The Planning Inspectorate

Appeal Decision

Site visit made on 27 February 2017

by Nick Fagan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 March 2017

Appeal Ref: APP/B9506/D/17/3167096
1 Northern Cottages, Lyndhurst Road, Beaulieu, Hampshire SO42 7YE

- 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 Mrs Christine Hills against the decision of New Forest National Park Authority.
- The application Ref 16/00758/FULL, dated 2 September 2016, was refused by notice dated 5 December 2016.
- The development proposed is described as a glass roof canopy extension from existing rear conservatory.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed canopy on the special interest of this Grade II listed building and on the character and appearance of the Beaulieu Conservation Area.

Reasons

3. Statute requires that, when considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses[1]. Statute also requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas[2].

4. The Cottage and its neighbour at No 2 are of eighteenth or nineteenth century origins, as per the listing description. Its significance as a listed building lies in its vernacular appearance within a group of adjoining listed cottages at a focal point at the top of the High Street and backing onto the Mill Dam adjacent to Palace House.

5. At the rear of the dwelling is a two-storey twentieth century extension and a late twentieth century timber framed conservatory, which infills the 'elbow' between the original cottage and that extension. The two-storey extension matches a similar extension at No 2. There is thus a common building line to the rear of these cottages.

[1] S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990
[2] S72(1) Ibid

6. In front of the rear extension and conservatory is a block paved terrace before the garden slopes gently down to the edge of the Mill Dam. It is proposed to erect the glazed canopy abutting, but not affixed to, the two bays of the conservatory nearest to the rear extension.

7. The appellant states that the canopy is demountable and not classed as a permanent structure. But its aluminium structure would be fixed to the ground and despite its open nature it would clearly be a permanent structure, hence the need for planning permission and listed building consent.

8. I have a number of concerns with the proposal. First, the canopy would project 3 metres beyond the common rear building line and, despite its clear glazed roof, it would therefore appear as an incongruous add-on which takes little account of the dwelling's existing attractive rear elevation.

9. Secondly, its eaves would be higher than the eaves of the conservatory, which would exacerbate such an unfortunate effect. Thirdly, its metallic 'Chestnut Brown' coloured aluminium posts and profiles would be at odds with the existing timber framed conservatory and timber windows in the cottage. Whilst I have not seen an image of the actual colour I have grave concerns that such materials would be acceptable in this sensitive location.

10. For these reasons I conclude that the proposed canopy would fail to preserve the special interest of the listed building. Whilst it would be to the rear of the cottage it would also fail to preserve the character and appearance of the Conservation Area because it would be seen by near neighbours and from the grounds of Palace House on the far side of the Mill Dam.

11. I appreciate that the canopy would allow the patio and garden to be better used in inclement weather but such a benefit does not outweigh the above harm. Policies DP1, DP6, CP7 and CP8 of the New Forest National Park Core Strategy (2010) together require well designed development that respects the local distinctiveness of the New Forest's vernacular buildings. For the above reasons the proposal would not do so, nor would it comply with relevant policy in the National Planning Policy Framework.

12. For the reasons given above I conclude that the appeal should be dismissed.

Nick Fagan

INSPECTOR