
Appeal Decision

Site visit made on 30 April 2018

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

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

Decision date: 15 May 2018

Appeal Ref: APP/B9506/D/18/3195319
Springwell, Winsor Road, Winsor SO40 2HE

- 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 Dr Steve Tatham against the decision of the New Forest National Park Authority ('the NPA').
 - The application, Ref. 17/00972, dated 15 September 2017, was refused by notice dated 20 December 2017.
 - The development proposed is a new roof to the existing conservatory.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the New Forest National Park. In this regard the NPA refers to Policies CP8 and DP11 of the New Forest National Park Core Strategy and Development Management Policies DPD 2010 ('the Local Plan').

Reasons

3. From the information before me it appears that Springwell is a replacement building some 14 years old, which increased the floorspace of its predecessor by about the 30% permitted under the policies of the then New Forest District Local Plan. However, additional floorspace in the form of the existing conservatory was allowed subject to a condition stipulating that it should remain predominantly glazed and not be incorporated into the main house.
 4. The appellant seeks a hipped rather than glazed roof that would be 'solid' rather than glazed, with the change in materials intended to increase the structure's thermal efficiency. However, because the present extent of glazing in the walls would remain, there would still be a temperature difference to the remainder of the house. Despite this difference, the grounds of appeal imply that the usability of the structure would increase because the replacement roof would to some extent 'iron out' the existing loss of heat in the winter and the excess of heat in the summer, including an ingress into the adjoining living room.
 5. In my view, the extent to which the structure would be 'incorporated' into the main habitable accommodation as alleged by the NPA would still essentially be 'weather-dependant', given its hybrid form of mainly glazed walls and a solid roof, but in any event its duration of use in any year is likely to measurably
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increase. In addition to this increased usability, the new roof would take the structure well outside the definition of a 'conservatory' in the sixth definition of interpretive paragraph 7.39 of the supporting text for Local Plan Policy DP11 (*'not less than three-quarters of the area of its roof made of translucent material'*). The fact that this policy now includes new conservatories as an extension to the dwelling, whereas the former Local Plan treated them as a controllable exception, does not alter the relevance of this definition.

6. With these points in mind I consider that the proposed alteration would amount to a material conflict with the objective of Policy DP11, which is to restrain the size of dwellings in the National Park. I have noted the comparisons in the officer's report with the appeal decisions in respect of Poona Lodge and Dovenby (the latter being my Decision) and the appellant's response, but consider that with its individual circumstances limiting useful comparisons I can determine this appeal on its own merits.
7. In addition to Local Plan Policy DP11 the NPA cites a harmful conflict with Policy CP8, which seeks to preclude development or changes of use which would individually or cumulatively erode the National Park's local character and result in a gradual suburbanising effect. The grounds of appeal assert that there is no objective supporting evidence in this case, especially as the conservatory cannot be seen by passers-by on Winsor Road.
8. However, as this is a policy which uses the terms 'cumulative' and 'gradual' it is not always necessary for an individually noticeable impact to occur and be demonstrated in any one case for the objectives of preserving the National Park's unique rural qualities to be achieved. I acknowledge that the impact of such an all-encompassing policy as Policy CP8 can easily be perceived as being unfairly restrictive for a particular applicant or appellant. Despite this and the counter-intuitive concept of an owner not being allowed to make the most effective use of his property, because the aforementioned policies are in place following public consultation the planning balance in this appeal clearly falls in favour of the case argued by the NPA.
9. On the remaining matter of the roof design, I am minded to agree with the NPA that the existing gable is more in keeping with the character and appearance of the dwelling. However, I do not regard this aspect alone as being necessarily determinative, and in the absence of the other main considerations already outlined it would be capable of being outweighed by clear evidence of the increased thermal efficiency of an alternative roof form.
10. Having regard to the reasons given above, I conclude on balance that the proposed replacement roof would have an unacceptably harmful effect on the character and appearance of the New Forest National Park. In addition to conflict with Local Plan Policies CP8 & DP11 the proposal would be contrary to national policy in Section 11: 'Conserving and Enhancing the Natural Environment' of the National Planning Policy Framework 2012. The appeal is dismissed accordingly.

Martin Andrews

INSPECTOR