
Appeal Decision

Site visit made on 21 March 2016

by Robert Parker BSc (Hons) Dip TP MRTPI

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

Decision date: 30 March 2016

Appeal Ref: APP/B9506/D/16/3143068

Poppy Cottage, 1 Pollards Moor Road, Copythorne, Hampshire SO40 2NZ

- 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 Ms Joanna Spencer against the decision of New Forest National Park Authority.
 - The application Ref 15/00817, dated 21 October 2015, was refused by notice dated 1 December 2015.
 - The development proposed is single storey extension to the rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the range and mix of housing stock within the New Forest National Park.

Reasons

3. The starting point for my consideration of this appeal is the development plan. Relevant planning policy on extensions to dwellings is contained in Policy DP11 of the adopted New Forest National Park Core Strategy and Development Management Policies Development Plan Document (2010) (CS). This places a size limit on domestic extensions in the interests of protecting the locally distinctive character of the New Forest and retaining a supply of dwellings at the lower end of the market.
4. In the case of small dwellings, which are defined as those with an internal floor area of 80 square metres or less as they existed on 1 July 1982, any extension must not result in a total habitable floorspace exceeding 100 square metres. In the case of other dwellings outside the defined villages, an extension must not increase the floorspace of the dwelling, as it existed on 1 July 1982, by more than 30%.
5. The National Park Authority (the Authority) has treated the property as a small dwelling for the purposes of making its assessment. In my view this approach is the correct one. Plans submitted to New Forest District Council on 17 January 1983¹, in relation to a proposed first floor extension, showed the 'existing' floor area to be approximately 71 square metres.

¹ Ref 83/23420

6. Planning permission for the first floor extension was granted and this was implemented, adding roughly 17 square metres to the floorspace of the property. An outbuilding, shown on the 1983 plans as a detached garage, has since been converted to habitable accommodation and incorporated within the envelope of the dwelling. The floor area of the additional room, excluding the link corridor, is just over 12 square metres.
7. Therefore it is apparent that the dwelling already provides a total habitable floorspace in excess of 100 square metres. The proposal to extend the floor area by a further 18 square metres would therefore breach the maximum limit set by Policy DP11.
8. The policy states that a larger extension may be permitted in exceptional circumstances to meet the genuine family needs of an occupier who works in the immediate locality; or to meet design considerations relating to the special character of the dwelling. No case is put forward on either criterion and therefore exceptional circumstances have not been demonstrated.
9. The appellant contends that the proposal would be a minor increase in size over and above what could be built under permitted development rights. In the absence of a Certificate of Lawfulness, and given the uncertainty over when the original single storey kitchen extension was constructed, the fallback position is difficult to establish with any confidence. I can therefore give this argument very limited weight.
10. Drawing matters together, Policy DP11 sets clear parameters. The policy has been subject to extensive consultation and examination during its preparation. Its objectives are consistent with paragraph 50 of the National Planning Policy Framework which seeks to deliver housing choice and create sustainable, inclusive and mixed communities. Policy DP11 therefore deserves strong support and it should be applied consistently to ensure fairness.
11. I conclude that the appeal proposal would contribute to an imbalance in the range and mix of housing within the National Park. It would therefore be contrary to Policy DP11 of the CS. There are no other material considerations to outweigh the policy conflict and justify making a departure from the development plan.

Other Matters

12. I have taken into account the concerns of the neighbour at No 2 Pollards Moor Road. The window in the side of the extension would be a high level opening and therefore it would not facilitate any overlooking. Although loss of the boundary hedge would be undesirable, the harm would not be sufficient to warrant dismissal of the appeal.

Conclusion

13. For the reasons given above and having regard to all other matters raised, including the absence of any objection from the Authority in relation to the impact upon the locally distinctive character of the New Forest National Park, I conclude that the appeal should be dismissed.

Robert Parker

INSPECTOR