



## Appeal Decision

Site visit made on 18 June 2018

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

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

**Decision date: 28<sup>th</sup> June 2018**

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### **Appeal Ref: APP/B9506/D/18/3201377**

### **De La Warr House, All Saints Road, Lymington SO41 8FB**

- 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 Mark Broadway against the decision of the New Forest National Park Authority ('the NPA').
  - The application, Ref. 18/00120, dated 8 February 2018, was refused by notice dated 9 April 2018.
  - The development proposed is a replacement garage with a stable block extension (revised design to planning permission reference 17/01005).
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### **Decision**

1. The appeal is dismissed.

### **Main Issues**

2. The main issues are (i) whether the building would be appropriate or incidental to the main house, a Grade II listed building, and (ii) the effect of the building on the character and appearance of Viney Road. These issues are inter-related and can largely be considered as one.

### **Reasons**

3. In summary, the appeal scheme seeks a two storey extension at the northern end of a replacement outbuilding permitted under reference 17/01005 and approved on 16 January 2018. This permission itself was a negotiated consent pursuant to an allowed appeal in 2015, and the NPA's concern is that the current proposal would result in a harmfully larger building than that allowed on appeal.
  4. Whilst this background information including the planning history is a material consideration, I consider that the deciding factors in this appeal on both the main issues are directly related to the actual impact of the building's scale and design in its context. In this regard, it was informative as part of my assessment to see at the time of my visit the construction of the extant permission well under way.
  5. In terms of scale and floor space, I consider that the approved building for the most part reads as a subservient outbuilding appropriate to the main house, with in addition the tightness to the boundary a logical and appropriate siting in this particular case, especially as it reflects the siting of the original building(s). However, as regards design, I have more reservations, in particular the large
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dormer on the southern elevation; the east facing gable at the southern end and most of the fenestration.

6. This appraisal of the existing approval is relevant to this appeal because in terms of both main issues in paragraph 2 above, the approved building currently under construction in my view arguably represents the maximum departure tolerable from the 'subservient, simple and rural' character and appearance appropriate for stable buildings in the National Park and in the grounds of a listed building. My doubt about the building's design is not intended to be a criticism of the NPA, because its actions are heavily constrained by the findings of the Inspector in the 2015 appeal.
7. That said, it does place the appellant in difficulties in terms of both the principle and detail of a scheme for extending the approved building. I do not at all doubt the desirability of the extra facilities as regards the equestrian objectives at De La Warr House. And I recognise that without them there are disadvantages regarding the logistics of competitive riding and the management of horses. I also accept there is a need for more general storage at the property.
8. However, these needs do not alter the constraints associated with providing stables and associated equestrian facilities within a residential curtilage, as opposed to the much more spacious sites in the countryside where stables and paddocks are found together. Although De La Warr House is a very large building, the site as a whole is relatively modest in comparison to other equestrian premises. And whilst the horse riding in this case is private and not commercial, I see this shortage of space as contributing to the problem, with the listed status of the main house an additional factor.
9. Given these constraints, factors such as the lengthening of the building by about 7m assume greater significance and in my view this would exacerbate its already substantial impact on the extent to which the character of Viney Road is still rural rather than suburban. The raising of the existing ridge; the addition of a second gable on the southern elevation, and the cropped roof of the wash down void would result in a particularly complicated roof design, as can be seen from the proposed northern elevation on Drawing No. DH 100/05 REV. B. Moreover, the design lacks coherence with the approved building, with the step up of the existing ridge and the step down again to the roof of the wash down area and resulting in three different roof heights being particularly unfortunate.
10. Although in this respect it is argued that '*the design of the building has been carefully thought through in order to create the impression of an outbuilding that has been added to at different periods in time*', I am not convinced that this concept works in this context, even allowing for it being modelled on a photograph in the NPA's Design Guide.
11. On the matter of convertibility, the likelihood of an outbuilding being converted to residential use has to be assessed on matters of fact and degree in each case. The fairly domestic design raises this possibility, but on the other hand the large amount of habitable floor space already in the dwelling suggests that the outbuilding is always more likely to be in demand for ancillary purposes, even if not for stables, in the longer term. The inclusion of a condition would also add strength to the NPA's ability to preclude this change of use occurring.

12. Overall, although I do not wholly endorse the NPA's case on every point advanced in favour of refusal of permission, I consider that the weight of argument is clearly against an approval in this instance. The appeal scheme is significantly larger than that approved in the 2015 appeal and its impact on Viney Road is a concern not just of the NPA but also members of the public who have objected to the proposal. In short, the extension to the approved building raises the prospect of an outbuilding too large for its context, especially when seen from Viney Road, and all the more so because of a design that is overly domestic and unsympathetic to the semi-rural character of its surroundings.
13. For all of the above reasons, and taking account of all other matters raised, I conclude that the proposed extension would not be sufficiently appropriate or incidental to De La Warr House and would have an adverse effect on the character and appearance of Viney Road. This would be in conflict with Policies DP1, DP12 & DP22 of the New Forest National Park Core Strategy and Development Management Policies DPD 2012 and with Section 7: 'Requiring Good Design' of the National Planning Policy Framework 2012.
14. The appeal is dismissed accordingly.

*Martin Andrews*

INSPECTOR