



Appeal Decision

Site visit made on 13 February 2024 by R Dickson BSc (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th March 2024

Appeal Ref: APP/B9506/D/23/3332722

Beechwood House, Royden Lane, Boldre, Lymington, Hampshire SO41 8PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Neil Fletcher against the decision of the Council of the New Forest National Park Authority.
 - The application Ref is 23/01004, dated 1 August 2023, was refused by notice dated 13 October 2023.
 - The development proposed is described as "retention of orangery as built, with link to existing annexe".
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Decision

1. The appeal is dismissed.

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. The description of development above is taken from the application form and decision notice, but the appeal only relates to the link element, connecting the orangery to the outbuilding/annexe. The orangery was granted planning permission in 2021. The link appears to have been built in accordance with the submitted plans. I have considered the scheme accordingly.

Main Issue

4. Whether the increase in the size of the dwelling would be acceptable with specific regard to maintaining a mix of house sizes within New Forest National Park (NP).

Reasons for the Recommendation

5. Policy DP36 of the New Forest National Park Local Plan 2019 (LP) sets out a 30% limitation on the increase of floor space, measured cumulatively with any previous enlargements to the dwelling since 1 July 1982. This safeguards against cumulative and incremental increases in the above mentioned interest. Taking into account the previous alterations, the floor space would be over the 30%. This is not disputed. Whilst the link element does not provide much floor space when compared to the rest of the property, it allows the annexe to be internally linked with the main dwelling. The annexe benefits from planning permission, but being directly linked through the appeal proposal would mean

- that it is being brought into use as habitable floor space of the main dwelling, further increasing its overall size.
6. There is no detailed evidence pertaining to the mix of house sizes in the immediate area of Boldre, or indeed the NP, and whether the proposed changes would tip the balance or result in a provision of one house type over another. However, the link would allow a greater area of habitable floor space to come into everyday use than just the 1.32m² that it alone provides. As a result, the habitable floor area would be taken well over the 30% as set out in DP36.
 7. Policy SP17 reinforces the above and identifies that built development which would cumulatively erode the NP's character, or result in a gradual suburbanising effect, will not be permitted. The main parties agree that in design terms the orangery does not result in visual harm. I have not been provided with any substantive evidence by the Council as to why the addition of the link would erode the NP's character any more so. Nevertheless, this does not overcome or outweigh the conflict with Policy DP36, the aims of which I have set out.
 8. With this in mind, I do not believe it would be correct to allow the appeal since there is a potential for the aims behind the floor space restriction to be undermined specifically due to the real possibility for an argument of a lack of demonstrable harm over and above policy conflict to be repeated too often for similar schemes. There has not been a sufficiently compelling case presented to depart from the strict limitations on the growth of dwellings in the NP. The LP is not of great age and has been through a recent examination where its approach has been found evidenced and sound. Any conflict therewith should therefore be worthy of substantial weight.

Other Matters

9. The future use of the annexe as a dwelling in its own right would require the benefit of express planning permission. As such, it would be unaffected by the outcome of this appeal and regardless thereof. The context of the appeal at Warwick Farm House differs from this insofar as the conservatory was connected only to the host dwelling and did not form a link with an outbuilding. Each development is considered on its own merits, and this example does not lead me to recommend a different outcome.

Conclusion and Recommendation

10. The appeal scheme would conflict with the development plan and there are no material considerations worthy of sufficient weight that would indicate otherwise. I therefore recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison INSPECTOR