

# Appeal Decision

Site visit made on 29 January 2016

**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: 10/02/2016**

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**Appeal Ref: APP/B9506/D/15/3136203**

**Iona, Church Lane, Pilley, Lymington SO41 5QL**

- 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 Mrs J Layman against the decision of New Forest National Park Authority.
  - The application, Ref. 15/00441, dated 5 June 2015, was refused by notice dated 19 August 2015.
  - The development proposed is a two storey extension; single storey extension; 1 no. rooflight; Cladding; (demolition of existing single storey extension and garage).
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues in the appeal are: (i) whether the proposal would preserve or enhance the character or appearance of the Forest South East Conservation Area and (ii) the effect on the living conditions for the occupiers of the adjoining property Wakeburgh in terms of outlook and light.

## Reasons

3. On the first issue, the appeal property is in a pleasant rural area and I saw on my visit that one of the defining characteristics is the space around the buildings as a result of good-sized gardens and the gaps between the flanks of the houses and their side boundaries. This applies to Church Lane and although in a number of cases there are buildings tight to the boundaries, these are normally only single storey. Indeed this is the case between Iona and Wakeburgh to the north and also to the south, between Primrose Cottage and Iona.
  4. The proposed side extension would not follow this pattern as it is a two storey addition with only a very modest area remaining between it and the boundary. Furthermore, the extension would be in the form of a gable with its apex only slightly lower than the main ridge of the dwelling.
  5. I note that the relationship of the extension with the plot boundary was assessed in the officer report but not considered detrimental, partly because of a lack of uniformity in plot sizes, gaps and property design along the eastern side of Church Lane. However to my mind this does not offset the harm that would be caused by the gable being squeezed up to the boundary at the
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expense of boundary planting and a reasonable gap at the flank of the building. Moreover, in this case the adverse effect would be compounded by the bulk of the proposed gable being only about 3m away from the prominent steeply pitched roof slope of Wakeburgh. When these are read together the result would be to introduce a more suburban effect, out of keeping with the spacious rural surroundings.

6. I acknowledge that in itself the design of the side extension is an acceptable form of extension to the building. However the roughly 50% reduction of the space between the buildings would be contrary to the principles of the Authority's Design Guide SPD, and overall I conclude that it would be harmful to the character and appearance of the Forest South East Conservation Area, which would not therefore be preserved.
7. Turning to the second issue, the officer report considered whether the side extension would have an adverse effect on the 'amenity' of the occupiers of Wakeburgh. The conclusion on balance was that it would not. I agree with the report in terms of there being no unacceptable loss of privacy. However, because there would be only about a 3 metre gap between the proposed gable and the flank of Wakeburgh, I take the view that there would be a perception of a loss of space and outlook adjoining the southern flank of Wakeburgh. This would also apply to the outlook from the ground floor window, albeit this is constrained by the substantial boundary hedge at a distance of only 3m.
8. The Authority also concluded favourably for the appellant as regards the effect on light, but I accept the occupier of Wakeburgh's assessment that the above-mentioned window is important for both daylight and sunlight and that the proposed extension would have a noticeable effect, despite the window's secondary nature. Thus on this issue I conclude that there would be a harmful effect on the living conditions for the occupiers of Wakeburgh in terms of outlook and light.
9. I have taken account of the letters of support for the proposal and am aware of the appellant's need for additional family accommodation. However, whilst there would still appear to be scope for additions to the property, I consider that the appeal scheme is contrary to Policies DP1, DP6, DP11, CP7, & CP8 of the New Forest National Park Core Strategy and Development Policies DPD 2010; the Design Guide SPD 2011; the Boldre Parish Design Statement SPD 2013, and Government policy in the National Planning Policy Framework 2012 ('the Framework').
10. In terms of the conservation area, the proposal would result in 'less than substantial harm' on the heritage asset as defined in the Framework. However, I do not regard the improved and extended accommodation at Iona to be of sufficient public benefit to outweigh my conclusion that the character and appearance of the conservation area would not be preserved.

*Martin Andrews*

INSPECTOR