
Appeal Decision

Site visit made on 28 August 2024

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th September 2024

Appeal Ref: APP/B1740/W/24/3340018
41-43 Manor Road, Ringwood BH24 1RB

- 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 Balson Homes against the decision of New Forest District Council.
 - The application reference is 23/10680.
 - The development proposed is the demolition of the existing pair of semi-detached dwellings and erection of two pairs of semi-detached dwellings (four in total) with associated access and parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The third reason for refusal was concerned with the absence of ecological information to confirm the presence or otherwise of protected species on the site. In response, during the appeal the appellant provided an Ecological Assessment Report (February 2024). The Council have considered the findings and the suggested measures of the report, and are of the view that these could be conditioned, thereby addressing the reason for refusal.
3. The appeal proposal would impact upon the internationally important habitat sites of the New Forest Special Protection Area (SPA), Special Area of Conservation (SAC), and Ramsar; the River Avon Valley SAC, SPA, and Ramsar; the Solent and Southampton Waters SACs, SPA, and Ramsar; and also the Dorset Heathlands SAC, SPA and Ramsar. One of the reasons for refusal of the original application was that the impact upon some of these habitat sites had not been adequately mitigated. To address these matters, during the appeal the appellant submitted a signed and dated Unilateral Undertaking (UU) to provide contributions for avoidance, mitigation and monitoring measures. The Council have stated that the provision of the UU addresses the reason for refusal.
4. Having regard to the Council's position concerning the Ecological Assessment and the protected habitat sites, the appeal turns on the main issues identified below, albeit I shall return to the matter of the habitat sites later.

Main Issues

5. The main issues in this case are:

- The effect of the proposal upon the character and appearance of the area; and
- The effect upon the living conditions of future occupiers with particular regard to outlook and disturbance.

Reasons

Character and Appearance

6. Positioned within a mostly residential area, the appeal site comprises a pair of semi-detached houses near to the junction of Manor Road with Green Lane. These red-brick, tiled roof houses are part of a residential estate within which there are repeated styles of houses and bungalows. Surrounding the estate are a mix of dwellings of varying ages and styles, many of which are detached. Within such surroundings, the estate forms a discrete group, with the repeated styles, forms, materials, and sizes of these dwellings, along with their similar positioning within their plots, creating a visual harmony that gives the estate a distinct local identity within the area.
7. There is a lozenge shaped grassed area to one side of Manor Road, and it is a visual and physical focus which creates a spacious appearance. This spaciousness is enhanced by grass verges to the public highway, and also through the set back of the dwellings behind similar sized and regularly shaped front gardens, resulting in the buildings providing a linear frame to the public realm. Similar sized gaps between the pairs of semi-detached houses enhances the planned appearance of the estate, giving it a spacious feel that contributes towards its distinct identity. The appeal properties (Nos 41 and 43 Manor Road) are at one end of the long row of semi-detached houses to the eastern side of the road. In addition to contributing to the linear framing of the highway, they also form a small cluster of similar styled, sized, and formed houses with the pair of semi-detached houses to the south.
8. Although those proposed have been designed to reference the Victorian houses to the north, in doing so they would not reflect the harmony of house styles found within the estate. Whilst the dwellings would maintain the building line that exists to the eastern side of the road and would be constructed of materials found nearby, they would nevertheless appear distinctly different to any of the repeated semi-detached houses within the estate. The terrace of bungalows to the west of Manor Road and Green Lane form a defined edge to the estate, beyond which there are a varied diversity of dwellings. As the appeal site is part of the long row of houses that ends at Green Lane, rather than relate to the estate, the dwellings would disrupt it, and they would be incongruously apparent given the straight nature of Manor Road and the long views it affords.
9. This disruption would be exaggerated by the close proximity of the pairs of houses to each other. Most of the houses within the estate have similar sized side spacings, and even those that have narrower degrees of separation are more generously spaced apart than those proposed. Such positioning would give the dwellings a confined and cramped appearance, that would exaggerate the differences between these homes and those in the estate, as well as eroding the spacious cohesion that is a feature of the area. The provision of hipped roofs would provide some reduction in the mass of the dwellings, but as this separation would only be at roof level, it would do little to mitigate the

constrained positioning of the dwellings. Whilst there are other dwellings nearby that occupy much of the width of their plots, such as those at 40 and 40A Manor Road, and 1B Green Lane, these are not part of the estate but are beyond it, and legibly so given their very different styles and forms.

10. The houses would not be much deeper than the existing ones, and would thereby maintain the verdant separation that the rear gardens create. However, the presence of parking within the front gardens would exaggerate the incongruously cramped nature of the scheme. Other dwellings in the estate have front garden parking provision, but in most cases they have also retained landscaping and boundary treatments. The clustered provision of the parking would retain parts of the verge, and provide some opportunity for landscaping and boundary treatments, albeit it might be that future occupiers could remove any such provision. Nevertheless, the curious grouping of the spaces would appear contrived, particularly as one dwelling would have no spaces in front of it. Moreover, the breadth of the combined spaces would not only provide wide, open frontages to the dwellings but would require the removal of broad swathes of the verge rather than the narrower breadths that occurs elsewhere. The parking would appear overly dominant rather than have the more subservient impact that occurs elsewhere within the estate.
11. There are nearby examples of plot severance and infill schemes, such as has occurred to the rear of No 41. However, 1A, 1B, 2 and 4 Green Lane do not have active frontages onto Manor Road and this positioning is such that they are not seen as part of the estate. It might be that plot severance and infill has been acceptable nearby and at 84-86 and 70 Eastfield Lane, albeit as none are part of the estate the weight that can be attributed to these comparisons is thereby limited.
12. No 41 is occupied although No 43 has been vacant for some time, with the garden having become overgrown. There is some local support for the scheme, but the current state of No 43 does not preclude it being occupied in the future, nor does it necessitate the redevelopment of the plot. As regards the removal of the gravelled area to the rear of No 41, this could be undertaken irrespective of the appeal proposal.
13. For these reasons the scheme would unacceptably harm the character and appearance of the area, and the suggested conditions would not overcome these fundamental harms. Whilst the proposal would provide a mix of house sizes, as required by Policies STR1 and HOU1 of the New Forest District Council Local Plan Planning Strategy (2020) (PS), it would fail to accord with PS Policy ENV3 and the supporting guidance in the Ringwood Local Distinctiveness Supplementary Planning Document (2013). These require amongst other things, that development is sympathetic to and responds to its environment and context, and that which respects and enhances local distinctiveness, character, and identity, thereby reflecting similar objectives within the National Planning Policy Framework (the Framework).
14. I have also had regard to the policies in the Ringwood Neighbourhood Plan (2024) (NP) that the parties have drawn to my attention. The scheme would provide some small homes that could be zero carbon, as required by Policies R5 and R10 of the NP. Nevertheless, as NP Policies R1 and R7 seek amongst other things, residential character to be sustained and enhanced and take into account local character, the scheme would fail to accord with these objectives.

Living Conditions

15. The parking layout is such that future occupiers of one of the homes would have their neighbour's parking in front of their house. Although the spaces could be allocated so as not to be in front of habitable rooms, even with such measures occupiers of one property would be impacting upon the living conditions of their neighbours. The daily comings and goings of vehicles and people would occur close to windows and to a door, and this relationship would not only result in a constrained outlook but there would also be frequent disturbance to future occupiers. Whilst the appellant has referred to this being a typical arrangement in residential areas, in this instance the layout of the parking and its very close proximity to the dwelling would result in unacceptable living conditions for future occupiers.
16. The scheme would unacceptably impact upon the living conditions of future occupiers with particular regard to outlook and disturbance. Given the layout of the parking, the suggested conditions would not overcome this harm. The scheme would fail to accord with PS Policy ENV3, as this seeks, amongst other things, to avoid adverse impacts on residential amenity, thereby reflecting similar objectives of the Framework.

Other Matters

17. The New Forest habitat site designations recognise the national and international importance of these habitats that include bogs, marshes, heaths and woodlands that support a variety of rare birds and insects. The Dorset Heathlands also host priority habitats and species, including birds, lizards and snakes as well as other typical species of heathlands. The River Avon habitat sites comprise a bio-diverse lowland river system that supports nationally and internationally important species, such as aquatic flora, invertebrates, fish, and birds. The New Forest and Dorset Heathlands are under significant pressure from public access and use, and a net increase in the number of dwellings and occupiers in the area would increase the pressure upon these important sites, as well as impacting upon air pollution. The River Avon is experiencing high levels of phosphates that includes from waste water from development, and in addition to impacting upon the river it also causes eutrophication of the protected Solent and Southampton Waters.
18. Given the location of the appeal site, future occupiers would be likely to impact upon these habitat sites thereby having a significant effect upon their integrity, including through increased recreational pressures, air quality impacts, and waste water. The Conservation of Habitats and Species Regulations (2017) require the decision maker to undertake an Appropriate Assessment where there are likely to be significant effects from the proposal, either alone or in combination with other schemes, and this duty falls to me as the competent authority. The appellant has provided a UU to secure mitigation measures. The Council have confirmed the UU secures the required contributions, and that a Grampian condition would address the phosphate levels in the River Avon Catchment.
19. Had I reached a different conclusion upon the main issues, it would have been necessary for me to undertake Appropriate Assessments and give further consideration to the likely effectiveness of the mitigation measures. In doing so I would have had regard to the UU and the suggested condition. However, as I am dismissing the appeal for other reasons, this has not been necessary.

20. Although some local residents are concerned the scheme would exacerbate parking problems within the area, following my findings on the main issues, I have no need to consider this matter further.

Planning Balance

21. The Council acknowledge that they do not have a five year housing land supply of deliverable homes, and the appellant has referred to a variety of benefits arising from the scheme. These include the provision of additional dwellings that would make an efficient use of land, two of which would be smaller homes. The dwellings would be near to the town centre and public transport, thereby minimising the need to use private cars. Future occupiers would support and sustain local services and facilities, and the dwellings would be energy efficient. An additional two homes would result in modest social, economic and environmental benefits.
22. Weighing against these modest benefits would be the significant social and environmental harms arising from the scheme. Whilst a key aim of the Framework is to significantly boost the supply of housing, when read as a whole the Framework does not suggest this should happen at the expense of other considerations. In this case, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusion

23. For the above reasons the adverse impacts arising from the proposal would significantly and demonstrably outweigh the aforementioned benefits, and the suggested conditions would not overcome these substantial and fundamental harms. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR