
Appeal Decision

Site visit made on 30 September 2020

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Appeal Ref: APP/B9506/D/20/3253285

Chatmohr Lodge, Crawley Hill, West Wellow, Romsey SO51 6AP

- 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 and Mrs Craig Fletcher against the decision of the New Forest National Park Authority.
 - The application Ref 20/00162, dated 9 March 2020, was refused by notice dated 5 May 2020.
 - The development proposed is the erection of a single storey linked building, including basement; terrace; associated landscaping; removal of existing pool and pool house.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey linked building, including basement; terrace; associated landscaping; removal of existing pool and pool house at Chatmohr Lodge, Crawley Hill, West Wellow, Romsey SO51 6AP in accordance with the terms of the application, Ref 20/00162, dated 9 March 2020, 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: 001 Rev P2; 005 Rev P1; 009 Rev P1; 010 Rev P1; 015 Rev P1 and 020 Rev P1.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those specified at Section 5 of the planning application form dated 9 March 2020.
 - 4) The outbuilding hereby permitted shall only be used for purposes ancillary to the residential use of the dwelling known Chatmohr Lodge, including those identified on approved plans 009 Rev P1 and 010 Rev P1, and shall not be used for any habitable accommodation.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

Reasons

3. Planning permission has been granted by the Authority for the erection of a large outbuilding sited within the extensive grounds of the appeal property (Ref

19/00775). The approved outbuilding could, if erected, be used as a gym, swimming pool and sauna or other incidental uses to the dwelling house as controlled by the planning condition attached to the planning permission. As a fallback position, I am satisfied that the approved outbuilding has a realistic prospect of being erected by the appellants if this appeal failed. This material consideration is given significant weight in the determination of this appeal.

4. Policy DP36 of the New Forest National Park Authority Local Plan 2016-2036 (LP) refers to extensions to existing dwellings being permitted provided they are appropriate to the existing dwelling and its curtilage. However, the policy seeks to limit extensions outside Defined Villages to no more than 30% of the existing dwelling's floorspace. The property is outside a Defined Village.
5. For the purposes of applying LP Policy DP36, paragraph 7.82 specifically includes reference to the floorspace of proposed extensions including conservatories and attached outbuildings. As part of this appeal scheme, the proposed link would connect the outbuilding to the host property. LP Policy DP36 does not differentiate between the uses of the host dwelling and any outbuilding and the assessment of the 30% increase in size is based solely on floorspace.
6. The proposed link would principally provide a glazed weatherproof connection between the dwelling and the outbuilding. No specific details about the increase in the size over and above the existing dwelling have been provided. The Planning Officer's report does identify that the current property is already more than 30% larger than that which exists (and subsequently replaced) in 1982 which is the date for establishing what was or is the existing dwelling (LP paragraph 7.82).
7. However, the host property is already a large dwelling with the benefit of the planning permission for an outbuilding sited away from the habitable accommodation. There would not be a material change to the property's contribution towards the range and mix of housing in the National Park if this appeal succeeded. Further, the proposed link would not be so substantial in design, size and materials that the outbuilding would be physically and visually regarded as being an integral part of the property's habitable accommodation. There would be no material change in how the proposed outbuilding and dwelling would be used when compared to the approved scheme.
8. There is a close relationship between the dwelling and the proposed outbuilding which limits the length of the link. The proposed link would be sited on an area which is already hard landscaped and is not visible from public or private viewpoints outside the property's curtilage. Although the 30% increase in floorspace has already been exceeded, when assessed against the context of the fallback position and the proposed lightweight design of the glazed link the appeal scheme would be an appropriate form of development. The proposed development would not cause unacceptable harm to the character and appearance of the existing property and its associated curtilage which are also referred to in LP Policy DP36.
9. The property is located within the New Forest National Park where the statutory purposes include conserving and enhancing the natural beauty, wildlife and cultural heritage of such parks. Further, the National Planning Policy Framework (the Framework) stipulates that great weight should be given to conserving and enhancing the landscape and scenic beauty of National Parks.

For the reasons already given about the fallback position and the design and siting of the link, the landscape and scenic beauty and landscape of the National Park would be conserved. In making this judgement, account has also been taken of the Authority previously accepting the approved outbuilding would not cause significant harm to the character and appearance of the National Park.

10. As already identified, the proposed outbuilding could continue to function for the incidental uses identified, including those stated on the plans accompanying the appeal application. As suggested by the appellants, a condition similar to the one attached to the approved scheme, could be applied to limit the use of the proposed outbuilding. As with the enforcement of the condition attached to the approved scheme, any future use of the outbuilding as habitable accommodation could be monitored by inspection.
11. Reference has been made by the appellants to an appeal decision¹ dating from 2009 for a glazed link extension at Little Salterns where the development plan policy, albeit now superseded by LP Policy DP36, had similar objectives concerning limiting the size of extensions to dwellings. Although some information is provided about the nature of the link, the full planning circumstances of this other scheme are not provided. Accordingly, limited weight is given to this other scheme in determining this appeal. Instead, this appeal has been assessed on its own circumstances and, therefore, it is not considered that an unwelcome precedent would be established for other similar proposals.
12. For the reasons given, it is concluded that the proposed development would not cause unacceptable harm to the character and appearance of the host property and surrounding area and, as such, it would accord with LP Policy DP36 concerning extensions being appropriate to the host dwelling and its curtilage.

Conditions

13. The Authority has suggested several conditions in the event this appeal succeeds which have been assessed against the tests in the Framework and the Planning Practice Guidance. Conditions are necessary to ensure that the proposed development is constructed in accordance with the approved drawings and the external materials accord with what is stated on the planning application form.
14. As suggested by the appellants, because of the specific circumstances identified, I am satisfied that the limitation on the use of the proposed outbuilding would satisfy the tests. A condition limiting the erection of external lighting across the whole of the appeal site is unreasonable and is unrelated to the development proposed.

Conclusion

15. For the reasons given, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR

¹ APP/B9506/D/09/2109787