



Appeal Decision

Site visit made on 28 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/23/3316542

Woodside, Church Lane, Burley, BH24 4BD

- 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 Ms Stephanie Barron against the decision of New Forest National Park Authority.
 - The application Ref 22/00556, dated 25 July 2022, was refused by notice dated 21 December 2022.
 - The development proposed is two storey side and rear extensions; new outbuilding; alterations to doors and windows; removal of existing conservatory.
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Decision

1. The appeal is allowed, and planning permission is granted for development described as 'two-storey side and rear extensions; new outbuilding; alterations to doors and windows; removal of existing conservatory' in accordance with the terms of the application Ref 22/00556, dated 25 July 2022, subject to the conditions set out in the attached schedule.

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.

Preliminary Matters

3. During the planning application process the description of development changed from that stated on the original application form and the parties have agreed the change. I have therefore based my recommendation on the description as it appears on both the appeal form and the decision letter, as set out in the header above.

Main Issue

4. The effect of the proposal on the character and appearance of the area with specific regard to the Burley Conservation Area (BCA) and the New Forest National Park (NP).

Reasons for the Recommendation

5. Woodside is a pleasant symmetrical two storey dwelling with a traditional simplicity to its appearance. This includes a centralised entrance door with a pitched roof open porch, gable chimneys either end of a shallow pitched roof and an even rhythm of portrait style vertically sliding sash windows. There is a single storey flat roofed garage to the side which appears to be a later addition.

6. It is in a predominantly rural area formed of woodland, open areas, tracks and paths, at the front of a large and rectangular plot and within a short street scene of other dwellings of varying sizes and styles. The quality of the building's design, scale, proportions and abundance of seemingly original features means it contributes positively to the significance of the BCA as well as being a Non-Designated Heritage Asset (NDHA) in its own right. It sits, according to the evidence, as a typical and good quality example of a late 19th century New Forest cottage within the NP. I have no reason to disagree.
7. When viewed from the frontage the proposed two storey extension would present as a subservient addition, clearly demarcated from the original dwelling by the step down in the ridgeline and the indent from the front elevation. Whilst there would be some alteration to the building's pleasant symmetry, the subservience of the two storey extension would allow the original features of the dwelling to be clearly read and appreciated. In addition, the use of appropriate building form, roof type and window style would provide balance, reference to the building's quality and overall respond appropriately to its traditional rurality.
8. The buildings along Church Lane form a building line along the row. Directly adjacent, Kirkwood occupies almost the full frontage width. Adjacent to that, Wood View similarly fills the majority of the frontage. Thus, such an arrangement is not uncommon. There are small gaps between buildings and boundary treatments along Church Lane, with which the proposal would align. The Manse does not fill its frontage, but that property distinguishes itself by the fact that it does not follow the building line of the row. Likewise, the scale of the proposal would not be uncharacteristic, given the scale and size of the existing dwelling as well as adjacent properties, and their outbuildings.
9. The proposed outbuilding would be large, but it would nonetheless be subservient and proportionate to the extended dwelling. Moreover, it would not be dissimilar in size and contextual scale to other outbuildings in the area.
10. At my site visit I noted a large fenestrated room to the side and rear of the property which appears to function as part of the main residential dwelling. This is to be demolished as part of development; however, the outbuilding takes its design cues from this insofar as it uses traditional brickwork and large fenestration. The proposed roof lantern would be an isolated example but would nevertheless serve as an appropriate accompaniment to the outbuilding and would, overall, be a small feature in context.
11. A large proportion of the outbuilding would be constructed in brick which will inhibit light emissions and in any case would be a reduction from the demolished conservatory style extension. In the absence of evidence to validate the claim that the proposal would lead to excessive light emissions I cannot be certain that such from the outbuilding would be any more or less than that from the existing fenestrated room which would also be demolished.
12. 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. 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.

13. Given the analysis above, the character and appearance of the BCA and the building as a NDHA would be preserved as would the special character of the NP. Accordingly, the proposal would comply with the New Forest National Park Local Plan (2016 – 2036) Policies DP2, SP15, SP16, SP17, SP18, DP36 and DP37 and the Framework, insofar as they seek to ensure good design that protects the special rural character of the NP, tranquillity and the historic built environment amongst other things.

Other Matters

14. Concerns have been raised that the extension is close to the southern boundary hedge. In the absence of any evidence to state that the boundary hedge is in danger of removal or any detail of a replacement boundary treatment I cannot ascribe much weight to any harm arising in this regard. At the time of my visit I also noted a large gate to the rear of the property that will allow unfettered access.

Conditions

15. In addition to the standard time period for commencement of the development, I have recommended a condition requiring the development to accord with the approved plans, to provide certainty and precision. A condition requiring the use of materials to be approved by the National Park Authority (NPA) is necessary to ensure an appropriate appearance for the development. It would be sufficient to agree such detail prior to any works above slab level. A condition requiring the restriction of the use of the outbuilding to purposes incidental to the residential use of the dwelling is necessary to protect the character and appearance of the countryside in accordance with Policies DP36 and DP37 of the Local Plan.
16. A condition requiring the restriction of the use of the existing garage and stores to purposes incidental to the residential use of the dwelling known as Woodside has been suggested. However, such a condition is not reasonably related to the proposed development and has therefore been omitted.
17. A condition requiring development to only take place in accordance with the recommendations for ecological mitigation and enhancement set out in the ecological report, dated June 2022, is necessary to safeguard protected species in accordance with Policies DP2 and SP6 of the Local Plan. A condition requiring details of any external lighting would be necessary to protect the amenities of the area in accordance with Policies DP2 and SP15 of the Local Plan. A condition requiring that all materials, machinery and any resultant waste materials or spoil shall be stored within the red line site as it is defined on the plans is necessary in the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the Local Plan.
18. This proposal would bring the dwelling close to the 30% size limit set out in Policy DP36. Therefore, a condition removing permitted development rights for extensions, alterations and outbuildings is necessary to ensure the dwelling remains of a size which is appropriate to its location and to comply with Policies DP35 and DP36 of the Local Plan.
19. A condition is necessary requiring that the first-floor windows serving the ensuite and main bathroom shall be obscurely glazed and top hung opening

only, to safeguard the privacy of neighbours in accordance with Policy DP2 of the Local Plan.

Conclusion and Recommendation

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

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

21. 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 below.

John Morrison

INSPECTOR

Schedule of 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:
 - 101 Revision A - Site Location Plan and Block Plan,
 - 022 Revision C - Ground Floor Plan Proposed,
 - 023 Revision C - First Floor Plan Proposed,
 - 025 Revision B - Proposed Roof Plan
 - 026 Revision A - Proposed Floor Plan and Roof Plan Garden Room
 - 027 Revision C - Front Elevation Proposed
 - 028 Revision D - Proposed Right Side Elevation
 - 029 Revision B - Proposed Rear Elevation
 - 029 Revision C - Proposed Rear Elevation (showing outbuilding and extensions)
 - 030 Revision A - Proposed Left Side Elevation (showing existing garage)
 - 031 Revision B - Proposed Garden Room Elevations.
- 3) Prior to any development taking place above slab level details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the host dwelling known as Woodside as it is shown on the plans hereby approved.
- 5) Development shall be carried out in accordance with the recommendations for ecological mitigation and enhancement set out in the ecological report, dated June 2022.
- 6) Details of any external lighting shall be first submitted to and approved in writing by the local planning authority. Any development relating thereto shall be carried out in accordance with the approved details.
- 7) All materials, machinery and any resultant waste materials or spoil shall be stored within the site as edged red on the plans hereby approved and outside of the section of the Site of Special Scientific Interest to the front of the site.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any re-enactment of that Order) no development shall be carried out under Classes A, B, C or E of Part 1, Schedule 2.
- 9) The first-floor windows serving the ensuite and bathroom hereby permitted shall be fitted with obscure glazing and be top hung, openable no lower than 1.7 metres above the internal floor level.