



Appeal Decision

Site visit made on 7 August 2018

by **Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 26th September 2018

Appeal Ref: APP/B9506/W/18/3198074

Westmoors, Main Road, East Boldre SO42 7WD.

- 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 Mrs Anna Rostand against the decision of New Forest National Park Authority.
 - The application Ref 17/00989, dated 14 November 2017, was refused by notice dated 20 February 2018.
 - The development proposed is a two-storey rear extension (demolition of single storey rear extension).
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey rear extension (demolition of single storey rear extension) at Westmoors, Main Road, East Boldre SO42 7WD in accordance with the terms of the application, Ref 17/00989, dated 14 November 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan Rev. 1, 021 Rev. A, 022 Rev. A, 023 Rev. A, 024 Rev. A, 025 Rev. A, 027 Rev. A, 028 Rev. A, 029 Rev. A, 030 Rev. A, 031 Rev. A.
 - 3) The external surfaces of the extension hereby permitted shall match those used in the construction of the existing building, unless otherwise agreed in writing by the local planning authority.

Procedural Matter

2. The Revised National Planning Policy Framework (the Framework) came into force during the course of the appeal. The parties have been given the opportunity to comment on the implications of the revised guidance on the appeal and I have also taken it into account in determining the appeal.

Main Issue

3. The main issue in this appeal is the effect of the development on the character and appearance of the area, and in particular whether it would preserve or enhance the character or appearance of the Forest South East Conservation Area (the conservation area).

Reasons

4. Westmoors is a detached dwelling which forms part of a cluster of houses within the open setting of the New Forest. The property falls within the conservation area, which is a geographically extensive designation. The significance of the conservation area appears to lie in the architectural character of the buildings it contains and their historic layout and association within the particular context provided by the New Forest.
5. From the evidence before me, it is clear that the Council has refused permission solely on the basis that the development would breach a 30% limit placed on cumulative extensions of floorspace since 1 July 1982. This limit is set by Policy DP11 of the New Forest National Park Core Strategy and Development Management Policies DPD 2020 (NFCS). Policy DP11 requires a calculation of the percentage increase in floorspace arising from extension relative to the floorspace as it existed on 1 July 1982.
6. Calculations undertaken with regard to extension of the property for which planning permission was sought in 2009 have been considered inaccurate in retrospect. Whilst these gave credit for a conservatory then assumed to have been present in 1982, evidence now indicates that it was constructed much later. Doubt however exists over whether it replaced another structure, and disagreement exists between the neighbour and the appellant's agent on this matter. In this regard I consider that the aerial photographic evidence is unclear. Furthermore I note that photos are dated 1984, meaning that they do not show the state of the property as it existed in 1982. Consequently there is no substantive evidence before me as to whether or not this conservatory replaced a previous structure of unknown dimensions. As such, based on the evidence before me, the floorspace of the dwelling on 1 July 1982 cannot be ascertained with certainty.
7. The Council make reference to a previous appeal (reference APP/B9506/D/15/3004446) where the Inspector supported the stringent application of Policy DP11, but that case differs insofar as there appears to have been certainty over the extent of floorspace increase in the development proposed. That is not true of the appeal scheme.
8. The existence of doubt appears to have informed the original officer recommendation to approve the proposed development contained in the Council's Committee report. Both the Committee report and the appellant argue that in the absence of any other firm point of reference the 2009 space calculations should be used to assess the current proposal. Notwithstanding the fact that the 2009 calculations are themselves accepted to be inaccurate, this would demonstrate consistency in decision making and provide a degree of certainty. Floorspace calculations before me show that the development would be acceptable if considered on this basis.
9. The Council's Committee report notes that the design of the extension would be acceptable and that it would have a limited impact on the street scene. The Council's appeal statement does not contradict this, and I agree. The design of the extension would integrate effectively with that of the existing building and its setting, and in view of the unsympathetic form of the existing extension, the proposed development could bring some visual improvement to the dwelling as a whole. As such I conclude that the design of the development would appear

- appropriate within its context and preserve and potentially modestly enhance the character and appearance of the conservation area.
10. With regard to other factors referenced in the decision notice, the extension would not give rise to any obvious increase in activity other than that briefly generated by its construction, and as noted above, the visual impact of the development within its general setting would be minimal. As such I conclude that no harm would arise to the countryside on these grounds either individually or cumulatively.
 11. As I have made my decision on the basis of the fact that it cannot be demonstrated that the development would be in breach of the floorspace limits in Policy DP11, and would otherwise be appropriate in design terms I am satisfied that allowing the appeal would not undesirably add to pressures for change that would damage the future of the countryside.
 12. In light of my findings above, having regard to the purposes of the New Forest National Park, and advice in paragraph 172 of the Framework to give great weight to the conservation and enhancement of landscape and scenic beauty in National Parks, the development would not cause any harm to either the character or appearance of the landscape or scenic beauty of the open countryside.
 13. I conclude that the development would not demonstrably be in conflict with Policy DM11 of the NFCS with regard to the increase in floorspace involved. It would otherwise comply with the objective of securing development whose design is appropriate to the existing dwelling and its curtilage set by Policy DM11, and would as such also be compatible with the character and appearance of the area, including that of the conservation area.

Other Matters

14. Reference is made by neighbours to the enclosure of the porch at Westmoors. This does not, however, form part of the development for which planning permission has been sought. As such this has not had a bearing on my decision.
15. It is suggested that the development would cause harm to the living conditions the occupants of the neighbouring dwelling known as 'Hatchet Gorse' due to loss of light, and an adverse impact on outlook. The Council does not share these concerns, and I agree. The space alongside the boundary immediately to the rear of the neighbouring dwelling is used for parking. Whilst I note some limited potential for increased overshadowing of this space, this would not cause an unacceptably adverse impact on the day to day living conditions of the occupants of this property. A single window located in the northeast facing elevation of the neighbouring dwelling overlooks this space, but given its orientation and its distance from the boundary any effect of the extension on levels of daylight reaching it would be minimal. By virtue of the above and given the stepped in, and stepped down design of the extension, the extension would furthermore not appear unacceptably overbearing viewed from the neighbouring property.
16. The Council's appeal statement, decision notice and supporting text of Policy DM11 make reference to maintaining balance in the range and mix of the housing stock. The balance of the housing stock is not addressed in any detail

within the submissions however and there is no evidence before me to suggest that this would be adversely affected by the development proposed. As such this matter has not affected my conclusions with regard to the main issue.

Conditions

17. In addition to standard conditions which provide a timescale for the commencement of the development and specify the approved plans for sake of certainty, the Council has recommended a condition requiring the use of matching materials. This is necessary to ensure that the extension harmonises with the host building and with its setting within both the National Park and the conservation area.

Conclusion

18. For the reasons set out above the appeal is allowed.

Benjamin Webb

INSPECTOR