

13. For the reasons given above I conclude that the appeal should be dismissed.

*James Taylor*

INSPECTOR