



Appeal Decision

Site visit made on 27 June 2023 by S Wilson LL.B. MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2023.

Appeal Ref: APP/B9506/D/22/3309865

Woodham Mortimer House, Snooks Lane, Lymington, Hampshire, SO41 5SF

- 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 Bonham-Christie against the decision of New Forest National Park Authority.
 - The application Ref 22/00457, dated 7 June 2022, was refused by notice dated 30 August 2022.
 - The development proposed is described as 'attic conversion with associated dormer windows.'
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Decision

1. The appeal is allowed and planning permission is granted for development described as 'attic conversion with associated dormer windows' in accordance with the terms of the application Ref 22/00457, dated 7 June 2022, subject to the conditions set out below.
 - 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:
 - PE.01 REV A, PE.02 REV A, PGF.01 (ATTIC), PGF.01 (GROUND FLOOR), PGF.01 REV A (FIRST FLOOR), SL.01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposed development on the character and appearance of the dwelling and the area with specific regard to cumulative additions, the Forest South East Conservation Area (CA) and the special character of the New Forest National Park (NP).

Reasons for the Recommendation

4. The appeal site comprises a large two storey property set within extensive, spacious grounds with mature planting. It is outside of a defined village and in a secluded position off Snooks Lane, which is rural in character. In order to, amongst other things, safeguard the intrinsic special qualities and rural character of the NP, the National Park Authority (NPA) seeks to restrict the cumulative increase in the size of dwellings. To that end, Policy DP36 of the New Forest National Park Local Plan 2016-2036 (2019) (Local Plan) sets out that extensions to dwellings will be permitted provided that they are appropriate to the existing dwelling and its curtilage. It goes on to say that dwellings outside defined villages must not increase floorspace of the existing dwelling more than 30%. The policy includes specified definitions.
5. The NPA submit that the original building had 323.39 square metres of habitable floorspace when originally constructed. The NPA has calculated that the proposed extension would result in a gross internal floorspace of 464 square metres or a 43.5% increase. This calculated accumulation is based upon explanatory definitions within DP36, paragraph 7.82, and appears to include the proposed development, the orangery, the porch and both the attached and detached converted double garages.
6. The appellant contests this figure on two grounds. The first being that during the application for the orangery ref 15/00614 the attached converted garage was included in the original dwelling calculation and that for consistency should be again. I do not have those calculations before me and cannot be certain what areas were included or not and what percentages that development related to. What is clear however is that policy guidance at 7.82 states that floorspace of proposed extensions will include conservatories, and attached outbuildings, and any habitable floorspace provided within a detached outbuilding. However, the guidance makes no reference to roof space. As I read DP36 any calculation of an extension application should include additions that are not the 'original' 1982 or as first constructed dwelling. Therefore, I agree that the NPA should include the orangery, the porch and both attached and detached converted garages in its calculations.
7. Secondly the appellant submits that the roof space floorspace should not count towards the 30% figure. I agree. It is entirely internal and would not expand the mass and scale of the dwelling which DP36 seeks to control. DP36 specifically does not address roof space floorspace. The internal alteration of the roof space by itself it is not development as defined by Section 55 of the Town and Country Planning Act 1990 and therefore does not need a planning permission. It follows therefore that the floorspace gained by this alteration should not be included in a calculation under DP36. However, the dormers would have a cumulative floorspace area of 4.8 square metres and would be development that requires a planning permission. They would accordingly count towards the 30%.
8. Given the above analysis I calculate that the dwelling with the dormers would be approximately 29.84% larger than the 'original' dwelling. Therefore, the proposed development would comply with DP36 insofar as it relates to the 30% restriction. However, the 30% is not an allowance or an entitlement and the NPA submit that the development would be harmful in character and appearance terms.

9. The design of the dormers, their scale and treatment would be commensurate to the rest of the house. They would not be top heavy, their width would match the fenestration below and two of the three dormers would align therewith creating a pleasing symmetry. Whilst the third would not, were it to it would be situated much further to the edge of the roof leaving a large, incongruous space. The first-floor bedroom has two windows, one smaller than all the others on this elevation. The position of the third dormer would balance not only the roofslope but also the mismatch of the smaller window, arguably befitting the rural character of the property in any event.
10. Although the dwelling would be minimally enlarged, the simple design, small scale, clean lines and simplified detailing would prevent it from appearing bulky. Furthermore, the degree of enlargement would be so small that the present spacious character of the grounds would be preserved. Indeed, the substantial nature of the grounds would counter the additional built form and prevent it from appearing disproportionate.
11. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of Conservation Areas. Key characteristics of the CA include, amongst other things, development adjacent to the road, one plot deep, and often developed out of the forest edge encroachment. Often large farmhouses are surrounded by parkland. Given the analysis above and the minimal size and recessive appearance of the proposed development the proposal would preserve the character and appearance of the CA.
12. Paragraph 172 of the National Planning Policy Framework (the Framework) makes clear that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues. Given my conclusion above that the development would preserve both the character and appearance of the host dwelling and the CA, and due to the discrete siting of the dwelling and established planting, its relationship with the wider landscape would remain largely unchanged. As such, the special qualities and character of the NP would be conserved.
13. Accordingly, the proposal would comply with Local Plan Policies DP36, DP2, DP18, SP16, SP17 and the Framework, insofar as they seek to safeguard the long-term future of the countryside and the intrinsic character of the NP; seek to ensure good design that protects the distinctiveness and special rural character of the NP; and protect the historic built environment amongst other things.

Conditions

14. In addition to the standard time period for commencement, a condition is necessary to require the development to accord with the approved plans, to provide certainty and precision. The submitted plans do not detail what materials would be used to construct the development. Therefore, a condition to require matching materials to be used is necessary to preserve the character and appearance of the host dwelling.

Conclusion and Recommendation

15. The appeal scheme would comply with the development plan. I therefore recommend the appeal be allowed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis I allow the appeal, subject to the conditions set out above.

John Morrison

INSPECTOR