
Appeal Decision

Site visit made on 9 March 2016

by Jane Miles BA (Hons) DipTP MRTPI

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

Decision date: 15 April 2016

Appeal Ref: APP/B9506/W/15/3138389

Laurel Cottage, Northover Lane, Tiptoe, Hampshire SO41 6FS

- 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 Russell Cooper against the decision of New Forest National Park Authority.
 - The application ref: 15/00393, dated 15 May 2015, was refused by notice dated 24 July 2015.
 - The development is proposed two-storey rear extension, alterations to existing garage and partial change of use of paddock.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Historic England was requested by the Council to consider Laurel Cottage for inclusion on the List of Buildings of Special Architectural or Historic Interest. Following an assessment the cottage was added to the List as a Grade II listed building in October 2015. Thus in determining this appeal I have a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, even though this duty did not apply to the Council at the application stage. However, as the appeal was lodged after the notification of listing, the representations of both the appellant and the Council take account of the building's listed status.

Reasons

3. Notwithstanding the Grade II listing and the location in the New Forest National Park, no objections have been raised to those elements of the appeal scheme involving alterations to the detached garage (and removal of an outbuilding between it and the cottage) and a partial change of use of the paddock. I find no reason to take any different view on those elements and am satisfied the garage as proposed to be altered would preserve the listed building and its setting without harming its significance as a designated heritage asset.
 4. Thus, in the light of the above, the **main issue** in this case is the effect of the proposed two storey extension on the character, appearance, special interest and significance of the principal cottage building, and on local character and distinctiveness in the New Forest National Park.
-

5. The small thatched cottage is likely to date from the late 18th or early 19th century. It appears to have initially comprised a small ground floor living area (with a full width inglenook feature across the eastern end) divided by a central and very steep stair to two rooms in the roof space. It was built of materials sourced locally: timber, clay cob and straw thatch. Single storey extensions have been added to each end of the building, matching its single room depth. Thus the building as it currently exists is long, low and narrow with a roughly hipped roof form, and it has a single storey room at the eastern end accessible only by an external door.
6. From my site visit and from all the written information before me¹ I find that key factors which make up this vernacular building's special architectural and historic interest include the extent of historic fabric which remains; the original linear plan form and its legibility; the inglenook and unusual stone window at the eastern end of the central structure; the extent to which the cottage illustrates the smallholder tradition in the New Forest area, including the use of materials most readily to hand. In short it has both internal and external features that contribute to its significance as a heritage asset and the building as a whole is also of historic interest in more general terms. That is so irrespective of how it compares in terms of quality to other examples of this type of building in the wider locality.
7. Notwithstanding pre-application negotiations the current proposal would add a large and roughly square extension to the rear of the building, with an additional and slightly lower element projecting outwards on the eastern side. Most of the rear extension would be set down below existing ground level to facilitate a reasonable ceiling height on two floors without exceeding the overall height of the cottage's existing ridge line. Existing and proposed ridge lines would however be at more or less the same level.
8. Irrespective of the recent listing the proportions of the extension in terms of width, length and the form of its roof would be totally at odds with those of the existing cottage and would not therefore constitute good design. The roof (and the extension as a whole) would have a markedly greater span than that of the thatched roof (and the building below) rather than a smaller span as advocated in the Council's Design Guide². More significantly the width³ combined with length, ridge height, resultant mass, gable-ended form⁴, roof materials⁵ and the additional projection on the eastern side would create overall a very dominant feature relative to the existing building.
9. Thus the extension would detract from the proportions and simple linear form of the cottage as a whole and, given its ridge height, from the cottage's thatched roof, all of which features contribute to the building's character and special interest irrespective of the extent to which they are or are not visible in public views. Therefore, even though the extension would leave the front

¹ Which includes the Historic Building Condition Survey by the Historic Building Advisory Service (2014) for the appellant; the Historic England Consultation Report (July 2015) in response to the request for listing; the CgMs representations to Historic England (August 2015) for the appellant

² In full, the New Forest National Park Local Development Framework Design Guide Supplementary Planning Document (2011) (DG)

³ For the avoidance of any doubt, I have used 'width' and 'span' interchangeably, as appears to be the case in the DG, to mean the shorter of the two dimensions of the basic rectangular forms of both the existing cottage and the proposed extension

⁴ Albeit with a small hipped element

⁵ Proposed in the application to be natural slate, albeit it is indicated in the appeal statement that a condition requiring an alternative material would be acceptable

elevation unaltered⁶, it is primarily for these reasons rather than loss of historic fabric⁷ that I find it would harm the building's character and special interest.

10. The rationale for the proposed width, length and height of the extension stems partly from matters such as the need for a more practical staircase; limited headroom at first floor level; the need to retain the important full width inglenook feature and window; the unusual layout with internal access between the room at the eastern end and the rest of the cottage. Moreover, given the narrow width of the existing cottage, it is apparent that requiring an extension to be of lesser width is unlikely to be a practical option in this case. This appears to be acknowledged by the Council in annotations made by officers, at the pre-application stage, on drawings referred to in the appellant's statement as the 'parameters plan'⁸.
11. Nonetheless I am in no doubt that the proposed extension would be an unduly long, tall and thus disproportionate and unsympathetic addition to the existing cottage, seriously detracting from its character and appearance and harming its special interest and significance as a local vernacular building and a designated heritage asset. In these respects the extension would conflict with CSDMP⁹ Policies CP7, DP1, DP6 and DP11 and with additional guidance in the DG.
12. In addition part of Policy DP11 seeks to restrict the size of extensions to small dwellings, such as Laurel Cottage, to a maximum of 100 sq.m total habitable floorspace. The reason is given in the supporting text and also stems in part from Policy CP8 which seeks to prevent development that would erode the National Park's local character or result in a gradual suburbanising effect. The appeal proposal would not take the cottage's floorspace over the 100 sq.m threshold. However, in harming the existing vernacular building's character and appearance it would also detract from the Park's local character and distinctiveness. Thus there would also be a degree of conflict with development plan policies in this respect even though, in a location on an unmade lane that serves several other dwellings, I find no compelling grounds to conclude the proposal would have a suburbanising effect.
13. In terms of policy guidance in the *National Planning Policy Framework*, which post-dates the CSDMP and is a key material consideration, the harm to the listed building's significance would be 'less than substantial'. Even so, as set out in the *Framework*, heritage assets are an irreplaceable resource and great weight should be given to their conservation. Less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of a proposal, including securing the asset's optimum viable use.
14. Continuing residential use is likely to be the optimum viable use for Laurel Cottage, albeit it appears to have been empty for some time, is now currently vacant and not much more than a stripped out shell, with little evidence of any action having been taken to prevent further deterioration since the Condition Survey was completed¹⁰. Some form of extension would be beneficial both to improve the existing building's practicability for modern living (to secure a

⁶ Apart from the loss of the lower of the cottage's two existing chimneys

⁷ Which, consequently, I have not assessed in detail

⁸ Officers suggested reducing the length of the extension and its ridge height, but not its width

⁹ In full, the New Forest National Park Local Development Framework Core Strategy and Development Management Policies DPD (2010)

¹⁰ From the 2014 Survey it is apparent that such measures range from major works, such as removing the impervious coatings on the external render and repairing the cob walls, to the much simpler expedient of cutting back vegetation growing around the building

good standard of amenity for future occupiers as advocated in the *Framework*) and to secure its long term future. There would be an element of public benefit in both those respects, unlike in the appeal decisions cited by the Council relating to a listed cottage which was not a 'small' dwelling as defined in the CSDMP and had an interior described by the Inspector as 'comfortable and reasonably well appointed'¹¹.

15. It is therefore relevant to consider whether an extension of the form and size proposed is the only viable and practical means of achieving those benefits. It is not the appellant's case that an extension of the scale proposed is the minimum required in terms of financial viability. Despite the various limitations already mentioned and the appellant's explanation of why the Council officers' suggestions are impractical, it is by no means clear to me that the appeal proposal represents the only practicable option for extending the building to achieve its optimum viable use and a good standard of amenity for future occupiers.
16. The DG in particular includes various drawings which show how additional elements of differing sizes and forms, including link elements, can increase accommodation without overwhelming the host building, as the extension proposed in this case would do. Moreover Policy DP11 incorporates scope for some flexibility in the 100 sq.m size threshold, and includes design considerations in relation to listed buildings in the exceptional circumstances in which a slightly larger threshold may be permitted.
17. Thus I cannot rule out the possibility that the benefit to the surroundings of bringing the cottage 'back to life' (as noted in the representations of a local resident) might also be achieved by an alternative and less harmful extension proposal. Overall therefore I can give only very limited weight to the public benefits of the proposed development. That would not be sufficient to outweigh the harm the appeal proposal would cause to the character, appearance, special interest and significance of the designated heritage asset and the conflicts with the development plan.
18. I have had regard to all other matters raised, including the representations of Sway Parish Council and the appellant's account of the difficulties encountered in the pre-application and application processes and efforts made to address Council officers' concerns. Nonetheless, for the reasons already given I conclude overall that the appeal must fail.

Jane Miles

INSPECTOR

¹¹ Appeal references APP/B9506/A/14/2213559 & APP/B9506/E/14/2213560, decisions dated 16 January 2015