
Appeal Decision

Site visit made on 28 August 2020

by **L McKay MA MRTPI**

Inspector appointed by the Secretary of State

Decision date: 15 September 2020

Appeal Ref: APP/B1740/D/19/3239800

**Waybak House, Exbury Road, Blackfield, Southampton, Hampshire
SO45 1XD**

- 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 Dean Smith against the decision of New Forest District Council.
 - The application Ref 19/10555, dated 26 April 2019, was refused by notice dated 9 August 2019.
 - The development proposed is described as 'Retrospective planning approval for the erection of a car port'
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a car port at Waybak House, Exbury Road, Blackfield, Southampton, Hampshire SO45 1XD in accordance with the terms of the application, Ref 19/10555, dated 26 April 2019, and the plans submitted with it.

Procedural Matters

2. The carport has been constructed and accords with the submitted plans. I have therefore considered the appeal on the basis that the development has already occurred.
3. The Council adopted the Local Plan 2016-2036 Part One: Planning Strategy (LP) on 6 July 2020. The Council confirms that the LP replaces the Core Strategy (CS) and Policy CS2 referred to in its decision, and that LP Policy ENV3 is now the relevant development plan policy for this appeal. The appellant has had the opportunity to comment on this change in policy circumstances however no comments have been received.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the existing property and the surrounding area.

Reasons

5. Dwellings on Exbury Road vary considerably in scale and design and are set back at different distances from the road. Along the section of Exbury Road from Hampton Lane to the appeal site, properties generally have open frontages or low front boundaries and significant areas of hardstanding, giving this part of the road a built-up character. Along the next part of the road, from

- the appeal site to the edge of the settlement, front hedges and larger front gardens are common features, creating a green and semi-rural character. This results in a varied street scene with a relatively spacious character.
6. The carport is partly screened by an existing front and side boundary hedge, so although it is approximately 2.6m high, only the roof is visible from the road. However, due to its low pitch and open ends, the roof does not stand out in the street scene, and the substantial roof of the host property behind it is a much more prominent feature. Where the walls are visible through the existing access, the open frame design allows views through the carport to the front projection of the existing dwelling. Consequently, although there are no other similarly sited outbuildings nearby, the car port is not a prominent or intrusive feature in the street scene, nor does it detract from the appearance of the existing dwelling. A fairly large area of the site frontage also remains as open hardstanding, and the carport does not therefore significantly affect the spacious character of the area.
 7. The appellant intends to retain the hedge, however if it were removed the car port would be seen against the backdrop of the existing dwelling and neighbouring properties, which are set closer to the road than the host property. In that context, and given the degree of transparency offered by its design, the siting of the carport forward of the existing dwelling would not appear incongruous in the street scene even if the hedge were removed. As such, the retention of the hedge is not necessary to mitigate the impact of the development.
 8. Changes to the appearance of the carport, such as enclosure or cladding, would potentially increase its visual impact. However, there are no permitted development rights that allow alteration of an outbuilding set forward of a wall forming the principal elevation of the original dwellinghouse. Consequently, any changes that would materially affect the external appearance of the carport would be development requiring planning permission. Therefore, the Council's suggested conditions are not necessary, as such development would fall under the control of the Council.
 9. Accordingly, the carport does not adversely affect the character and appearance of the existing property or the surrounding area. I therefore find no conflict with LP Policy ENV3 or paragraphs 124 and 127 of the National Planning Policy Framework (the Framework) which, amongst other things, require high quality design that is sympathetic to its environment and local character.
 10. Consequently, I conclude that the appeal should be allowed. As the development has already been completed, no conditions are necessary.

L McKay

INSPECTOR