



Appeal Decision

Site visit made on 15 June 2022

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 20TH July 2022

Appeal Ref: APP/B1740/D/22/3297214

Great End, Queen Katherine Road, Lymington, Hampshire, SO41 3RY.

- 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 Redburn against the decision of the New Forest District Council.
 - The application Ref 21/11595, dated 22 November 2021, was refused by notice dated 16 March 2022.
 - The development proposed is described as front, rear dormer windows; rooflight to side.
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Decision

1. The appeal is allowed and planning permission is granted for front, rear dormer windows; rooflight to side at Great End, Queen Katherine Road, Lymington, Hampshire, SO41 3RY in accordance with the terms of the application, Ref 21/11595, dated 22 November 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: 101/A, 002, 004, 006, 011, 022, 024, 026, 031/A and 032.
 - 4) The development hereby permitted shall not be commenced until larger scale detailed drawings showing the louvres to the rear gable addition at a scale of 1:20, in plan, section and elevation, together with a sample of the material for their construction and finish have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 5) The louvres shall be installed prior to the first occupation of the new master suit hereby permitted and once installed the louvres shall be retained thereafter.

Procedural Matters

2. A change in the description of the development was made by the Council and accepted by the appellants. I have therefore adopted the revised wording in the description of the proposed development in the bullet point above.

Main Issues

3. I consider the main issues to be:

- a) whether the proposed development would result in overlooking and loss of privacy as to cause harm to the living conditions of neighbouring residential occupiers: and,
- b) the effect of the proposal on the character and appearance of the area.

Reasons

First main issue

- 4. Great End is a detached, two-storey dwelling house with roof space accommodation, located on a residential road in the built-up area of Lymington. The road is characterised by detached and semi-detached dwellings set back from the road behind modest sized front gardens.
- 5. The roof space is currently lit and ventilated by roof windows in the front and rear roof slopes. However, the appellants propose, the removal of the existing rooflights and the construction of a small, pitched roof dormer to the front roof slope, a new dormer to the rear roof and the insertion of a roof light in the southeast roof slope.
- 6. The Council contends that due to its location and size the window in the proposed new rear dormer would have an unacceptable impact on the amenity of neighbours as a result of additional overlooking and loss of privacy.
- 7. As shown on the 'as existing' drawings there are currently three bedroom windows set in the rear façade of the house at first floor level and two roof windows in the rear roof slope. As I saw these already afford views across the rear amenity areas of the adjacent dwellings, Timbers and The Moorings.
- 8. From my observations on site and given the relationship of Timbers to Great End and the position of Timbers lean-to garage I do not believe that the proposed new window, although resulting in an increased level of glazing, would cause such a significant increase in overlooking and loss of privacy.
- 9. The existing windows at first and second floor level already result in overlooking of the area of decking to the rear of The Moorings. From my observations on site I am not persuaded that the slightly increased overall area of glazing would result in such an increase in overlooking as to cause a significant increase in the loss of privacy.
- 10. In addition, the appellants propose screening a large area of the glazing to the window in the proposed rear dormer with timber louvres. Providing this is well detailed, carried out before first occupation and maintained thereafter, all matters that can be conditioned if I am minded to allow the appeal, I consider that this would further reduce the potential to overlooking from the new second floor window.
- 11. I therefore conclude in respect of the first main issue that the proposal would not cause harm to the living conditions of the occupiers of either Timbers or The Moorings by reason of an increased level of overlooking and thereby loss of privacy. The development would therefore accord with the aims of Policy ENV3 of the Local Plan 2016-2036-*Part One: Planning Strategy for the New Forest District outside the New Forest National Park* (Adopted 6 July 2020) (LP) as it seeks to protect residential living conditions.

Second main issue

12. The Council do not raise any objection to the proposed front dormer or the rooflight to the southeast roof slope. From what I have seen and read I would concur with the Council's findings that these elements are acceptable.
13. Further, as the site is some 30 metres or so outside of the Lymington Conservation Area and there are only limited public views of the roof, which in any case is set amongst the wider roofscape I do not consider that the development would cause harm to the adjacent character or appearance of the conservation area.
14. The proposed rear dormer is, by reason of its detailed design, contemporary in form and appearance, and relatively large. Nevertheless, it is of a simple design and form that would serve to complement the vernacular style of the existing house.
15. From my observations on site, although limited, it will be visible from the street, when viewed from the north-west. However, it would be seen in the context of the existing north elevation of the house, the two existing chimneys and the roofscape of the surrounding area. Accordingly, I do not consider that it would cause harm to the character and appearance of the host property, street scene or wider area.
16. For the reasons set out I conclude in respect of the second main issue that the proposal would accord with the objectives of LP Policy ENV3 as development is required to, amongst other things, to achieve high quality design that is attractive and visually appealing.

Conditions

17. The conditions follow from those suggested by the Council. To ensure a high-quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the development. In addition, I shall require details of the design of the louvres to the new rear dorm to be approved before the development is commenced. Further, to safeguard the privacy of neighbouring properties I shall require the louvres to be installed prior to occupation and maintained thereafter.
18. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

19. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR