
Appeal Decision

Site visit made on 18 May 2016

by Megan Thomas Barrister-at-Law

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

Decision date: 25 May 2016

Appeal Ref: APP/B9506/D/16/3144009

Dilton Cottage, Boldre, Lymington, Hampshire SO41 8PH

- 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 Amy Reid against the decision of the New Forest National Park Authority.
 - The application Ref 15/00849, dated 30 October 2015, was refused by notice dated 14 December 2015.
 - The development proposed is the demolition of the existing single storey extension and replacement with two storey oak framed extension.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing single storey extension and replacement with two storey oak framed extension at Dilton Cottage, Boldre, Lymington, Hampshire SO41 8PH in accordance with the terms of the application, Ref 15/00849, dated 30 October 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 25753/06, 25753/07, 25753/08, 25753/09, 25753/02, 25753/03 & 25753/01.
 - 3) The external facing roof tiles and brickwork to be used in the extension shall match those used on the existing building, unless otherwise agreed in writing by the National Park Authority.
 - 4) No development above ground shall take place until samples or exact details of the weatherboarding have been submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with those approved details.
 - 5) Prior to the commencement of development, a scheme detailing mitigation measures applicable to bats shall be submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved details.
 - 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any re-enactment of that
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Order with or without modification) no extension or alteration otherwise approved by Classes A, C or D of Part 1 of Schedule 2 to the Order, shall be erected or carried out without express planning permission first having been granted.

- 7) The doors or fenestration onto the first floor 'balcony' of the extension hereby permitted shall be permanently non-openable.

Procedural Matter

2. The appellants have requested that I take into account an amended scheme which the Council received on 3 December 2015. The scheme consists of an extension of smaller size in the same location. The Council's Notice of Decision is dated 14 December 2015 and the officer report expressly indicates that the amended scheme was received by the Council on 3rd December 2015. Given those facts I do not consider that any party including third parties is prejudiced by the amended scheme being the subject of this appeal in substitution for the originally submitted scheme and accordingly I have considered the amended scheme as set out in the amended drawings.

Main Issue

3. The main issue in the appeal is the effect of the proposal on the character and appearance of the host dwelling and wider area with particular regard to local policy seeking to restrict enlargements to rural dwellings.

Reasons

4. Dilton Cottage is situated in an attractive, isolated location in a very rural setting. It is two storey and detached and is surrounded by fields and a handful of other rural properties. Planning permission (ref:15/00848) for a modest ground floor single storey orangery on the eastern elevation of the cottage was granted dated 19 January 2016. It would have an internal floor area of about 12.53 sqm. At the time of my site visit, work on it had not commenced.
5. The appeal site is within the New Forest National Park where great weight should be given to conserving the beauty of the landscape. Policy DP11 of the New Forest Core Strategy and Development Management Policies DPD (adopted 2010) 'CS' relates to extensions to dwellings and, for dwellings such as Dilton Cottage which are outside defined village envelopes, an extension must not increase the floorspace by more than 30% above the dwelling floorspace as it existed on 1st July 1982.
6. The proposal is to demolish an existing single storey extension attached to the northern elevation of the cottage and to build a two storey gable extension in a similar location. The ground floor would be about 6.5m deep and about 6m wide and there would be small flat-roofed wooden veranda attached to the northern elevation. No access at first floor level is proposed onto the flat roof of the veranda from the proposed first floor bedroom. The extension would use an oak frame and be partially clad in weatherboard. There would be 4 dormer windows, two on the eastern elevation and two on the western elevation.
7. The habitable floorspace of the building as it stood in 1982 was agreed with the Authority to exclude part of the single storey ground floor extension. The

appellants therefore assert that the total existing floorspace of the dwelling to be used for the purposes of policy DP11 is 200.67sqm. 30% of that figure is 60.2sqm. As there would be demolition of 19.96sqm (the garden room and utility room) this can be added back onto the allowance to bring the allowance up to 80.16sqm. The proposed internal floorspace of the ground and first floors of the extension would be about 65.64sq m. When the proposed orangery is added to that the 80.16sqm allowance is not exceeded. Consequently, the proposed extension would not conflict with policy DP11 in so far as it allows increases of up to 30% of qualifying existing floorspace. I am satisfied that these calculations are correct when applied to the appeal property.

8. Turning to the design of the proposed extension and its relationship with the main dwelling, the proposed oak frame and part weatherboard cladding would reflect the exposed timber framing visible on the existing house and the overall effect would be appropriately rustic. The roof ridge would be slightly lower than the main house. The dormers would be modestly-sized, as would the remainder of the fenestration thereby leaving the extension relatively simple and unfussy in appearance. The proposed depth and width would not be out of scale or overbearing and the footprint would be smaller than the existing single storey extension. Overall the extension would be subservient to the main dwelling.
9. For the reasons above, I conclude that the proposed scheme would not harm the character or appearance of the host dwelling or the surrounding area and would not be contrary to the requirements of policies CP8 or DP6 of the CP. In particular, the proposal would comply with policy DP11 of the CP as the 30% tolerance would not be exceeded.

Conditions

10. The Council has suggested some conditions in the event that the appeal might be successful and I have considered those in the light of PPG and the model conditions. In the interests of proper planning and certainty I have attached a condition which ties the development to the approved plans. In order to protect the character and appearance of the host dwelling and area, conditions requiring brickwork and roof tiles to match existing, and weatherboard to be approved, are imposed. Given the location of the extension in the National Park and the policy limits on new floorspace there is sufficient justification to remove some permitted development rights and to ensure that the flat roof of the veranda is not used as habitable floorspace. The appellants have submitted an ecological survey and bat mitigation strategy (dated June 2015) which has highlighted the presence of bats. It is necessary therefore to impose a condition which ensures that bats are not unduly harmed or disturbed by the development. Any scheme needs to be approved prior to commencement of development as bats can be disturbed as soon as works begin on site.

Conclusion

11. Having taken into account all representations made, for the reasons given above, I allow the appeal.

Megan Thomas

INSPECTOR