
Appeal Decision

Site visit made on 29 June 2020

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2020

Appeal Ref: APP/B9506/W/19/3243094

28 Kings Close, Lyndhurst SO43 7AG

- 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 Damian Hunt against the decision of New Forest National Park Authority.
 - The application Ref 19/00553, dated 15 August 2019, was refused by notice dated 22 November 2019.
 - The development is erection of summerhouse for recreational use.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description in the above banner heading is taken from the application form, but the decision notice refers to the development as an outbuilding. Either way, the structure was in situ at the time of my visit. I have dealt with the appeal on the basis that permission is being sought retrospectively for its erection.

Main Issue

3. The main issue is the effect of the building on the character and appearance of the area, having particular regard to its location within the New Forest National Park and adjacent the Lyndhurst, Swan Green and Bank Conservation Area.

Reasons

4. The summerhouse is positioned within the garden of 28 Kings Close, adjacent the boundary with the A337 Romsey Road. The building has a boxy design with a striking white and grey coloration which draws the eye. The flat roof and generous eaves overhang jar against the steeply pitched roofs and decorative gables belonging to Victorian and Edwardian properties to the east of Romsey Road. This group of buildings is highlighted within the Conservation Area Character Appraisal as being particularly important in the street scene. Although not itself within the conservation area boundary, the summerhouse distracts attention away from the special architectural and historic interest of these buildings and it thereby erodes the setting of the heritage asset.
5. I acknowledge that the summerhouse is partially hidden by closeboard fencing. Only the roof and upper sections of wall are visible above the top of the fence. Nevertheless, the prominent siting makes the outbuilding a visually intrusive

and incongruous feature in the street scene on this well-used route into Lyndhurst and through the centre of the National Park.

6. Policy DP37 of the New Forest National Park Local Plan 2016-2036 (LP) sets out the criteria to be applied to proposals for domestic outbuildings. It stipulates that buildings should be proportionate and clearly subservient to the dwelling they are intended to serve in terms of their design, scale, size, height and massing. The supporting text interprets this to mean that proposals should not detract from the character or appearance of the site or surrounding area.
7. Amongst other things, LP Policies DP2, SP16, SP17 and DP18 seek to ensure that new development in the National Park is of the highest quality design to respect the distinctive character of the National Park. Proposals should be contextually appropriate and enhance the built and historic environment.
8. The design of the summerhouse, in failing to respect the context of the site and in particular its proximity to the Lyndhurst, Swan Green and Bank Conservation Area, harms the character and appearance of the area and it therefore conflicts with the above policies. I have not been presented with any factors, public benefits or otherwise, which would justify the harm to the conservation area.

Other Matters

9. The appellant has offered to landscape a strip of land immediately in front of the boundary fence. Whilst this would soften the appearance of the fencing there can be no guarantee that it would grow to a height which would be effective in screening the building.
10. It has been suggested that the summerhouse roof could be modified, and the coloration of the building altered. However, no details have been provided and furthermore that was not the basis on which the Authority considered the application. Should the appellant wish to propose retaining the building in an amended form then this would need to be the subject of a fresh planning application which would need to be publicised accordingly.

Conclusion

11. The development conflicts with the development plan and there are no material considerations which would lead to a decision otherwise than in accordance with the development plan.
12. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR