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## Appeal Decision

Site visit made on 14 October 2025

by **C Cooper-Young MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 November 2025

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**Appeal Ref: 6000518**

**West Cottage, Manchester Road, Sway, Lymington SO41 6AS**

- 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 Ian Lamb against the decision of New Forest National Park Authority.
  - The application Ref 25/00187/FULL, dated 17 February 2025, was refused by notice dated 16 June 2025.
  - The development proposed is replacement boundary fence; replacement entrance gate.
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### Decision

1. The appeal is allowed and planning permission is granted for replacement boundary fence; replacement entrance gate at West Cottage, Manchester Road, Sway, Lymington SO41 6AS, in accordance with the terms of application, Ref 25/00187/FULL dated 17 February 2025 and the plans submitted with it, 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 hereby permitted shall be carried out in accordance with the following approved plans: 1, 2, DR4.
  - 3) All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.
  - 4) No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

### Preliminary Matters

2. I have taken the description of development in the heading and my decision above from the Authority's refusal notice which describes the development more concisely than the application form.

### Main Issue

3. The main issue is the effect of the proposed fence and gate on the character and appearance of the area.

### Reasons

4. The purpose of the New Forest National Park Local Plan 2016–2036 (August 2019) (the Local Plan) is that it seeks to protect the National Park's special

qualities, whilst meeting the needs of its communities. All development should seek to further its statutory purposes of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area and promoting opportunities of the understanding and enjoyment of its special qualities by the public.

5. The appeal site is in a semi-rural location on the northern periphery of the village of Sway. The site comprises West Cottage, a two-storey dwelling fronting Manchester Road. The site forms a corner plot sat at the junction of Manchester Road with Brighton Road. This section of Manchester Road characterises the delineation of the defined village with that of the open forest.
6. The roads in the immediate vicinity are lined with hedges and trees. However, this verdant edge is intermittently interrupted by residential boundary treatment and driveways which provide views of dwellings and driveways.
7. The proposal seeks to replace the existing open slatted fencing and timber five bar gate with close boarded fencing, inward facing concrete posts and close boarded gates. The proposed fencing will be set back from the highway and will run along the edge of both Manchester Road and Brighton Road.
8. During my site visit I observed a relatively small section of the site boundary from footpaths around the Setthorns car park which lies approximately 400m north of the site, within the open forest. From the open forest the corner section of the proposed fencing would be set within the context of the existing hedge planting, signage, the cattle grid and associated gates and the road.
9. Additionally, when viewed from the open forest I found that the permeability of the open slat fencing to be indiscernible visually and, from those public vantage points my eye was drawn to the existing garden outbuilding rather than the existing fencing. As such, I find that the proposed fencing would not be an overly prominent feature when viewed from this and other locations within the open forest.
10. The New Forest National Park Local Development Framework, Design Guide, Supplementary Planning Document, December 2011 (the SPD) advises that vegetation should be allowed to grow through boundary enclosures, while lower fence heights of around a metre are preferable.
11. I noted fencing of a similar height and appearance to the proposed fencing along the roadside at Quarr House and Quarr Meadow. This is a much longer boundary enclosure to that before me. Whilst there are numerous trees and planting within this boundary, it is no less conspicuous along this stretch of Manchester Road than the appeal fence. At Quarr Lodge I noted a wall constructed of dark brick at varying heights.
12. I observed boundary treatment in the form of open slatted fencing, brick walls and close boarded fencing of varying heights along Brighton Road in the immediate vicinity of the appeal site. Therefore, given the above, in the context of the immediate area the proposal is consistent with prevailing boundary features in terms of appearance and location.
13. However, my overall my assessment leads me to conclude that the proposal would not have a harmful effect on the character and appearance or natural beauty of the area and would be visually acceptable in its surroundings. Accordingly, the proposal would be compatible with the overarching aim of the SPD to seek to

conserve and enhance landscape character, and for these reasons, there would be no conflict with the objective of furthering the purposes of the National Park.

14. As such, there would be no conflict with Policies DP2, DP18, SP7 and SP17 of the adopted New Forest National Park Local Plan 2016–2036 (August 2019) which, collectively, seek to conserve and enhance landscape character, ensuring location layout, scale and design conserves what is special about landscape character.

### **Conditions**

15. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans in the interests of certainty.
16. The proposed materials are shown on the plans, and it is stipulated in Condition 2 that the development must be carried out in accordance with the approved plans. Therefore, I have not imposed the Authority's suggested materials condition.
17. In the interest of maintaining effective control over the development and protecting the designated habitats, it is necessary to impose a condition requiring that all materials, machinery and any resultant waste materials or spoil are stored within the red line of the application site.
18. It is necessary to impose a condition requiring the approval of any subsequent lighting scheme in the interest of maintaining effective control with regard to light pollution.

### **Conclusion**

19. For the reasons given, the appeal is allowed.

*C Cooper-Young*

INSPECTOR