



Appeal Decision

Site visit made on 10 September 2019

by Tobias Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2019

Appeal Ref: APP/B1740/W/19/3231932

27 Chestnut Avenue, Barton-on-Sea, BH25 7BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by AJ Developments Limited against the decision of New Forest District Council.
 - The application Ref 19/10333, dated 14 March 2019, was refused by notice dated 14 May 2019.
 - The development proposed is described as demolish existing dwelling and erect a 4 bedroom detached house and a 4 bedroom detached chalet bungalow with parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal is made in outline with landscaping and appearance reserved for future consideration. I have therefore assessed the drawings as merely illustrative insofar as they relate to the reserved matters.

Main Issues

3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, including with regard to street trees.

Reasons

4. The appeal site contains a detached bungalow set back from the highway and close to a bend in the road. The surrounding area contains a mixture of two-storey properties and bungalows. Despite this variety in built form, the broadly similar plot widths give the streetscene a clear consistency and, as identified in the New Milton Local Distinctiveness Supplementary Planning Document (SPD), contribute to the character of the area. The majority of properties are also relatively well spaced and, with a few exceptions, have greater widths than depths. Another notable element of Chestnut Avenue is its numerous street trees. These are an important feature in the streetscene and positively contribute to the spacious, open character and verdant appearance of the surrounding area. I observed on my site visit that the trees are relatively evenly spaced on both sides of the highway and, as the SPD notes, provide the street with a strong tree line.
5. Dividing the appeal site roughly in half, the proposed development would create two dwellings. With notably narrower widths than surrounding properties, they would be in relatively close proximity to each other and would extend across the majority of their comparatively narrow plots. Although they not be significantly closer to side boundaries than some surrounding properties, their proximity to one

another, the side boundaries and built form in adjoining plots would emphasise their cramped appearance. Their greater depths relative to their widths would also be visible to some extent in the public realm. The dwellings would therefore appear as incongruous features in the streetscene and would erode the spacious character of the surrounding area.

6. In coming to this view, I have taken account of the plot widths at 3, 3A and 24 Chestnut Avenue and that of the proposed plots. However, those properties are some distance away and are not visible from the appeal site given their location around the corner.
7. The site is not within a conservation area. I recognise that unit 1 would be set back in order to respect the position of the adjoining property on the corner, 25 Chestnut Avenue, and that the heights of the proposed dwellings would relate to the height and eaves level of neighbouring properties. Although appearance is a reserved matter, it has been put to me that the articulation of the buildings would break up their mass and that the indicative elevations show a traditional appearance and a high quality design. It is asserted that the curved frontage of No 25 also disrupts the general pattern along the street. Be that as it may, these matters do not lead me to a different conclusion.
8. A new vehicular parking area and entrance would be created in front of the proposed two-storey dwelling. Although landscaping is a reserved matter, the layout indicates that some soft landscaping could nonetheless be provided in the front of each plot and around the hard surfaced parking areas. However, the new vehicular access would require an additional crossover on the highway verge and between two street trees.
9. Hampshire County Council (HCC) Highway Trees have objected to the development. They indicate that the street trees are considered to be in good condition and that the likelihood of damage or long term detriment to the trees from additional hard surfacing and excavation related to the new vehicular access is high and could cause irrevocable harm to the trees.
10. Although the reduction in highway verge would not be significant, it seems to me that the new vehicular crossover could harm the trees to the extent that either or both would need to be removed. This would significantly affect the street's verdant appearance and it would be particularly noticeable given the relatively even spacing of the trees. The provision of soft landscaping within the site would not offset this. I also have little substantive evidence that a suitable construction method could ensure that the trees were not harmed. Leaving such details to be resolved in due course, through the imposition of a planning condition, would therefore not be reasonable.
11. There are numerous existing vehicular crossovers situated between street trees on Chestnut Avenue. However, I do not have the full details as to how those came about and I have little substantive evidence that the proposed crossover would not damage the nearby trees. HCC Highway Trees also indicate that existing vehicle crossovers will have already constrained the trees' available rooting environment.
12. For the above reasons, I conclude that the proposed development would harm the character and appearance of the surrounding area, including with regard to street trees. I therefore find that it conflicts with Policy CS2 of the New Forest District (outside the National Park) Core Strategy. Amongst other aspects, this requires development to respect the area's character, contribute positively to local distinctiveness and sense of place, and have an appropriate relationship with

landscape features. This policy appears to be broadly consistent with the provisions in the Framework relating to achieving well-designed places.

Other matters

13. The Council indicates that the proposed development would, in combination with other plans and projects, be likely to have a significant effect on European designated nature conservation sites. The Council has provided an Appropriate Assessment which sets out that mitigation is required in order to ascertain that the development would not adversely affect the integrity of the designated sites. However, as I am dismissing the appeal for other reasons, I am not pursuing this matter further because it could not lead me to a different decision.

Planning Balance

14. The Council did not object to various aspects, including the loss of the existing building on the site or the effect of the development on highway safety and the living conditions of neighbours. The development would be on previously developed land and would be located within a built-up and accessible area. It would add to the mix and type of housing in the locality and, providing an additional house, would assist with reducing the shortfall of housing supply in the area. There would therefore be some social and economic benefits arising from the development.
15. Both parties agree that the Council cannot currently demonstrate a sufficient supply of housing land. This indicates that development plan policies for the supply of housing in the area are out-of-date. However, the development plan policy that I have found a conflict with relates to the quality of development and the surrounding environment rather than strictly to the supply of housing. I consider that that policy is broadly consistent with the Framework and is not out-of-date when regard is paid to the provisions of paragraph 11d) of the Framework. Accordingly, I consider there is no reason why the development plan policy that is most important for the determination of this appeal should not, in this instance, be accorded substantial weight.
16. Although the appeal proposal would add to the supply of housing in the area, the contribution would be negligible given the scale of the development. I therefore consider that the social and economic benefits associated with the development would be limited and would not outweigh the harm that I have identified. Even if the policy that is most important for the determination of this appeal is considered to be out-of-date and relate to housing supply, which I consider it is not, I find that the adverse impacts of the development would significantly and demonstrably outweigh its limited benefits when assessed against the policies in this Framework taken as a whole.
17. A number of neighbours have raised other concerns regarding the development, such as in relation to its effect on the living conditions of adjoining occupiers. However, given my conclusions on the main issue and that the appeal is dismissed, there is no need for me to address these further.

Conclusion

18. For the above reasons, the appeal is dismissed.

Tobias Gethin

INSPECTOR