



Appeal Decision

Site visit made on 8 January 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31st January 2025

Appeal Ref: APP/B1740/W/24/3343904

Cracknore Cottage, Cracknore Hard Lane, Marchwood, Hampshire SO40 4UT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Simon Bailey against the decision of New Forest District Council.
 - The application Ref is 23/10630.
 - The development proposed is the erection of new detached dwelling and associated landscaping works on land adjacent to Cracknore Cottage.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for an award of costs was made by Mr Simon Bailey against New Forest District Council. This application will be the subject of a separate decision.

Main Issues

3. The main issues are: (i) the effect of the proposed development on the character and appearance of the area; and (ii) the effect of the proposed development on the living conditions of neighbouring occupiers with regards to outlook and light.

Reasons

Character and Appearance

4. The appeal site is located on a residential street and currently forms part of the rear garden of the dwelling known as Cracknore Cottage. The proposed development would involve the provision of a single new dwelling. When considering the street as a whole, it is the case that the gap between the host dwelling and the neighbouring property, Antares, is larger than those that exist between other buildings along the row. However, while this gap might seem unusual, it does not in itself result in harm to the appearance of the immediate surroundings.
5. In contrast, it is clear to me that the proposed dwelling would appear as an incongruous feature in the context of the other dwellings on the road. Indeed, based on the appellants own figures, it is abundantly clear that both the width of the plot, and the width of the proposed home, would be noticeably smaller than others nearby. The two homes that are most similar in width to the proposed dwelling, Antares and Smallmead, form a pair of semi-detached dwellings, and as such are not directly comparable to the provision of a single narrow, detached home on the appeal site.

6. Furthermore, the plan showing the proposed street scene demonstrates that the gaps between the dwelling and those either side would also be smaller than the gaps between other buildings within the immediate vicinity of the site. While the appellant has sought to draw my attention to the recent development known as 'White Pines', there are significant gaps on either side of the two dwellings, and so again, this is not directly comparable to the scheme before me.
7. In essence, because of the narrow width of the proposed dwelling, and the very limited gaps either side, it is inevitable that it would appear as a contrived development that would give the impression of having been squeezed into a confined space, and as a result, it would not be seen as a natural addition to the street scene.
8. On this basis, I conclude that the proposed development would harm the character and appearance of the area. As such, it would conflict with Policy ENV3 of the Local Plan Part 1: Planning Strategy, July 2020 (the LP), the relevant aspects of which seek to preserve character and appearance.

Living Conditions

9. The proposed dwelling would fill an existing gap and so would introduce built form onto an area of land that currently has none. As such, it is inevitable that this would have some effect on the occupiers of the dwellings either side. However, while the proposed dwelling would be sited very close to those homes, such arrangements are not unusual in other areas, and while I have found harm in relation to character and appearance, it is not clear to me why this harm would also extend to the living conditions of neighbouring occupiers.
10. Indeed, the proposed block plan shows that the dwelling would not sit forward of either Cracknore Cottage or Antares to any great extent. It would extend further back at the rear, however much of this would be single storey and so it is difficult to conclude that there would be a sufficient effect on outlook and light as to represent harm.
11. On this basis, I find that the proposed development would not harm the living conditions of neighbouring occupiers. It would therefore conform with the relevant aspects of LP Policy ENV3 which seek to preserve residential 'amenity'.

Other Matters

12. The Council's decision notice outlines that the site is within close proximity to several protected sites, including Special Areas of Protection and Special Conservation Areas. However, as I am dismissing the appeal, I am not required to consider this matter further.

Conclusion

13. It is not in dispute that the Council cannot currently demonstrate a 5-year supply of deliverable sites for housing. Indeed, the current shortfall is significant, and I have no evidence before me to suggest that this position is likely to improve in the short-term. As a result of the shortfall, policies related to the location and supply of housing are deemed to be out of date. In such circumstances, Paragraph 11d and footnote 8 of the National Planning Policy Framework (the Framework) require that permission should be granted unless any adverse impacts of doing so would

significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

14. In this instance, the benefits of the proposal include the provision of a single new home that would assist in meeting need in the area, support for local facilities, and the creation of jobs during the construction phase. Despite the level of shortfall in housing land supply, which leads me to attribute increased weight to the benefits, I still only afford limited weight to them overall given that they are relatively minor in nature.
15. I have concluded that there would be material harm to the character and appearance of the area. The support for the principle of development within the Framework is countered by the importance it places on the provision of development that is well designed and that preserves character and appearance. In this instance, the harm would be significant and enduring. As a result, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits.
16. Consequently, for the reasons given, the proposed development conflicts with the development plan as a whole, and there are no other considerations, including the provisions of the Framework, that outweigh the identified harm. The appeal is therefore dismissed.

C Butcher

INSPECTOR