
Appeal Decision

Site visit made on 28 September 2021

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th October 2021

Appeal Ref: APP/B1740/W/21/3275639

21 Keyhaven Road, Milford-On-Sea, Hants SO41 0QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr and Mrs B Julius against New Forest District Council.
 - The application, Ref 21/10216, is dated 9 February 2021.
 - The development proposed is rear single storey extensions, alterations to south fenestration and alterations to dormers.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the submission of this appeal, a revised version of the *National Planning Policy Framework* (the Framework) was published on 20 July 2021. The main parties were given the opportunity to address this matter, and I have taken this into account where relevant to my decision.

Main Issue

3. The main issue, as confirmed in the Council's Statement of Case, is the effect of the proposed development on the character and appearance of the host property and the Milford-On-Sea Conservation Area (the MOSCA).

Reasons

4. The appeal property is sited within, and close to the northern edge of, the MOSCA. It comprises a mid-terrace two storey dwelling, which fronts onto the northern side of Keyhaven Road. It forms part of a terrace of similar mid-to-late 19th Century dwellings. They occupy a visually prominent position adjacent to the back of the pavement, where they are readily visible from the street, which is a key approach road into the town.
5. The property, in common with others within the terrace, has been altered. These changes include replacement windows and the addition of front and rear flat-roofed dormers and a two-storey flat-roofed rear extension. Notwithstanding this, the slate pitched roof, incorporating a feature chimney stack, and painted brick walls are notable period features that remain. Moreover, the terrace as a whole has retained a cohesiveness of building scale, height, roof form, materials and fenestration positioning. There is also a strong vertical emphasis to the design of the houses. These features are particularly

evident on the road-facing frontage, which includes a variety of paint/render colours. As such, the terrace, including the appeal property, make a positive contribution to the street scene and the character and appearance of this part of the MOSCA.

6. The proposed front dormer would replace an existing flat-roofed dormer with a structure that would be approximately twice the width of that existing, and of a greater depth. The existing dormer is not visually dominant in relation to the roof slope within which it is sited or the ground and first floor windows below, which are of a similar width to, and have a greater height than, the dormer. The dormer by virtue of its size and positioning within the roof slope also contributes to a strong element of verticality within the design of the building, which is a notable feature of the terrace as a whole.
7. In contrast, the proposed front dormer would introduce a wide and deep horizontal element at upper level to the front of the property, which would be reinforced by the horizontal slate elements to both sides of the glazing. This would be at odds with the narrow and upright proportions of the existing building design. The dormer would occupy a considerable amount of the front roof slope, and it would dominate this part of the roof, due to its combined width and depth, and the position of its roof close to the main roof ridge. It would be noticeably wider than the existing front elevation windows below it, in particular the first-floor window. It would also be deeper than the adjacent dormer window at no.19 within whose close proximity it would be positioned.
8. The result would be an incongruous, visually dominant, top-heavy and cramped addition to the roof. Due to its size and close proximity to them, the dormer would also visually compete with the feature chimneys on the appeal property and adjacent dwelling, which are positive design elements of the terrace.
9. The proposed replacement rear dormer would also be significantly greater in width and depth than the existing. It would also appear cramped and over-dominant within the roof slope within which it would take up a large amount of space. The rear elevation of the property is not as visually prominent in views from the public realm as the front elevation. However, the proposed front and rear dormers would be perceived together in views from the approach to the site from the east along Keyhaven Road, due to the lower roof height of the adjacent property at no.23 and the lack of high-level dormers on that property. As a result, the two new dormers together would appear as over-dominant incongruous features within the roof due to their combined height and depth and proximity to the roof ridge line.
10. The existing rear two-storey extension, by virtue of only extending to approximately two-thirds of the width of the building and incorporating ground and first floor rear fenestration with a strongly upright character, has maintained the perceived vertical design of the building, is subservient in scale and design to the main building, and does not appear unduly incongruous in relation to the host property, or cramped in relation to the appeal site boundaries.
11. In contrast, the proposed single storey, L-shaped, 'wraparound' rear additions to the building would contrast with verticality of the rear of the property, and would be unduly cramped in relation to the side boundaries, by virtue of their overall width, which would extend across the plot. The proposed pitched roof would draw attention to the jarring impact of the proposal, due to its combined

width and height and discordant positioning of its eaves and ridge in relation to the neighbouring rear extension at no.23 and the rear first floor window of the existing rear extension to the appeal property, neither of which it would align with. As a result, the proposal would appear as an unduly visually dominant addition to the rear of the building and would appear at odds with the existing rear elevation.

12. Accordingly, the proposals would appear visually incongruous and discordant in relation to the existing roof slopes and rear elevation, drawing the eye, and detracting from the character and appearance of the host property. As such, the appeal scheme would also fail to preserve or enhance the character or appearance of this part of the MOSCA, in particular having regard to the visual prominence of the front elevation and roof of the building.
13. The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. In terms of the advice in Paragraph 202 of the Framework, the harm to the MOSCA would be '*less than substantial*'. Consequently, the Framework sets out the need to address the '*less than substantial harm*' in a balanced manner against the public benefits associated with the proposal. In doing so, however, paragraph 199 of the Framework also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of the degree of harm that might be caused to its significance. In this instance, no public benefits have been put forward in respect of the development to weigh against this harm.
14. The appellants have drawn my attention to the tight-knit nature of the appeal property and surrounding built development, and to other existing dormers and rear extensions within the vicinity of the appeal site, including within the terrace within which it is sited. Whilst I acknowledge that these are features of the terrace as a whole, I have not been provided with details of their planning status, and it is not for me to comment on the appropriateness of these or otherwise.
15. In any event, I have considered the appeal proposal on its individual planning merits, and within the context of the character and appearance of the existing building and the immediate locality. The existence of other dormers and rear extensions nearby does not justify the harm that I have found in respect of the main issue. Neither does the proposed use of matching materials justify or overcome my concerns in respect of this matter.
16. For the above reasons, I conclude that the appeal proposal would cause significant harm to the character and appearance of the host property and would fail to preserve the character and appearance of the MOSCA. It would therefore be contrary to Policy ENV3 of the *New Forest District Council Local Plan 2016-2036 Part One: Planning Strategy* (2020) and Policy DM1 of the *New Forest District Council Local Plan Part 2: Sites and Development Management* (2014).
17. These policies, amongst other things, seek to ensure that new development comprises a high-quality design and contributes positively to local distinctiveness, that buildings are attractive to look at through good architecture, and that development proposals conserve and seek to enhance the historic environment and heritage assets.

18. For similar reasons, the proposal would also be contrary to Policies of Chapter 16 of the Framework in respect of the conservation and enhancement of the historic environment.

Other matter

19. I have noted that the appellants have made changes to the originally submitted drawings, including a reduction in size of the window to bedroom 2. However, this factor does not overcome or justify the aforementioned harm that I have identified.

Conclusion

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

S Leonard

INSPECTOR