



## Appeal Decision

Site visit made on 27 January 2026

by **S Sharp BSc (Hons) BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 March 2026

---

### Appeal Ref: 6001721

#### **Butlers Farm, Road through Fritham, Fritham, Hampshire SO43 7HL**

- 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 Jack Nethercott of Prime Oak against the decision of the New Forest National Park Authority.
  - The application reference is 25/00677FULL.
  - The development proposed is the erection of oak framed orangery.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the erection of oak framed orangery at Butlers Farm, Road through Fritham, Fritham, Hampshire SO43 7HL in accordance with the terms of the application, reference 25/00677FULL subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with drawing nos 95418/01 - Location Plan, 95418/03 Proposed Block Plan, 95418/DOD/01A(1)P – Proposed Elevations, 95418/DOD/01A(3)P – Proposed Plans, 95418/DOD/01A(4)P - Proposed Plans.
  - 3) No development shall take place above slab level until samples or exact details of the facing and roofing materials and details of the rooflight have been submitted to and approved in writing by the local planning authority. Development shall only be carried out in accordance with the details approved.

### Preliminary Matters

2. The description of the proposal differs from the application form to the decision notice. I have used the description from the application form, which adequately describes the proposal.

### Main Issues

3. The main issues are:
  - Whether the proposal complies with the development plan policies with regards to the effect of the proposal on the character and appearance and housing stock of the New Forest National Park (NP).

- The effect of the proposal on the significance of Butlers Farm as a non-designated heritage asset.

## Reasons

### *Character and appearance, and housing stock*

4. Butlers Farm is an early nineteenth century detached farmhouse within the Fritham and Eyeworth Conservation Area (CA). It has been extended and altered in the past, most notably with a 2 storey extension projecting from the original north facing elevation. The dwelling is sited within spacious, open grounds, predominantly laid to lawn but enclosed by a hedge on its western and southern sides. This hedge limits views into the site from these sides to a gated opening from the road to the west and from a second access point off the public right of way to the south. Beyond the appeal site to the east is a valley of enclosed fields. The road through Fritham village passes across this valley. The appeal site, including the previous extension to the dwelling, is visible from a public vantage point along this approach. The proposal would be visible too from here.
5. The proposal seeks to introduce an oak framed, single storey extension to the east facing gable end of the dwelling. The view of the proposal from the valley is distant and there would be no harmful impact on the character and appearance of the patchwork of fields on the valley sides or the setting of the row of dwellings on the end of which the appeal site is located. The common land more characteristic of the NP, which falls within the Ramsar, Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) designations cited by the New Forest National Park Authority (the Authority), is not visible. Similarly, from within these designations, the proposal would be screened from view by the appeal site's boundary hedge or the existing dwelling.
6. The proposal would introduce additional glazing, including a roof lantern, to the external elevations of the dwelling, and I acknowledge the concerns expressed not only by the Authority, but also an interested party, in terms of protecting the NP's dark skies which are an intrinsic part of its landscape character. However, I note that the extension would cover existing patio doors. I also note that there are already external lights on this side of the dwelling. Given this context, there would be no material increase overall in the potential for light pollution resulting from the proposal. The lantern's inclusion in the design would also likely result in more reliance on natural light from outside to light the proposed space rather than the use of artificial indoor lighting.
7. The proposal would result in additional habitable space being created but it is limited in scale and would not increase bedroom space and overall occupancy levels. It would not change the character or intensity of the use of the property. As such it would not cause an imbalance in the range and mix of housing stock available.
8. The proposed additional floorspace conflicts with policy DP36 of the New Forest National Park Local Plan 2016 – 2036 (NFLP). It sets out that extensions to dwellings, which are not small dwellings, must not result in the total internal habitable floor space exceeding 30% of that which existed in July 1982. The Authority calculates that the proposed and previous extensions would cumulatively comprise a floor space increase of 72% from this date. The appellant does not dispute this, nor do they dispute that the previous extension has already resulted in conflict

with the policy. I have no evidence before me to come to a different conclusion. The proposal would exacerbate the conflict but not materially so for the reasons I have given above. Therefore, I afford this conflict limited weight, and I find that there would be no harm to the distinctive character of the built environment, nor the range and mix of housing stock available in the NP.

9. For the reasons given, there would also be accordance with policy SP17 of the NPLP which seeks to ensure that there is no erosion of the NP's local character or gradual suburbanising effect resulting individually or cumulatively from the proposal.
10. In reaching these findings I have had regard to the New Forest National Park Design Guide SPD 2022 (DGSPD) and its specific advice that the design and appearance of extensions should complement and be subservient to the main dwelling. I also, in reaching these findings, sought to further the statutory purposes of the NP as required by Section 11A(1A) of the National Parks and Access to the Countryside Act 1949, which was amended by section 245 of the Levelling-up and Regeneration Act 2023. I have given great weight to conserving and enhancing the NP's landscape and scenic beauty which have the highest status of protection in relation to these issues, as set out in the provisions of the National Planning Policy Framework (the Framework).

#### *Significance of Butlers Farm*

11. Butlers Farm is not a listed building but is identified by the Authority in their Fritham and Eyeworth Conservation Area Character Appraisal as being of local and vernacular interest. It is a non-designated heritage asset. The building has been altered and extended in the past but its south facing elevation retains the appearance of a traditional, vernacular farmhouse, the other elevations much less so. Of note are the overall proportions of the south elevation, its modest and simple window openings, the brickwork and natural slate covered gabled roof. It is these features of aesthetic and historical value that contribute to the building's significance together with the setting in the landscape and grouping with the barns within the appeal site.
12. The narrow, tall windows proposed on the proposal's south facing elevation, the flat roof and the roof top lantern would all appear as non-vernacular features when viewed alongside the building's existing south facing elevation. However, the proposed massing would be subservient in scale to the existing building, and the flat roofed design would not disrupt the original roof form. Furthermore, the proposed design would reference existing materials, including a brick plinth. Overall, this is a design that would provide legibility between new and old and would be respectful of and complement the original dwelling.
13. In the case of a non-designated heritage asset, the Framework advises that no balance of harm against public benefits is required. Instead, paragraph 216 advises that a balanced judgement is required, having regard to the scale of any harm or loss and the significance of the heritage asset. In this instance, I find that there is no harm to the significance of Butlers Farm resulting from the proposal.
14. This lack of harm results in accordance with policy SP16 of the NPLP, insofar as it relates to the effect of the proposal on the non-designated heritage asset. The policy sets out that proposals should protect, maintain or enhance nationally, regionally and locally important sites and features of the historic and built

environment. I also find no conflict with policy DP2 of the NFLP which requires that new development proposals must demonstrate high quality design and construction which enhances local character and distinctiveness. Finally, there is no conflict with policy DP18 of the NFLP which requires all new development to achieve the highest standards for new design.

15. In reaching these findings I have had regard to the New Forest National Park Design Guide SPD 2022 (DGSPG) and its specific advice that the design and appearance of extensions should complement and be subservient to the main dwelling.

### **Other Matters**

16. I note that policy DP36 of the NFLP has been carried forward through successive local plans for the area and that, when the NFLP was adopted in 2019, the examination inspector endorsed the policy as a useful tool in ensuring that extensions would not cumulatively erode the modest scale and rural character of dwellings. I also acknowledge that the policy is carried forward, as policy DP50, in the emerging New Forest National Park Local Plan Review 2024 – 2043 (LPR). I afford the LPR limited weight as a material consideration given its pre-examination status. Furthermore, I have outlined in this decision why conflict with the policy is not determinative in this instance.
17. The Character Appraisal prepared by the Authority for the CA identifies the values that contribute to the CA's significance as a designated heritage asset. These include the number of nineteenth century brick faced buildings, including the appeal dwelling, the trees and the view across the valley. It is common ground between the main parties that the character and appearance of the CA would be preserved as a result of the proposal with no harm to its significance. I have no evidence before me to come to a different conclusion.
18. The appellant has referenced other appeal decisions in their evidence. Whilst I have had regard to these, they have had no bearing on my decision which has been solely based on the appeal proposal's own merits.
19. The Authority's ecologist comments that the area in and around the appeal site is likely to form part of the foraging range for nocturnal species such as bats. They express concerns about the extent of windows proposed, including the lantern rooflight. I have already noted that the proposal would cover patio doors. I have also noted that there are already external lights attached to the elevation from which the proposal would project. Therefore, I find that the existing light levels in the area around the proposal would be such that its lighting would have no material impact on the foraging range of the nocturnal species.
20. Finally, the Authority's evidence refers to the need for conditions to respond to the appeal site's position adjoining SSSI, SAC and Ramsar designations. I have set out my findings in relation to this matter in my decision below.

### **Conditions**

21. In addition to the standard time condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have also imposed a condition requiring details of the facing and roofing materials and rooflight to be

submitted to and approved in writing by the local planning authority. A degree of detail has been included in the appellant's evidence but more is required to provide the certainty that external finishes will complement the existing building.

22. The Authority has also suggested a condition that prevents any external lighting to be installed on the site unless such proposals have been submitted to and approved in writing by them. In this instance, such a condition would extend beyond the scope of development that can be controlled by a local planning authority. It is also not necessary for the reasons I have set out in this decision, specifically given the extent of external lighting that already exists at the property. The condition is unnecessary and unreasonable.
23. The Authority have suggested conditions requiring a Construction Environmental Management Plan (CEMP) and restricting storage associated with the construction phase of the proposal to be within the appeal site unless otherwise agreed in writing by them. The reasons cited for the condition relate to the proximity of the appeal site to the SSSI (and SAC and Ramsar) designation and potential effects of the construction phase on pollution, disturbance and construction activity impacts. The appeal site includes relatively extensive areas of lawn and hardstanding upon which construction associated storage and parking could be accommodated. The proposal is also small in scale and, from the evidence before me, would include a large degree of off-site prefabrication. In this context, I consider that the conditions proposed would be unnecessary and unreasonable.

### **Conclusion**

24. I conclude that there would be conflict with policy DP36 of the NPLP because of the increase in floorspace proposed. However, for the reasons given above, I afford this conflict minor weight in the overall planning balance. In all other respects there is accord with other NPLP policies. Having considered the proposal against the development plan as a whole and all other matters raised, I conclude that it would be acceptable. The appeal should be allowed.

*S Sharp*

INSPECTOR