



Appeal Decision

Site visit made on 15 October 2018

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2018

Appeal Ref: APP/B9506/D/18/3211430

The Cottage, Road from Frogham Cross to Hyde, Frogham SP6 2HS

- 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 Dr Derek Grief against the decision of New Forest National Park Authority.
 - The application Ref 18/00347, dated 30 April 2018, was refused by notice dated 27 June 2018.
 - The development proposed is to replace the existing green oak conservatory roof (fully double-glazed glass) with a conventional grey slate roof.
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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 or appearance of the conservation area.

Reasons

3. The appeal site is located within the small village of Frogham, which forms part of the Western Escarpment Conservation Area. The buildings, arranged in a loose knit pattern, together with the setting provided by the mature trees and hedges, give the area a pleasant rural character.
4. Pursuant to planning applications in 2009 and 2010, the Cottage is a recently built two-storey rendered property with thatched roof, which replaced a smaller house. The site also comprises a large timber-built garage and workshop alongside the boundary shared with Holly Hyde to the North, and a conservatory to the South of the existing dwelling.
5. Policy DP11 of the New Forest National Park Core Strategy and Development Management Policies Development Plan Document (DPD) states that outside the defined villages, householder extensions must not increase the floorspace of the existing dwelling by more than 30%. Para 7.39 of the DPD provides further clarification regarding the definition of existing dwellings for the purposes of Policy DP11, which is defined as the dwelling as it existed on 1 July 1982. Although the DPD was adopted in December 2010, prior to the publication of the National Planning Policy Framework (the Framework), I note that the aim of this policy is consistent with section 15 of the Framework, which seeks to conserving and enhancing the natural environment. In

- particular, paragraph 172 makes it clear that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.
6. Based on the information before me, the permissions granted in 2009 and 2010 enabled the property to be extended, resulting in an increase on floorspace of 30% compared with the dwelling it replaced. This is because it was permitted as an 'exception' to policy under the former New Forest District Local Plan, and the above consents are therefore subject to planning conditions, limiting its use as a conservatory.
 7. The appeal proposal solely relates to the replacement of the existing glazed roof with slate covering, to enable the appellant to use the structure throughout the year, by increasing its thermal efficiency and design. The height of the roof would be marginally increased, but the shape and footprint would remain unaltered. Therefore, no additional living accommodation would be created as a result of the proposal. Notwithstanding the above, as a result of the proposal, the structure would no longer qualify as a conservatory for the purposes of paragraph 7.39 which provides supporting information to Policy DP11. Indeed, it defines a conservatory 'as having not less than three-quarters of its roof and not less than one-half of the area or its external walls made of translucent material'. By enabling the extension to be used throughout the year, it would become fully incorporated as part of the dwelling's living accommodation.
 8. Whilst I note the arguments put forward by the appellant, these could be repeated on many other sites across the New Forest, and do not constitute exceptional circumstances, as set out by Policy DP11. This policy seeks to prevent the cumulative erosion of the National Park through successive extensions to residential properties, and can only be effective if applied in a strict and consistent manner.
 9. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. For the reasons detailed above, I consider that the proposal would have an adverse effect on the significance of this designated heritage asset although, having regard to paragraph 196 of the Framework, the harm would be less than substantial. In these circumstances, the Framework advises that the harm should be weighed against the public benefits of the proposal. In this instance, the benefits of the development would be exclusively private.
 10. I conclude that the proposal would conflict with Policy DP11 of the DPD, by affecting the locally distinctive character of the New Forest, which outweighs the appellant's desire to use the conservatory throughout the year. It would also fail to preserve or enhance the character or appearance of the Western Escarpment Conservation Area. The appeal is subsequently dismissed.

S Edwards

INSPECTOR