



Appeal Decision

Site visit made on 1 July 2019

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2019

Appeal Ref: APP/B1740/W/18/3210647

Lake House, Woolmer Lane, Blashford, Ringwood BH24 3PG

- 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 Mr & Mrs Ian and Helena McGrath against the decision of New Forest District Council.
 - The application Ref 18/10274, dated 23 February 2018, was refused by notice dated 13 June 2018.
 - The development proposed is demolition and replacement of existing detached dwelling with associated car parking, landscaping and ecological enhancements.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Both the planning application form and appeal form gave the site address as 'The Haven, Woolmer Lane, Blashford BH24 3PG'. The Council's decision notice refers to the site as 'Lake House, Woolmer Lane, Blashford, Ringwood BH24 3PG'. The appellant has confirmed that the site was previously known as 'The Haven' but they have renamed it as 'Lake House'. As this more accurately reflects the current address of the appeal site, I have therefore referred to this in my heading above.
3. The planning application form described the development as 'demolition and replacement of existing detached dwelling with associated car parking, landscaping and ecological enhancements'. However, the Council's decision notice describes the proposal as 'House; parking and landscaping; ecological enhancements; demolition of existing'. This description appears to have been accepted by the appellant and I have determined the appeal accordingly.

Main Issues

4. The main issues are:
 - Whether or not the proposed development would lead to a disproportionately large replacement dwelling; and
 - the effect of the proposed development on the character and appearance of the countryside.

Reasons

Size of replacement dwelling

5. The appeal site is located outside any defined built-up settlement and therefore lies within the countryside for planning purposes. Policy DM20 of the New Forest District Local Plan Part 2: Sites and Development Management Plan New Forest District Outside the National Park 2014 (the LPP2) seeks to control residential development in the countryside and permits it where it is the replacement of an existing dwelling, subject to the development being of an appropriate design, scale and appearance in keeping with the rural character of the area. The policy specifies that replacement dwellings should not normally provide for an increase in floorspace of more than 30% but allows this threshold to be exceeded in exceptional circumstances where the development meets the genuine family needs of an occupier who works in the immediate locality. It also requires proposals to be designed so as not to significantly alter the impact of built development on the site within its setting.
6. The Council's committee report explains that the main thrust of this policy is to maintain a balance in the District's rural housing stock and to resist the cumulative effects of significant enlargements being made to rural dwellings, although this is not explicitly stated within the policy or its explanatory text.
7. The proposed development is to demolish the existing house and replace it with a larger detached house. The Council's committee report states that the original dwelling was 127sqm, with the proposed replacement being approximately 485sqm. In comparison to the existing house, the proposed development would more than double the size. It is accepted by both parties that the proposed house would significantly exceed the policy threshold. There is no substantive evidence that this development meets a genuine family need. There is therefore a significant conflict with this policy.
8. The plans indicate that the existing dwelling provides three bedrooms and the proposed house, albeit within a considerably more spacious layout, provides a four bedroom dwelling. Notwithstanding the number of bedrooms, the replacement house is not of a comparable size or character to the existing which is a modestly-sized, rural house. The proposed development would therefore amount to a loss of a modestly sized house from the rural housing stock. There is some harm arising from this.
9. In terms of the impact of buildings and human activity in the countryside, the proposed house would be a net zero energy development incorporating water source heat pumps, photovoltaic panels and battery storage. In this respect, it would be more energy efficient than the existing dwelling and would deliver a clear environmental benefit. The proposed uplift in bedrooms indicates that there would not be a significant increase in occupiers of the site, although given the size of the property it would be possible for many more people to occupy it compared to the existing house should the internal layout be reconfigured. This could potentially lead to more vehicle movements, noise and disturbance. However, with the environmental benefits, the overall impact in this respect is unlikely to be significant.

10. My attention has been drawn to an appeal decision¹ at Cotton Cool, Forest Lane, Hightown Hill, Ringwood BH24 3HF for a significantly enlarged house. The Inspector in that case gave weight to the environmental benefits of the scheme but found no harm to the local character of the countryside. I cover the effect on character below. However, I also note in this appeal that there was a fall-back position which the Inspector gave significant weight. While I do not have the full details of this appeal, based on what I have read, I consider that the circumstances are not directly comparable with the scheme before me.
11. Drawing together my assessment, there would be some harm to housing stock and some limited harm arising from human and building impacts. Some of these are mitigated by the environmental benefits the scheme would provide. I have also had regard to the cases relating to precedent referred to by the appellant² and accept that a scheme such as the one before me would also not be easily replicated given the unique nature of the appeal site. However, I am not persuaded that these considerations justify putting the significant policy conflict arising from the size of the replacement dwelling in this rural location.
12. I therefore conclude that the proposed development would lead to a disproportionately large replacement dwelling. It would therefore not accord with Policy DM20 of the LPP2 to which I have referred above. It would also conflict with Policy CS10 of the New Forest District Core Strategy (New Forest District outside the National Park) 2009 (the Core Strategy) which provides for sustainable development that secures the future of rural areas and the countryside.

Character and appearance

13. The appeal site comprises an area of approximately 2.4 hectares, around a large lake which occupies around half of the site area. The lake forms part of a larger group of manmade lakes referred to as Blashford Lakes. Access to the site is via an unmade lane at the end of Woolmer Lane. The Lake House is located on the north-west bank of the lake, close to the site entrance. The site is largely enclosed by trees and is very secluded and tranquil.
14. A public footpath runs alongside the northern and western boundaries. A larger lake lies to the south of the site, with an area of public open space to the east. Woolmer Lane is largely undeveloped but has a few developments of detached properties in a variety of sizes, styles and designs set within sizeable plots.
15. The existing house is sited on the north-western bank of the lake. It is a detached two-storey dwelling which, while an attractive property is not of any significant architectural merit and does not especially relate to its setting on the lakeside or rural surroundings. It is, however, reasonably unobtrusive and does not dominate the site.
16. The proposed house would be sited in a similar location to the existing house, but closer to the lakeside. It would be a contemporary designed building formed of two large, linked rectangular buildings with flat roofs. A large part of the house would be set on stilts to alleviate flooding issues on site. Most of the habitable accommodation would be at first floor level with a garage, gym and studio on the ground floor. The building would be constructed in timber

¹ APP/B9506/W/17/3171773

² Appendix F of the Appellant's Full Statement of Case (September 2018)

- cladding with large areas of glazing at first floor level, with bricks to the ground floor. The house would incorporate balconies and terraces.
17. The proposed house would be visible from limited public viewpoints due to the enclosed nature of the site by woodland and the large size of the site. The appellants have also planted hawthorn hedging along the boundaries which, once mature, would provide some additional screening. However, it would still be possible to gain views of the proposed house from the adjacent footpaths and the area of public open space adjacent to the site, particularly during winter months when the vegetation has died down.
 18. There is no question that the proposed house would be a very large development adjacent to this lake, much larger than the existing house, and significantly more prominent. The proposed house, when viewed from across the lake, would be approximately three times wider than the existing house. While only slightly higher than the ridge height of the existing house, the design of the proposed house with a flat roof extending across the significant width of the front and side elevations at first floor level results in a much bulkier, dominant and imposing building.
 19. The design of the building is clearly intended to be bold and contemporary and in this respect it succeeds. However, this modern and square design incorporating large areas of glazing at first floor level, does not clearly relate to its rural setting and character of the site. The use of a combination of materials including timber cladding, would provide a more natural appearance. However, it would not overcome the boxy appearance produced by the flat roof, which would stand out starkly against both the backdrop of trees and the lake against which it would be viewed.
 20. The building is nevertheless well-designed and attractive and would incorporate some positive design features including those to address flooding issues. However, the design and proposed energy efficiencies, while of environmental benefit, do not appear to be sufficiently unique or ground-breaking to be considered outstanding or innovative design in terms of the objectives of paragraph 131 of the National Planning Policy Framework (the Framework).
 21. On entering the site, one's focus is drawn to the lake, which is the defining feature of the site, rather than to the existing house which appears diminutive within the site especially when viewed against the wooded backdrop of trees. The dominance of the lake contributes to the tranquil, natural and rural setting of the site. The proposed house, due to its sheer size, strong horizontal lines and bold design, would become the focus on entering the site providing a much more developed and urban character to this rural setting. Its position, closer to the lakeshore, and its substantial size and bulk, would restrict views across the lake from the site entrance although glimpses of the lake beyond would still be possible through the supporting pillars of the front building.
 22. The appeal site is a large area and the proposed house would occupy just a small footprint within it, which while a different shape would only be slightly larger than the combined footprint of all existing built development on site. However, this does not overcome the dominating impact of the proposed house as I have set out above on the site and the area of lakeside where it is located.
 23. My attention has been drawn to a nearby housing development proposal to the north and west of the appeal site and it has been suggested that this has been

found acceptable and likely to proceed. The appellants have suggested this would change the character of the site to an 'urban fringe' location. However, I do not have the details of this scheme before me and it is still a proposal. In any case I must assess the appeal based on what is before me at the time.

24. I accept that the existing house does not contribute to the rural setting of the appeal site but it is also not harmful. Its impact in terms of character and appearance is therefore neutral. The proposed house would be a significantly larger house, which would be of a bold, modern design that, while well-designed, would not be in keeping with this countryside location and the rural character of the site. Its excessive size and striking design would serve to eclipse the lake as the defining feature of the site rather than complement it.
25. I therefore conclude that the proposed house would be harmful to the character and appearance of the countryside. It would therefore conflict with Policies CS2 and CS10 of the Core Strategy and Policy DM20 of the LPP2 which together require development to be well-designed; of an appropriate scale and appearance in keeping with local character; and to help secure the future of the countryside. It would also not comply with the Council's Residential Design Guide for Rural Areas Supplementary Planning Guidance which, amongst other things, seeks new dwellings to respect local character.

Other Matters

26. I have had regard to the significant ecological enhancements being proposed as part of the scheme. These are positive aspects of the scheme that would provide a public benefit. However, it seems to me that these could be undertaken without the new house. I have therefore given them very limited weight in my decision.
27. The appellants have suggested that the existing house is currently blighted by its position within predicted floodwater levels. From the evidence before me, it is indicated that the existing house is located in a Flood Zone 3 where there is a high risk of flooding. The proposed house would be designed to alleviate flooding issues on site. However, it has not been demonstrated that a house of this size and design is the only effective way of addressing this issue. As such, I give this matter limited weight in my decision.
28. I have had regard to the letters of support for the proposed development, including that of the Landscape Officer and the Parish Council. However, while these weigh in favour of the scheme, they do not overcome the harms that I have identified.
29. The Council may not have a five year housing land supply. However, this appeal is seeking to replace an existing house and there is no net gain in housing. Therefore the need to engage paragraph 11 of the Framework is unnecessary as the relevant policies in respect of this appeal are not considered out of date.
30. The appeal site lies within 400m of the Avon Valley Special Protection Area (SPA) and the Avon Valley (Bicton to Christchurch) Site of Special Scientific Interest. The SPA is protected as a European Site of Nature Conservation Importance and is subject to statutory protection under the Conservation of Habitats and Species Regulations 2017. Regulation 63(5) imposes a duty on the decision maker, to consider whether any proposal may have a significant

effect on such protected areas either alone, or in combination with other plans and projects. Had I been minded to allow the appeal, I would have sought further information in this regard. However, as I am dismissing the appeal for other reasons, I have not pursued this matter further.

Conclusion

31. For the reasons set out above, the appeal should be dismissed.

Rachael Pipkin

Inspector