



Appeal Decision

Site visit made on 23 July 2019

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

an Inspector appointed by the Secretary of State

Decision date: 09 August 2019

Appeal Ref: APP/B9506/W/19/3224988

Broadhill Cottage, Broadhill Lane, Blissford SP6 2JH

- 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 Simon Holloway against the decision of New Forest National Park Authority.
 - The application Ref 18/00968, dated 5 December 2018, was refused by notice dated 11 February 2019.
 - The development proposed is described as replacement dwelling and outbuilding.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have edited the description of development above from that provided on the application form, removing the phrase 'retention of' in relation to the outbuilding, as this is not an act of development.
3. The outbuilding in question has already been constructed. I have therefore based my assessment regarding this part of the appeal scheme, on the outbuilding as it exists.
4. The Authority has referenced policies within the emerging New Forest Local Plan 2016-2036 (the ELP) within its appeal statement. These largely duplicate adopted policies within the existing adopted New Forest National Park Local Development Framework Core Strategy and Development Management Policies DPD 2010 (the DPD). In accordance with paragraph 48 of the National Planning Policy Framework (the Framework) weight may be given to emerging policies subject to matters including the stage of preparation and extent of unresolved objections. Preparation of the ELP is now at an advanced stage, and modifications have been made to some of the quoted policies. However, there is little evidence before me which indicates to what extent objections have been resolved. I have therefore attached moderate weight to policies in the ELP in my reasons below, and have determined the appeal with primary reference to the DPD.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the area, including the Western Escarpment Conservation Area (the Conservation Area), and the New Forest National Park (the National Park).

Reasons

6. The site is located within the Conservation Area, within which it is necessary to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The site also lies within the National Park. It is therefore necessary to take account of the statutory purposes of the designation, which include the conservation and enhancement of cultural heritage, and advice in paragraph 172 of the Framework, to give the conservation and enhancement of cultural heritage and of landscape and scenic beauty great weight in National Parks.
7. As indicated in the Western Escarpment Conservation Area Character Appraisal (the Appraisal), the significance of the Conservation Area partly lies in the distinctive historic settlement pattern, which has evolved over time in relation to the landscape of the New Forest. In sub-area G, within which the site is located, the historic settlement pattern features scattered development. Significance and distinctiveness also lie in the large number of vernacular buildings the Conservation Area contains, which includes cob cottages and hovels dated to the late eighteenth and early nineteenth centuries.
8. Broadhill Cottage is located adjacent to a roughly surfaced track within a rural setting. It stands alone, well separated from other, more modern dwellings nearby. This is consistent with the historic settlement pattern within sub-area G. The principal part of the building is constructed from cob, the front section of which has recently collapsed. The submissions suggest that in common with other cob dwellings in the Conservation Area, the cottage was originally thatched. Though the parties dispute the age of the building, given its vernacular construction I see no reason to believe that its oldest parts fall outside the generally described period for such development within the Appraisal, or that the structure shown at the site on historic maps is anything other than the building in question.
9. Whilst later extension to the side and associated remodelling resulted in cosmetic change, the cottage retained its modest scale and informal architectural appearance. Partial collapse has compromised the fabric and appearance of the cottage, however for the above reasons I nonetheless consider that it makes a positive contribution to the significance of both sub-area G, and the Conservation Area as a whole. Likewise it positively contributes to the character and cultural heritage of the National Park.
10. The Authority indicates that in its view Broadhill Cottage should be considered as a non-designated heritage asset. The appellant disputes this for a number of reasons. Aside from its age, considered above, other points raised include its lack of foundations, the cement render finish, later additions, its condition, and the fact that it is not recorded in sources such as the Historic Environment Record (HER).
11. The lack of foundations is not remarkable, as few historic vernacular buildings have them. Cement render is a cosmetic finish potentially capable of change, and render is more generally a usual finish for cob. The historic side extension and associated details obscured the identity of the original building, but nonetheless reflect a historic phase of remodelling, and lend some interest in themselves. Other more modern extensions are not complementary but are capable of removal or change. Condition is not wholly determinative of significance, particularly where the potential for repair exists. Finally, there is

no necessity for a building to be featured in the HER or in any other published source in order to be considered as a non-designated heritage asset. Therefore, for the reasons have outlined above, I agree with the Authority that Broadhill Cottage should be treated as a non-designated heritage asset.

12. The parties further dispute whether the current condition of the building is a product of deliberate neglect, as addressed in paragraph 191 of the Framework. This states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
13. A structural survey was undertaken around 3.5 months prior to the collapse. This was in order to support a previous proposal to demolish and replace the cottage. This identified long-term structural issues and ongoing deterioration. Particular attention was drawn to the effects of roof spread and subsidence on the front wall, which were most apparent in the area where the collapse subsequently began. The fact that some detached render had fallen off near to this point was noted, but it was not identified as a factor contributing to the observed instability of the front wall.
14. The condition of the building at the time of the survey was clearly poor, and in this regard the appellant cannot be held responsible for historic deterioration. The structural report did however clearly identify the instability of the front wall, the need for its stabilisation, and likelihood of further progressive deterioration. In this context none of the evidence set before me describes or illustrates that any substantive effort was then made to provide the front wall of the cottage with external support. Though the internal installation of acrow props is noted, limited details have been provided, and the structural rationale is unclear. Indeed, these measures clearly did not prevent the front wall collapsing, together with the roof and first floor.
15. Despite the appellant's point that the Authority cannot evidence a claimed failure to cover the building with a tarpaulin or covered scaffold during the winter, it is equally true that no evidence has been provided to show that such measures were taken. Furthermore, it was not apparent during my visit that any measures are currently in place to protect or stabilise the substantial remnants of the building on site.
16. In my view it is reasonable to consider that a failure to take appropriate action to stabilise the front wall, despite its instability being clearly identified, and subsequent failure to stabilise or protect the rest of the building, falls within the scope of paragraph 191 of the Framework as outlined above. Whilst the partial collapse of the building and its subsequent further deterioration clearly cannot be ignored, it cannot therefore in itself be considered a reason for granting planning permission for demolition and replacement of the cottage. Even if I was to have concluded otherwise, no detailed evidence has been provided to show that the building in its current state is beyond repair.
17. Here I acknowledge that costings have been submitted in order to demonstrate that retention of the cottage would be unviable, and the submitted comments of a builder. The costings were however produced by the appellant prior to the collapse, and are not clearly based on any detailed structural or repair specification. The basis for the specified works and costings is therefore unclear. Furthermore, the accompanying text does not appear to reflect the general approach to renovation outlined in the structural report, but rather to

outline the wholesale replacement of the cottage. The costings do not therefore demonstrate that the building is beyond viable repair.

18. The design of the proposed dwelling would have a cottage-like appearance, but this would not match, or bear any direct resemblance to the cottage it replaced. This would be apparent in the more substantial and formal appearance of the building, differing layout and size of openings including dormers, the different roof form and external finishes. Though the appellant indicates that the design responds to advice in the Design Guide Supplementary Planning Document 2011, that proposed would nonetheless be generic in its visual character. The design would as such fail to reflect or uphold the external attributes of the existing cottage, which together both make, and made a positive contribution to the character and appearance of the Conservation Area, and the distinctiveness of the National Park.
19. Though the proposed dwelling would have a design similar to that approved at another site in the broader vicinity, this has little specific relevance to the circumstances of the site in question. Indeed, unlike the cottage on the current appeal site, the building replaced in that case was described by the Authority as of no particular architectural merit.
20. The garage, together with associated pulling-off and manoeuvring space, is located on the lane frontage. As the building includes roof-space accommodation, it is substantial in its overall size. The scale of the garage, in combination with its lane side position, and the modest rural dimensions of the lane itself, gives the building a significant visual presence. This is and would be accentuated by the fact the garage is positioned further forward than the cottage both existing and proposed. More generally, the position and visual presence of the garage appears at odds with that of buildings within the broader vicinity of the appeal site, which are predominantly set further back from the frontage. Despite an acknowledged effort to employ traditional materials on the external surfaces of the building, and whether or not larger outbuildings can be identified in the vicinity, the garage is a visually intrusive feature at odds with its context.
21. I find therefore that the development both does, and would not preserve or enhance the character or appearance of the Conservation Area, causing less than substantial harm to its significance. In addition, the development would result in loss of a non-designated heritage asset. Having particular regard to the considerable importance and weight to be given to the statutory objectives of the preservation or enhancement of conservation areas, I find that the development both provides, and would provide principally private benefits, with any broader economic benefit generated by construction limited in scale. Such benefits are and would be insufficient to outweigh the harm caused.
22. For the same reasons the development both does and would conflict with the statutory purpose of the National Park designation insofar as this relates to the conservation and enhancement of cultural heritage. It also has a modestly negative impact on the scenic beauty of the National Park on account of visual intrusion.
23. For the reasons outlined above I conclude therefore that the development both has and would have an unacceptably adverse impact on the character and appearance of the area, including the Conservation Area and the National Park. The proposal therefore conflicts with Policy DP1 of the DPD which states that

new development proposals must demonstrate high quality design and construction which enhances local character and distinctiveness; Policy DP6 of the DPD and Policy DP18 of the ELP which similarly require new development to enhance the built heritage of the New Forest; Policy CP7 of the DPD and Policy SP16 of the ELP which similarly state that proposals should protect, maintain or enhance nationally, regionally and locally important sites and features of the built environment; Policy CP8 of the DPD and Policy SP17 of the ELP which each state that development which would erode the Park's local character will not be permitted; and Policy DP10 of the DPD and Policy DP35 of the ELP which each state that the replacement of existing dwellings will not be permitted where the existing dwelling makes a positive contribution to the historic character and appearance of the locality; and policy and advice related to the historic environment and National Parks within the Framework. Whilst the Authority also referenced Policy DP11 of the DPD in its decision notice, and Policy DP36 of the ELP in its appeal statement, neither appears to be relevant given that each relates to extensions.

Other Matters

24. The level of proposed floorspace, and abandonment of the cottage were not stated reasons for refusal of planning permission. Both parties nonetheless reference floorspace calculations in view of the criteria set out for replacement buildings in Policy DP10 of the DPD, and abandonment with regard to the supporting text of the same policy. On account of the fact that the development would conflict with headline criteria set out in Policy DP10, further consideration of floorspace set out in the body of Policy DP10 is unnecessary. Furthermore, and for much the same reason, the proposal would remain contrary to Policy DP10 of the DPD regardless of any conclusions drawn regarding abandonment. As such I have not considered floorspace or abandonment further.

Conclusion

25. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR