



Appeal Decision

Site visit made on 28 August 2018

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

an Inspector appointed by the Secretary of State

Decision date: 12 September 2018

Appeal Ref: APP/B9506/D/18/3203948

Forest View, Linford Road, Shobley, Ringwood BH24 3HT

- 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 Greg Guillon against the decision of the New Forest National Park Authority ('the NPA').
 - The application, Ref. 18/00097, dated 6 February 2018, was refused by notice dated 9 April 2018.
 - The development proposed is the conversion of the existing loft space above the garage into a new bedroom and ensuite, including lifting the existing ridge line to accommodate, and the provision of a link to the existing dwelling.
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Application for Costs

1. An application for costs was made by Mr Greg Gullion against the New Forest National Park Authority. This is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for the conversion of the existing loft space above the garage into a new bedroom and ensuite, including lifting the existing ridge line to accommodate, and provision of a link to the existing dwelling at Forest View, Linford Road, Shobley, Ringwood in accordance with the terms of the application, Ref. 18/00097, dated 6 February 2018, 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 shall be carried out in accordance with the following approved plans: Plan Series Ref. FV/LR/PA/; Drawing Nos. 01 Rev. A; 02; 03 Rev. A; 04; 05 Rev. B; 06 Rev. B; 06.1; 07 Rev. C; 08 Rev. A; 09;
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

3. The appendices to the appeal include pages A28-A36 with some plans that have different reference numbers to those listed in the Decision Notice, with the former comprising 03A; 05B; 06B; 07C, & 08A. However, I am satisfied that these plan discrepancies have no bearing on the NPA's decision or the reasons for it and I have therefore determined the appeal with these amended plans included.
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Main Issue

4. The main issue is whether the appeal proposals when taken together with the planning history of the property would result in a building with an increase in floorspace that would be harmful to the NPA's objectives of safeguarding the long term future of the countryside and maintaining a balance in the housing stock.

Reasons

5. At the heart of this case is Policy DP11 of the New Forest National Park Core Strategy and Development Management Policies DPD 2010 ('the Core Strategy'). This seeks to ensure that the floorspace of dwellings within the National Park are not extended by more than 30% of the 'original dwelling' (defined as being the house as it stood in 1982, albeit with some caveats).
6. In this instance Forest View is a dwelling approved in 1998 as a replacement for the original which was built during or before 1949, and the NPA says that the evidence is that in 1998 the original building had an area of 146sqm. The existing property currently has an area of 194sqm, thereby having already used the 30% allowance, and the additional floorspace of the appeal scheme would result in a cumulative increase of 91%, some three times the limit.
7. For the appellant it is argued firstly that the case officer's report on the application includes errors as the nature of the proposal and a contradiction as to its impact on the implications for the wider area. There are in fact two unfortunate errors, although I do not see these in themselves as affecting the decision to refuse permission which is based on an alleged quantitative conflict with the floorspace limits of Policy DP11.
8. As regards the scheme's implications for the National Park, the report also includes the word 'direct' which enables it to be distinguished from the more abstract objectives of the policy, albeit I acknowledge this distinction would be too subtle to be appreciated by anyone unfamiliar with the intricacies of planning policy in the National Park. However, as regards the appeal at Buckler's Hard cited in the officer's report, I agree with the appellant that an undisputed breach of the 30% limit, albeit minor in its extent, is a different issue to the one in this appeal which centres on disagreement as to the interpretation of the historical events.
9. In this regard I have carefully read the pre-application and application correspondence between the parties, mainly in the form of emails that comprise the majority of 30 appendices to the grounds of appeal. At the end of that process I am in the position of being unable to state within any conviction that either the NPA or the appellant's architects are right as regards whether the 30% floorspace or some part of it remains available to be used in the proposed extension over the garage. To my mind the evidence pulls in different directions and I consider no purpose would be served in this appeal by my itemising and adjudicating each individual disputed point. Were I to do so, I would agree with the NPA on some points and with the appellant on others but still remain in a void of uncertainty, particularly (i) without sight of all the attachments and original documents referred to in the evidence and (ii) the absence of an opportunity to hear structured discussion or cross examination that would form part of an appeal Hearing or Local Inquiry respectively.

10. However, these points notwithstanding, I am able to conclude that the NPA's evidence is not of a quality as regards documentation (including plans) and provable detail that in this case can be relied upon for the safe and fair application of the policy limit. This is not so much a criticism of the NPA as a recognition that the planning register insofar as it relates to the pre-digital age is at best patchy and limited to providing stepping stones that will inevitably be linked by supposition. Certainly, the appellant's analysis has raised reasonable areas of doubt to which in some respects the NPA showed an eventual reluctance to respond.
11. Given this doubt on the planning history lies within the ambit of the NPA's responsibility as keeper of the statutory records, I consider that the appellant is entitled to the benefit of it. In coming to this conclusion, I am also mindful that the proposal is meet the family needs of the existing occupiers through the extension of a three bedroom house to four bedrooms, with no increase in its footprint and with no adverse planning implications other than only a potential incremental effect on the objectives of Policy DP11, important as they are. In this context, I also note that Forest View lies within the designated Western Escarpment Conservation Area, but nothing I have seen or read leads me to conclude that its character, appearance or significance as a designated heritage asset would be noticeably harmed, either directly by this individual proposal or from its incremental impact.
12. Overall, I conclude that it has not been clearly demonstrated that there would be a harmful conflict with the objectives of safeguarding the long term future of the countryside and maintaining a balance in the housing stock in Core Strategy Policy DP11 and its supporting paragraphs. Nor would the proposal be in clear conflict with the National Planning Policy Framework 2018 in respect of Government policy as regards the protection of the countryside in general and National Parks in particular.
13. I shall therefore allow the appeal. A condition in respect of compliance with the approved plans is needed for certainty as to the nature of the approval. An external materials condition will safeguard visual amenity.

Martin Andrews

INSPECTOR