Planning Inspectorate

Appeal Decision

Site visit made on 22 September 2026

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 October 2026

Appeal Ref: 6004376
Oakdale, Forest Road, Thorney Hill, Bransgore, Hampshire BH23 8DZ

- 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 Roger Brown against the decision of New Forest National Park Authority.
- The application Ref is 25/00665FULL.
- The development proposed is construction of a new five bedroom house following demolition of existing dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council determined the application, the National Planning Policy Framework (the Framework) was revised in August 2026. I have taken the revised Framework into account in determining the appeal. The revisions do not materially alter the policy considerations relevant to the issues in this appeal, and my conclusions do not turn upon any new policy requirement introduced by the revised Framework.

3. The appeal site lies within the National Park. Policy N4 of the Framework requires substantial weight to be given to conserving and enhancing the natural beauty, special qualities and statutory purposes of Protected Landscapes. The conservation and enhancement of wildlife, cultural heritage and landscape character are important considerations. Furthermore, section 11A of the National Parks and Access to the Countryside Act 1949, as amended by section 245 of the Levelling-up and Regeneration Act 2023, requires relevant authorities exercising functions in relation to, or so as to affect, land within a National Park to seek to further the National Park purposes.

Main Issues

4. The main issues are:

   i) whether the proposal would result in an appropriately sized replacement dwelling having regard to the scale of development proposed within the countryside of the National Park;

   ii) the effect of the proposal on the character and appearance of the area and on the special qualities of the National Park; and

   iii) whether it has been demonstrated that the proposal would adequately safeguard protected species.

Reasons

Size and scale of the replacement dwelling

5. Whilst the Council's first reason for refusal relies on Policy DP36 of the New Forest National Park Local Plan 2016-2036 (LP), its appeal submissions also refer to LP Policy DP35, which applies specifically to replacement dwellings. Given the nature of the proposal, I consider both policies relevant to its assessment. Although LP Policy DP35 provides the principal policy framework for replacement dwellings, both main parties have also addressed the proposal by reference to the 30% floorspace increase identified in LP Policy DP36. I therefore consider LP Policy DP36 to be material insofar as it assists in assessing the scale of increase proposed and the forms of development and associated effects that the Local Plan seeks to avoid.

6. The existing dwelling has a floorspace of approximately 211sqm as calculated by the Council from the dwelling as it existed on 1 July 1982. Applying its methodology under LP Policy DP36, the Council calculates that a dwelling compliant with the policy would extend to approximately 274sqm.

7. The principal dispute relates to the extent of floorspace resulting from the appeal proposal. The Council calculates a floorspace of approximately 314sqm. Even excluding the first-floor terrace overhang and the covered area beneath it, the Council's alternative calculation identifies a floorspace of approximately 292sqm.

8. The proposal would retain a footprint broadly comparable with the existing dwelling. However, footprint alone is not determinative. The proposal would substantially alter the distribution of accommodation within the building through the introduction of extensive first-floor accommodation, including accommodation above the garage, together with a significantly enlarged roof structure extending across the dwelling and garage.

9. The appellant maintains that the garage and associated space should not be included within the calculations. However, the garage forms part of the overall built form proposed and would support accommodation above. In assessing the scale of the replacement dwelling, it is therefore appropriate to consider its contribution to the overall size and massing of the development.

10. Particular disagreement arises in relation to the terrace arrangement, the covered space beneath it and the treatment of loft accommodation. However, even excluding the terrace-related areas, the proposal would still exceed the scale envisaged by LP Policy DP36. Moreover, the Council confirms that the disputed loft accommodation does not form part of its floorspace calculations. Consequently, my findings do not depend upon those matters.

11. I acknowledge that substantial alterations and extensions to the dwelling have been approved previously. However, the evidence before me does not demonstrate that those schemes would have produced a building comparable to the appeal proposal in terms of its overall scale, massing and design. Consequently, those permissions do not lead me to a different conclusion.

12. Conditions restricting the use of certain areas would not overcome my concerns. The issue before me is the physical scale and bulk of the replacement dwelling rather than the future use of individual rooms.

13. Taking these matters together, the proposed dwelling would be larger and more substantial than the dwelling it would replace. Through its increased floorspace and the consolidation of accommodation within a larger and more continuous roof structure, including accommodation above the garage, it would result in a building of materially greater overall scale and presence. This would arise not simply from an increase in floorspace, but from the way in which the proposal enlarges and consolidates the built form. As such, it would represent a materially more intensive form of domestic development than presently exists on the site, contrary to the development plan's objective of limiting disproportionate increases in residential development within the countryside of the National Park.

14. I therefore conclude that the proposal would result in an inappropriately sized replacement dwelling having regard to the scale of development proposed within the countryside of the National Park.

15. Accordingly, the proposal conflicts with LP Policy DP35. It is also inconsistent with the objectives of LP Policy DP36 insofar as that policy seeks to limit disproportionate increases in residential development within the countryside of the National Park.

Character, appearance and the special qualities of the National Park

16. Although residential in use, the Council identifies the site as being within a highly sensitive dark skies area adjacent to the open forest. Having visited the site, I agree that the appeal site forms part of a particularly sensitive part of the National Park where landscape character, tranquillity and dark skies make an important contribution to local distinctiveness.

17. The existing dwelling occupies a substantial plot and is positioned on land higher than neighbouring properties. Nevertheless, it derives a degree of visual restraint from its design. It is partly single storey in form, incorporates a relatively modest first floor, and its asymmetrical roof profile together with subordinate elements help break up its overall mass. The use of traditional materials and comparatively limited fenestration further reduce its visual prominence. Collectively, these characteristics, together with the spacious and well-vegetated plot within which the dwelling sits, enable it to appear reasonably well integrated into its wider landscaped setting despite its elevated position.

18. The proposal would introduce a materially different building. Although it would occupy a broadly similar footprint, first-floor accommodation would extend across much of the building, including above the garage, thereby incorporating elements that presently appear subordinate into the overall mass of the dwelling. The roof would become a more dominant and continuous feature extending across both the dwelling and garage. As a consequence, the varied composition, articulation and visual relief currently provided by the existing arrangement would be replaced by a broader, more uniform and substantial built form.

19. The proposed dwelling would also incorporate extensive glazing. Although glazing of the general nature proposed to the northeast elevation has previously been accepted and is not, of itself, objectionable, the current proposal extends this approach considerably through substantial glazing on additional elevations.

20. In particular, the southeast elevation would comprise a largely glazed gable extending through both storeys of the dwelling. The southwest elevation would

also incorporate substantial areas of glazing, including a prominent glazed stairwell extending over two storeys. These features would fundamentally alter the balance between solid walling and openings evident in the existing dwelling and would become defining characteristics of the proposed design.

21. Although many of the external materials would be traditional in appearance and similar to those already present on the site, those factors do not outweigh the effects arising from the increased massing, enlarged roof form and extensive glazing.

22. The surrounding vegetation would provide a degree of screening. However, its effectiveness would inevitably vary throughout the year. During periods of leaf fall and reduced foliage cover, the extensive glazed side elevation would remain a notable feature.

23. Although the dwelling would occupy a generous plot, the acceptability of development within the National Park does not depend solely upon plot size. The proposal must also respect landscape character and the special qualities of the National Park. Nor does the absence of any material increase in footprint mean that the proposal would avoid harm, as the effect arises from the overall scale, massing, form and appearance of the replacement dwelling.

24. The appellant suggests that concerns regarding light pollution are subjective. However, the protection of tranquillity and dark skies forms an explicit objective of the development plan and is therefore a legitimate planning consideration.

25. In my judgement, the extensive glazing proposed would increase the potential for internal illumination, glare and light spill in this particularly sensitive dark skies location. Whilst high-performance glazing, Low-E coatings, tinting and overhanging soffits may reduce some effects, I am not persuaded on the evidence before me that such measures would adequately mitigate the consequences of the extensive glazing. Nor would they alter the fundamental design approach upon which the proposal relies.

26. I have had regard to the assertion that the dwelling is not readily visible from surrounding roads and that the site forms part of a wider pattern of residential development. However, the special qualities of the National Park are not dependent solely upon public visibility, and harm to landscape character, tranquillity and dark skies may arise irrespective of the extent to which a development is visible from public viewpoints.

27. Taken as a whole, the proposal's increased scale, enlarged roof form, extensive glazing and more prominent built form would fail to respond appropriately to its sensitive setting. It would replace a dwelling that is presently moderated by its design and wider landscaped setting with one that would appear appreciably larger, more visually assertive and more suburban in character. The increased scale, more continuous roof form and extensive glazing would reduce the extent to which the replacement dwelling would appear assimilated within that setting. Consequently, it would fail to conserve the character and appearance of the area and would harm the special qualities of the National Park, particularly local distinctiveness, tranquillity and dark skies. It would also contribute to the gradual suburbanising effects that the development plan seeks to resist.

28. Therefore, the proposal conflicts with LP Policy DP2, which requires development to be appropriate and sympathetic in terms of scale, appearance, form and siting, LP Policy SP15, which seeks to safeguard tranquillity and dark skies, and LP Policy SP17, which seeks to avoid development that would individually or cumulatively erode local character or contribute to a gradual suburbanising effect.

29. In reaching that conclusion, I have had regard to the appellant's contention regarding the wording of section 245 of the Levelling-up and Regeneration Act 2023. Nevertheless, for the reasons set out in this decision, I find that the proposal would not further the statutory purposes of the National Park.

Protected species

30. It is common ground that bats use the existing dwelling and that demolition would result in the loss of bat roosting habitat. The evidence before me indicates that a European Protected Species licence would be required. Although ecological survey work has been undertaken, the survey evidence itself has not been provided as part of the appeal and I am therefore unable to reach detailed conclusions regarding the nature of the roosts or the effectiveness of any proposed mitigation.

31. I have had regard to the appellant's submissions concerning the licensing regime. However, the issue before me is whether sufficient information has been provided to demonstrate that protected species would be adequately safeguarded. In this respect, the Council's ecologist has raised concerns regarding the effects of lighting associated with the proposal on bats.

32. Furthermore, in the absence of the underlying ecological survey evidence, I am unable to reach an informed conclusion regarding the nature and significance of likely effects on bats or the effectiveness of any proposed mitigation. Therefore, I am unable to conclude, on the evidence before me, that the likely effects on bats have been adequately assessed or that the proposed mitigation would be effective.

33. In the absence of sufficient ecological evidence, and having regard to the concerns raised by the Council's ecologist, I am not satisfied that the proposal would adequately safeguard protected species and biodiversity interests. Consequently, I find conflict with LP Policy SP6, which seeks to protect, maintain and enhance habitats and species of biodiversity importance.

Other Matters

34. I have had regard to the appellant's case that replacement of the dwelling would facilitate a highly energy-efficient form of construction through enhanced insulation, modern construction methods and reduced operational energy demand. I also recognise that the proposal would generate some temporary economic activity during construction through the use of local contractors and suppliers. These matters attract moderate and modest weight, respectively, in favour of the proposal.

35. The submission regarding the relative cost of extending the existing dwelling compared with rebuilding it carries only limited weight, as this is principally a private matter. I further note that no substantive concerns have been identified regarding the living conditions of neighbouring occupiers, and that the proposal

would provide a modern family dwelling. However, these considerations do not weigh materially in favour of the development.

36. Collectively, the above matters weigh in favour of the proposal. Nevertheless, they do not outweigh the harms and policy conflicts identified elsewhere in this decision.

37. Notwithstanding my findings in relation to protected species, I have also identified separate and independent conflict with the development plan arising from the scale of the replacement dwelling and its effect on the character and appearance of the area and the special qualities of the National Park. Consequently, even if further ecological information were before me and were capable of addressing my concerns in relation to protected species, my overall conclusion on the appeal would remain unchanged.

Conclusion

38. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR