
Appeal Decision

Site visit made on 26 February 2020

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2020

Appeal Ref: APP/B1740/D/19/3239403

Sunset, Ivy Lane, Blashford BH24 3LY

- 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 R McShea against the decision of New Forest District Council.
 - The application Ref 19/10879, dated 11 July 2019, was refused by notice dated 5 September 2019.
 - The development proposed is detached structures and PV panels and screen to ancillary building.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I note that the planning application was submitted retrospectively, and on my site inspection I observed that the appeal scheme has been implemented. I have dealt with the appeal accordingly.
3. The Council has confirmed that, since the determination of the planning application, the emerging New Forest District Local Plan 2016-2036 Part 1: Planning Strategy (LPP1PS) has reached a more advanced stage of preparation, and is due to be adopted in May, with an anticipated report date to full Council of 18 May 2020.
4. The Council has also confirmed that, following adoption of the LPP1PS, Policy DM20 of the New Forest District outside the National Park Local Plan Part 2: Sites and Development Management 2014 (LPP2) will be saved. Policy CS2 of the New Forest District outside the National Park Core Strategy 2009 (CS) will be replaced by Policy ENV3 of the LPP1PS (formerly known as Policy 13 and unchanged). Accordingly, I attach significant weight to the relevant emerging policy of the LPP1PS in my determination of the appeal.

Main Issue

5. The main issue is the effect of the appeal scheme on the character and appearance of the area.

Reasons

6. Sunset is a detached chalet dwelling within a triangular-shaped plot, located in open countryside. It fronts onto Ivy Lane. A public footpath runs adjacent to the side/rear boundary, separating the site from the Spinnaker Sailing Club and Blashford Lake to the rear. On the opposite side of the lane is undeveloped

- rural land. The site is bounded by close-boarded fencing, topped with open trellis for the majority of its length.
7. The outbuildings, the subject of this appeal have been erected adjacent to the front and site boundaries of the site. They are single storey structures, clad in fibre cement weatherboard cladding to match the main dwelling. There are two sets of solar panels on the roof of the largest of the buildings, the garden/plant and games room. The panel mounts are finished in cladding to match the building.
 8. The Council raises no objection to the building annotated as 'Shed 2' on the planning application drawings nor to the adjacent timber pergola. On the basis of the evidence before me, and my site inspection, I find no reason to disagree.
 9. Ivy Lane is narrow and rural in character with no pavements and edged with trees and soft landscaping. Shed 1 rises above the height of the front boundary fence and is readily visible in views from the public realm within the road. Due to a combination of its position adjacent to the site frontage, its height, and the light green colour of the weatherboarding, it comprises an incongruous element of built development which appears visually intrusive and at odds with the soft landscaped prevailing character of the street scene, to the detriment of the visual amenities of the street scene and rural character of the road.
 10. I have taken into account the context of the existing built development on the site, which includes frontage close-boarded fencing and trellis which extends along the length of the site frontage to a height of around 2 metres. However, the Council has confirmed that the fencing adjacent to Shed 1 was approved as only 1 metre in height, and that its visual impact was to be softened by the planting of native hedging behind. Both parties agree that part of this hedging has been removed to accommodate Shed 1. The Appellant advises that replacement and additional hedge planting has been carried out further along the site frontage. However, notwithstanding this, I find that due to the proximity of Shed 1 to the front boundary, there is insufficient space to reinstate meaningful boundary planting adjacent to the building that would provide effective screening of the side of the building in views from the road.
 11. The garden/plant and games room building is positioned close to the boundary of the site with the adjacent public footpath. The Appellant states that the solar panel mounting has been covered in weatherboard cladding to match the remainder of the building and the other buildings on the site in order to improve the visual appearance of the solar panel structure. I find that the projecting roof elements of the building enclosing the solar panels add significantly to the amount of building that is visible above the boundary fencing.
 12. Notwithstanding the matching cladding, they appear as incongruous additions to the building which are not well integrated with the main building due to their shape, positioning on the building and their interface with the main flat roof, appearing as unsympathetic additions to the building rather than as an integral part of the building design. The poor integration with the remainder of the building, being separated from it by the white fascia and felt covering of the flat roof, together with the light green colour of the cladding, serve to draw attention to the solar panel structures.

13. As a result of the combined length, height and roof design of the building, and its close proximity to the public footpath, the development has a visually intrusive and oppressive impact in views from the footpath and would be harmful to the character and appearance of this part of the public realm. I note that there are timber structures on the opposite side of the footpath on the sailing club site. However, these are of a more traditional design and of a darker, more visually recessive colour and partially screened by soft landscaping adjacent to the footpath. As such, they are not directly comparable with the appeal scheme in respect of their design and wider visual impact on the character and appearance of the area. They do not alter my findings in respect of the appeal scheme.
14. For the reasons outlined above, I conclude that the proposed development would be contrary to CS Policy CS2; LPP2 Policy DM20; and emerging Policy ENV3 of the LPP1PS. These policies, amongst other things, require new development to be well designed to respect the character of the countryside, to contribute positively to local distinctiveness and sense of place, and to be appropriate and sympathetic to their setting in terms of scale, height and appearance. For similar reasons, the proposal would also be contrary to Policies of the Framework which seek to secure high quality design as set out in Chapter 12.

Other Matters

15. I acknowledge the sustainability benefits that the solar panels can make in respect of renewable energy provision. However, there is insufficient evidence before me to demonstrate that these benefits could not be achieved by positioning the solar panels in a less visually obtrusive location on the site. I am therefore not persuaded that this matter outweighs the harm I have identified in respect of the main issue.
16. I acknowledge the Appellant's wish for additional secure storage in the light of burglaries within the area, and that the Appellant was unaware of the requirement to seek planning permission. However, these matters do not outweigh my conclusion on the main issue.

Conclusion

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

S Leonard

INSPECTOR