



Appeal Decision

Site visit made on 7 August 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 August 2017

Appeal Ref: APP/B9506/D/17/3176443

Boundway Gate, Boundway Hill, Sway, Lymington SO41 6EN

- 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 & Mrs A Walker against the decision of the New Forest National Park Authority ('the NPA').
 - The application, Ref. 17/00187, dated 3 March 2017, was refused by notice dated 28 April 2017.
 - The development proposed is a replacement summerhouse.
-

Decision

1. The appeal is allowed and planning permission is granted for a replacement summerhouse at Boundway Gate, Boundway Hill, Sway, Lymington in accordance with the terms of the application, Ref. 17/00187, dated 3 March 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) The development shall be carried out in accordance with the following approved plans: Drawing Series: 4937: Plan Nos. PL 01 A; PL 02; PL 03;
 - 3) The building the subject of this permission shall only be used for leisure purposes incidental to the enjoyment of the dwelling and not for any form of accommodation;
 - 4) No development, demolition or site clearance shall take place until the arrangements to be made for the protection of trees and hedges on the site have been submitted to and approved in writing by the Local Planning Authority. The agreed arrangements shall be carried out in full prior to any activity taking place and shall remain in situ for the duration of development.

Main Issue

2. The main issue is the effect of the replacement summerhouse on the character and appearance of the area which forms part of the designated National Park

Reasons

3. The NPA's objection to the replacement summerhouse is that it would be an 'overdevelopment' that would adversely affect the area's distinctive rural character to the extent that it would become more suburban in nature.
-

4. However, whilst I agree a front curtilage is not normally a suitable location for an ancillary outbuilding, in this case a building is already there and the site benefits from substantial screening provided by the trees and shrubs along the front border.
5. Moreover, the proposed increase in size compared to the existing building is in my view not significant, amounting to an additional 0.5sqm floor area and 0.8m ridge height. I have not been made aware of the details of the original dwelling on the site, but with a large new house and garage approaching completion I do not see why a more suitably designed and constructed summerhouse to accompany it should raise any issues of an adverse change in character and appearance to the area, its frontward position notwithstanding. In this regard I note that there is no objection from the NPA in terms of the proposed design and materials.
6. I also saw on my visit that nearby properties have buildings on or close to a frontage boundary and although additional such buildings are discouraged by the Sway Village Design Statement, in this case (and as already mentioned above) a building of a very similar size is already in place.
7. Taken overall, I consider the NPA's reference to 'overdevelopment' and 'creeping suburbanisation' to be unjustified in this case and conclude that there would not be any adverse effect on the character and appearance of the National Park. Accordingly there would not be any conflict with either Policies DP1, DP6 & CP8 of the New Forest National Park Core Strategy and Development Management Policies DPD 2010 or with paragraph 115 of the National Planning Policy Framework 2012. I shall therefore allow the appeal.
8. The NPA has suggested a condition restricting the use of the building and I agree that this is consistent with the need to safeguard the character of the National Park. Similarly, the suggested condition to protect nearby trees and hedges is needed to maintain the rural and sylvan appearance of the site. Finally, a condition to require the development to be carried out in accordance with the approved plans is required in the interests of avoiding any uncertainty as to the nature of the approval.

Martin Andrews

INSPECTOR