
Appeal Decision

Site visit made on 10 January 2019

by C J Leigh BSc(Hons) MPhil MRTPI

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

Decision date: 21 June 2019

Appeal Ref: APP/B9506/D/18/3216075

Wattons Farm House, Holmsley Rod, Wootton, New Milton, BH25 5TR

- 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 & Mrs S McCarthy against the decision of the New Forest National Park Authority.
 - The application Ref 18/00485, dated 21 June 2018, was refused by notice dated 20 August 2018.
 - The development proposed is the erection of a single storey timber and glazed garden room.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is whether the proposed extension in relation to the cumulative enlargement of the dwelling is acceptable as regards development plan policy, which seeks to safeguard the distinctive character and appearance of the New Forest National Park and maintain a balance in the housing stock within it.

Reasons

3. Wattons Farm House is a detached house that was built, along with grooms' accommodation, following the grant of planning permission in 2012 (ref. 11/96865, later the subject of a Non Material Amendment ref. 12/97192). This permission saw the demolition of two existing dwellings ('Wattons Farm' and 'Forest Mead') and other buildings.
 4. I am informed that in deciding to grant permission for the floorspace of Wattons Farm House and the grooms' accommodation under the relevant Policy DP10 of the New Forest National Park Core Strategy and Development Management Policies Development Plan Document, December 2010 (DPD), the local planning authority (LPA) took into account the combined floor area of both existing dwellings that were standing on the site at the time, and the potential to extend those dwellings under Policy DP11 of the DPD.
 5. The provisions of Policies DP10 and DP11 refer to the situation that will have existed in 1982. Although there is nothing in the DPD to explicitly allow the 'pragmatic approach' which occurred in 2012 – whereby there was evidently a 'trade off' of floorspace between the policies – an appeal decision relating to
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- the appeal site (ref. APP/B9506/A/11/2151372) recognised that the salient matter when considering such an approach was to have regard to the purpose behind Policy DP10.
6. The development the subject of this appeal would see a further extension to Wattons Farm House. The submissions from the main parties have considered this extension with regards to Policy DP11 and the floorspace that existed on the site in 1982. In light of the decision of the LPA to already have accepted the potential floorspace increase to both dwellings on the site under DP11 when they allowed the construction of Wattons Farm House and the grooms' accommodation in 2012 under Policy DP10, I concur it is necessary to refer back to the floorspace of both dwellings on the site as they existed in 1982 in order to continue to meet the purpose behind Policy DP11.
 7. The LPA's Delegated Report for the current scheme and the appellants' submissions differed in their calculations on this matter, and I sought further details from both parties. I am informed there are no drawings of the previous dwellings from 1982 itself, and the appellants have referred to 'existing' drawings contained within 11/96865. A Design & Access Statement accompanying that application set out the floor areas of Wattons Farm and Forest Mead at that time were 407.2m² and 226m² respectively, ie totaling 633.2m².
 8. The appellants state that these figures should therefore be taken as that existing in 1982. Their further submission is that 30% can now be added to these figures for the purposes of calculating any increase permissible in terms of the tests of Policies DP10 and DP11.
 9. However, the recital of planning history for the site from both parties shows that, prior to 2011, Wattons Farm had been extended in 1985 (ref. 29078) and Forest Mead had been replaced in 1983 (ref. 24283). The LPA have provided a drawing of the 1985 extension to Wattons Farm that shows the proposed addition of a lounge and master bedroom on ground and first floors. Both those elements of work appear on the 'existing' plans accompanying 11/96865 and hence it is reasonable to assume they were undertaken pursuant to 29078 and hence post-1985. Based on this, the LPA say that the floor area for Wattons Farm prior to 1985 was 277.35m².
 10. The LPA have also provided a drawing of the 1983 replacement dwelling of Forest Mead. They draw my attention to an annotation on that drawing next to the dwelling that was to be replaced, which states an area of 86m². The appellants say that figure is unclear as there is another annotation on the drawing saying '*areas of building being demolished = 139m²*'. However, it is apparent from reading the drawing in full that there were three other dimensioned buildings annotated to be removed which, together with the dwelling, set out figures that added up to 139m². I am therefore satisfied that the 86m² did indeed relate to Forest Mead prior to demolition
 11. Based on the evidence presented to me it is therefore my judgement that the 'existing' floor areas set out in the Design & Access Statement for 11/96865 do not equate to the floorspace of the two dwellings on the site as existed in 1982. I acknowledge the appellants' observation that the LPA's pre-1985 figure of 277.35m² for Wattons Farm is based on a measurement of a scanned drawing, and indeed the LPA accept the figure is not absolutely precise. However, the

- LPA's reference to calibrating the scale bar to a feature on the drawing is a reasonable approach and my own viewing of the drawing leads me to concur that the LPA's figure is a fair estimate of the floorspace, and hence I accept it. In any event, it is clear to me from looking at the drawings from 1985 that the floor area of Wattons Farm at 1982 was considerably less than the appellants' figure, and the LPA's figures reinforce my view on this.
12. I also acknowledge that for Forest Mead the 1983 drawing did not contain floorplans. However, even if the demolished dwelling had been two storey then, with a dimension of 86m² specified on the drawings, that would still have been considerably less than the 226m² figure given as the 'existing' dwelling in 2011.
 13. I now turn to the replacement dwelling and grooms' accommodation permitted in 2012 under application 11/96865. The LPA state that the replacement dwelling of Wattons Farm House was 423.65m², but the subsequent incorporation of a boot room into the main habitable accommodation that was shown to be attached building has brought this to approximately 450m² in total^a. That application also saw the demolition and replacement of Forest Mead, being 210.28m². Together this equals a floorspace of some 671m². Thus, either looking at Wattons Farm House by itself or taking together with the grooms accommodation replaced Forest Mead, based on my conclusions of floorspace figures there has already been an increase in floorspace on the site of more than 30% over the 1982 figure.
 14. The extension proposed in the current appeal would add a further 33.5m² according to the LPA or 35.7m² according to the appellant. This extension would therefore not satisfy the specific floorspace criterion of Policy DP11 in itself, or in combination with Policy DP10 as was applied by the LPA in 2012 upon the grant of permission for the replacement dwellings on the site. Wattons Farm House and the grooms' accommodation have taken advantage of the 30% increase in floorspace provided for under Policy DP11: a figure that is specific and can only be exceeded if certain listed exceptions apply (none of which apply in this instance).
 15. The proposed development therefore conflicts with Policy DP11. But it is also necessary to look at the purposes of Policy DP11. Paragraph 7.36 of the supporting text to the Policy states that proposals to extend dwellings in the National Park have the potential to cause imbalance in the range and mix of housing stock. That paragraph also says proposed extensions can affect the locally distinctive character of the New Forest.
 16. The appellants state that as Wattons Farm House is already a large house then the further addition would not cause any imbalance to the housing stock. However, to accept such a blanket argument would mean that the LPA should accept any extension to a large house that may appear modest or limited in size. That could not be the intention of the Policy, since it is axiomatic that a gradual progressive increase in the size of houses that have already been extended beyond the 30% limit allowed under Policy DP11 will lead to houses little by little entering into what could be called a category of even larger houses. That incremental process would create a further imbalance in the

^a n.b I consider it reasonable to now include such space within the dwelling as I saw at my site visit it is an area of habitable floorspace contiguous with the rest of the house

- housing stock. The LPA's Delegated Report for the current appeal says that the objective of the Policy is to retain a mix of properties in a wide range of price brackets, and hence it is apparent to me that a policy approach that seeks to prevent large houses becoming even larger - even if that is through successive relatively small additions - is consistent with the objectives of Policy DP11.
17. When looking at the purposes of Policy DP11, paragraph 7.36 further says that proposals to extend dwellings can affect the locally distinctive character of the New Forest. The LPA's Delegated Report further says the character of the National Park relies upon the characterful nature of the range and mix of property sizes and the space around them.
 18. As noted already, Wattons Farm House is a replacement and larger than the 1982 property. This larger size of building, the space around it, and consequential effect on the character of the area was accepted with the past application of Policies DP10 and DP11. The extension proposed in this appeal would increase the size of the building further and lead to a further spread of development into the National Park. The design of the extension is acceptable in itself as an element of architecture, but I concur with the Council that just because an extension is not visible from public viewpoints or has limited visual impact that is not justification to set aside the objectives of seeking to conserve the recognised natural beauty of the National Park, as set out in Policy DP11.
 19. Thus, conflict occurs with Policy DP11 and also with paragraph 172 of the National Planning Policy Framework which places great weight on conserving and enhancing landscape and scenic beauty in National Parks.
 20. The appellant has drawn my attention to an appeal at Woodlands, Bartley (ref. APP/B9506/D/18/3197383) where a colleague Inspector found in that instance that a proposed rear extension would not be likely to change the role of the dwelling in the housing stock of the National Park or affect the Park's distinctive character and appearance. I do not have full details of that case, but it is clear to me from the decision that an almost identical extension could be built under permitted development rights, and the Inspector attached significant weight to that matter. He stated that future decisions covering similar issues would *'regard the 'fall back' 'as a one off opportunity for an applicant or appellant to stake a credible case for alterations and additions to their property in technical conflict with policy.'* The conclusion was that there was a technical breach of Policy DP11 but *'the fall back position is a material consideration that would enable a reasonable and proportionate proposal to go ahead without undermining either the policy or affecting its objectives'.*
 21. In the appeal before me there is no fall back position presented, and I have not been made aware of any permitted development rights that might allow for an almost identical extension able to be built at Wattons Farm House. The circumstances between the cases differ, and my earlier finding that the proposed development at Wattons Farm House would conflict with Policy DP11 remain unaltered by the appeal at Woodlands.
 22. The proposed development would therefore conflict with the development plan, which seeks to safeguard the distinctive character and appearance of the New Forest National Park and maintain a balance in the housing stock within it. There is further conflict with the Framework. The appeal is therefore dismissed.

C J Leigh

INSPECTOR