



## Appeal Decision

Site visit made on 27 October 2021

**by G Roberts BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10<sup>th</sup> November 2021**

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**Appeal Ref: APP/B9506/D/21/3279709**  
**Gibbos Nest, Kings Lane, Sway, SO41 6BQ**

- 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 Gibbons against the decision of New Forest National Park Authority.
  - The application Ref 21/00206, dated 26 February 2021, was refused by notice dated 6 May 2021.
  - The development proposed is 2 no. ground floor extensions; 1 no. dormer; extension to existing dormer; porch; roof alterations; 1 no. rooflight; alterations to doors and windows; flue.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. I have adopted the description of the proposed development on the Council's decision notice as it more accurately describes the proposal.
3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (Framework). However, the policies that are relevant to this appeal have not changed and there was no need, therefore, to invite the parties to make further submissions on the revised Framework.

### Main Issues

4. The main issues are: (a) the effect of the proposed development on the character and appearance of the host property and surrounding area; and (b) whether the impact of the proposed extensions would be appropriate with particular regard to policy DP36 of the New Forest National Park Local Plan.

### Reasons

#### *Character and appearance*

5. The appeal site is located on the southern side of Kings Lane and comprises a detached single storey bungalow with accommodation in the roof. There are similar detached bungalows, some with roof accommodation, to the west and east of the appeal site. To the rear of the appeal site is a horticultural use and to the north an open field.
6. Planning permission to extend the host property was granted in 2019 under reference 19/00850, and subsequently implemented. However, the

extensions, as built, deviate in a number of respects from the approved plans, which the current appealed application seeks to regularise. These deviations include changes to the roof design of the single storey rear extension. However, I agree with the Council that whilst the design of the latter is not of the same quality as approved, due to its location at the rear, the impact on the character and appearance of the host property and surrounding area is not materially harmful. The other main deviations relate to the front dormer window, which, as built, is larger than approved; also, the existing rear dormer window, which has been altered to match that on the front elevation, and, as built, is again larger than approved.

7. Whilst a number of properties in the lane have roof dormers, all the examples I observed on my site visit were modest in scale and sited below the main ridge, sitting comfortably within the roof plane to those properties. In addition, although I recognise that existing boundary landscaping does provide some screening along the lane, as I again observed on my site visit, the appeal site, as with other properties, is visible from the public highway.
8. Within that context, the scale, siting and width of the proposed dormers are, in my judgement, excessive. The new dormers dominate the main roof to the host property, and, as a result of their bulk and width, are out of scale with the character and appearance of the host property. The proposed dormers are not subordinate or proportional to the roof of the host property and represent a marked and harmful difference, in scale and width, to the dormers that exist on other properties in the lane.
9. As I also observed on site, the roof to the host property is highly visible from public vantagepoints, including, when traveling along the lane from the east, where it is viewed in the context of the existing bungalow to the west, which has no dormer on the front elevation. Also, when traveling from the west, where it is viewed in the context of the bungalow to the east, which benefits from a modest dormer on the front elevation. From both viewpoints, the proposed dormers appear over-sized and visually dominate the roof plane, resulting in significant harm to the character and appearance of the host property and surrounding area.
10. The Appellant contends that the proposed dormers enable a high quality bedroom to be accommodated at first floor level. That may be so, but I would only accord that benefit limited weight and it is not sufficient to outweigh the harm that I have identified.
11. Accordingly, I find that the proposed dormers are contrary to policy DP2, SP17 and DP18 of the New Forest National Park Local Plan 2016 – 2036 (August 2019) (NFLP). These policies seek, amongst other requirements, to ensure that new development is appropriate and sympathetic in terms of its scale, form, siting and appearance, and does not erode the character of the National Park. This policy is consistent with those of the Framework. The appeal proposal fails to meet these policy objectives resulting in significant harm to the character and appearance of the host property and surrounding area.

#### *Compliance with policy DP36*

12. Policy DP36 of the NFLP states that extensions will be permitted provided they are appropriate to the existing dwelling and its curtilage. The policy continues

- by stating that, in relation to larger dwellings, extensions must not result in an increase in the floorspace of the existing dwelling by more than 30%.
13. Whilst the Appellant has referred to that part of policy DP36 which applies to "*small dwellings*", my understanding is that the Council determined that the existing dwelling did not fall within this definition and that this part of the policy did not therefore apply. I concur with those findings.
  14. The Council argue that the approved extensions were considered acceptable as the increase in floorspace was 30%. However, as a result of the larger, as built, dormers, the Council contend that the increase in floorspace is now 36%. There is no agreement over the precise floorspace increase. I also note that the Council's estimate is based on measuring the floorspace that the dormers have created, rather than as shown on the submitted plans where the Council suggest that the internal walls to the new bedroom have been drawn in from the eaves so as to show a similar increase in floorspace to that approved. In view of this, I have been unable to reach a firm finding on this issue.
  15. Even so, as I confirmed above the purpose behind policy DP36 of the NFLP is to ensure that extensions are appropriate to the existing dwelling and its curtilage. Paragraph 7.80 of the NFLP provides further guidance in that it states that the 30% limit is not an allowance and even though an extension may comply with this criterion, other harmful impacts could arise which would make the proposal unacceptable. The paragraph continues by stating that in all cases the Council will have regard to the scale and character of the original dwelling in determining whether an extension is sympathetic or not.
  16. The proposed dormers are, in my judgement, over-sized and visually dominate the roof plane, and they are also neither appropriate nor sympathetic to the scale and character of the host property or the surrounding area. As a consequence, the proposed dormers are at odds with the scale and form of the local built environment, resulting in harm to the appearance of this part of the New Forest National Park.
  17. Accordingly, I find that the proposed dormers are contrary to the aims and objectives of policy DP36 of the NFLP.

### **Conclusions**

18. For the reasons given above and having taken all other matters into account, I conclude that the appeal should be dismissed.

*G Roberts*

INSPECTOR