

Appeal Decisions

Site Visit made on 17 November 2020

by Mr Martin Allen B.Sc (Hons), M.Sc, M.R.T.P.I

an Inspector appointed by the Secretary of State

Decision date: 8 January 2021

Appeal A - APP/B1740/W/20/3248319

Victoria Cottage, Victoria Road, Milford On Sea, SO41 0NL

- 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 and Mrs S Dench against the decision of New Forest District Council.
 - The application Ref 19/11357, dated 28 October 2019, was refused by notice dated 12 February 2020.
 - The development proposed is described as "Proposed new distinctive and contemporary self build modern dwelling house on the site to the west of the existing Victoria Cottage including altered existing and new pavement crossings, associated hard and soft landscape design enhancement works, west and north hard and soft boundary landscape treatments to enhance the street scene."
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Appeal B - APP/B1740/W/20/3255755

Victoria Cottage, Victoria Road, Lymington SO41 0NL

- 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 and Mrs S Dench against the decision of New Forest District Council.
 - The application Ref 20/10172, dated 15 February 2020, was refused by notice dated 27 May 2020.
 - The development proposed is described as "Proposed new distinctive and contemporary self build modern dwelling house on the site to the west of the existing Victoria Cottage including altered existing and new pavement crossings, associated hard and soft landscape design enhancement works, west and north hard and soft boundary landscape treatments to enhance the street scene."
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Appeal C - APP/B1740/W/20/3256695

Victoria Cottage, Milford On Sea, SO41 0NL

- 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 and Mrs S Dench against the decision of New Forest District Council.
 - The application Ref 20/10492, dated 5 May 2020, was refused by notice dated 8 July 2020.
 - The development proposed is described as "Demolish existing dwelling and re-build it as a new build dwelling; sever plot and new build a new self build dwelling, alter existing pavement crossing and create enlarged crossing, new hard and soft landscaping".
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.
3. Appeal C is dismissed.

Applications for costs

4. Applications for costs were made by Mr and Mrs S Dench against New Forest District Council, in respect of Appeals B and C. These applications are the subject of separate Decisions.

Preliminary Matters

5. As set out above, there are three appeals on this site. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the schemes together, except where otherwise indicated.
6. Since the refusal of planning permission, the Council has adopted the New Forest District Council Local Plan – Part One: Planning Strategy (the Local Plan), policy ENV3 of which supersedes policy CS2 of the Core Strategy. The appellant has had the opportunity to comment on this and as such I am satisfied there would be no prejudice in considering the new policy when determining this appeal.

Main Issue

7. The main issue in respect of all the appeals is the effect on the character and appearance of the area.

Reasons

8. The appeal site is located at the end of a row of detached properties along Victoria Road. It lies within the plot of an existing dwelling and is currently occupied by a single storey garage. There is considerable variety in the design and scale of dwellings within the area, comprising both two-storey and single-storey properties. However, a key characteristic of the vicinity was a sense and appearance of spaciousness to the development present. This resulted from the generally open frontages on this site of the road within the vicinity of the site, which allow for both off-road parking and landscaping.
9. On the opposite side of the road, frontages were generally enclosed by hard boundary treatments, nonetheless there was a sense of generous spacing between dwellings, contributing towards what is an attractive street. Adjacent and to the rear of the site is a complex of flatted development and whilst this comprises large and imposing buildings, its set back from the road and its layout also contributes to the perceptible openness of development in the area. However, the appeal site is most closely related to the immediately adjacent properties along Victoria Road.

Appeals A and B

10. Both of these schemes seek to introduce an additional dwelling into the appeal site. In both cases, the dwelling would be two-storeys in height with a distinctly modern design approach, comprising large elements of glazing, with a generally elongated rectangular shape, under a flat roof. Appeal A would be

distinguished from Scheme B by the inclusion of a raised eaves and roof over one corner to the front elevation. Notwithstanding the more conventionally designed houses along the street, I noted examples of modern design within the wider area and in this context such an approach would be appropriate.

11. However, the dwellings would be positioned spanning the plot with very little spacing to either side. As a result, they would appear as cramped additions to the street. Whilst I appreciate that there are examples, in the vicinity, of other dwellings that are positioned close to side boundaries, these are generally only positioned in proximity to a single boundary, with more spacing provided at the other side of the plots. The appeal schemes, as a result of their scale, would be positioned in proximity to both side boundaries exacerbating the cramped appearance of each. The presence of an open, grassed area to the side of the site, would do not sufficiently mitigate this impact.
12. In addition, the frontage of the appeal site would, as a result of its narrow width, be dominated by car parking. Two parking spaces would be provided in each case, together with a pedestrian pathway and narrow landscaping strips. This would be atypical of the arrangement present to the frontages of nearby properties, which are more open and include both parking and substantial area of open space or landscaping. The inclusion of the narrow areas of landscaping would do little to ameliorate the dominance of the parking provision, which would further contribute to the cramped nature of the proposals.

Appeal C

13. The scheme seeks the demolition of the property, Victoria Cottage, and the erection of two detached dwellings. The site would be divided approximately into two halves, with a dwelling sited centrally within each. There would be two parking spaces provided to the front of each building.
14. While this scheme has sought to increase the spacing between the proposed buildings, the width of the plots would remain uncharacteristically narrow for this location. Within the context of the buildings which they would be viewed alongside, the siting of the dwellings within these narrow plots would be discordant, at odds with the more generous plots that are present in the immediate area. The majority of each plot width would be occupied by the built form and there would be little relief provided by what is minimal spacing between them, notwithstanding that this has been increased from that in the previous two schemes.
15. As with the above schemes, the presence of the open aspect to one side of the appeal site would do little to ameliorate the congested appearance of the proposal within the site, particularly given the greater visual attachment that the two dwellings would share with the adjoining dwellings. Accordingly, the provision of the two proposed dwellings at the site would result in inharmonious additions to the streetscene, at odds with the prevailing character and appearance of development along the road.

Overall findings on main issue

16. While I note the details provided in respect of the proposals lying mid-range of the plot size to dwelling size that can be seen in the wider surrounding

area, these figures are based on dwellings within a wide area including areas that have a characteristic higher density as well as the flatted development near to the site. Thus, the details are not typical of the houses within the immediate vicinity of the appeal site, with which the proposed development would share a close relationship. I also note reference to the presence of some narrow plots in the wider area, however the plot width within the vicinity of the appeal site is, in the main, generous. As such, this information does little to persuade me from my findings above.

17. For the above reasons, appeal schemes A, B and C would be uncharacteristic additions to the area, having a discordant and incongruous appearance which would be harmful to the character and appearance of the area, and the appearance of the street. Therefore, all schemes conflict with policy ENV3 of the Local Plan, insofar as it seeks to ensure that development achieves a high-quality design that positively contributes to local distinctiveness, in particular that new buildings are sympathetic to their environment and context.

Other Matters

18. Reference is made to the potential impact of the proposals on the New Forest and Solent Coast European Sites. As I have found above that the proposals would not be acceptable and I am dismissing the appeals, the developments will not take place and so I have no need to consider this matter further.
19. At the time the planning applications were determined, the Council was unable to demonstrate a five-years supply of deliverable housing sites. This position has now changed, and the Council has a five-year supply. The appellant has highlighted that the published Housing Delivery Test (HDT) results indicate that the delivery of housing in the District is substantially below the housing requirement, when having regard to the transitional arrangements. As such, it is contended that paragraph 11(d) of the Framework is engaged. However, the Council has confirmed that the HDT has been recalculated for the District and that the revised housing requirement has been met. On this basis, I am satisfied that paragraph 11(d) of the Framework, and the presumption in favour of sustainable development as set out in paragraph 11, is not engaged.
20. I am conscious of the advice of the National Planning Policy Framework, at paragraph 123, that low housing densities should be avoided, and that the optimal potential of each site is realised. Furthermore, I acknowledge the schemes would result in the development of previously developed land. However, the benefits of the scheme in these respects would not be sufficient to outweigh the harm that I have identified.
21. It has been drawn to my attention the existence of approved scheme for the extension to the existing property, both to the front and to the side. This would result in an increased scale and bulk to the building at the site and, in particular, the side extension would result in the building spanning the width of the plot. However, the resultant building would remain a single dwelling, within a generously proportioned parcel of land. There would be no division within the plot to form separate parcels. Consequently, despite its large appearance and substantial visual presence, the approved extensions would not result in the same cramped appearance that would result from all of the

appeal schemes, which I have found would be harmful. Thus, the existence of these approved extensions does not lead me to find otherwise than I have above.

22. I acknowledge that each scheme would result in an additional unit of accommodation, which would be appropriately located within a built-up area. There would also be economic benefits throughout the construction and in the future, however given that the schemes are only for a single additional dwelling each, these would be limited. As such, these benefits are not sufficient to outweigh the harm and consequential conflict with policy that I have identified.
23. I note reference to pre-application advice that has been received however any such advice is without prejudice to the formal determination of any planning application. As such, this matter has little bearing on my decisions.

Conclusion

24. For the reasons given above, I conclude that each of the appeals should be dismissed.

Mr Martin Allen

INSPECTOR