



Appeal Decision

Site visit made on 25 September 2019

by S Hanson BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2019

Appeal Ref: APP/Y9507/D/19/3230444

Crouch Readons, Rake Road, Liss, Hampshire GU33 7HE

- 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 D Steer against the decision of South Downs National Park Authority.
 - The application Ref SDNP/19/00107/HOUS, dated 9 January 2019, was refused by notice dated 15 March 2019.
 - The development proposed is a single and a two storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On the 2 July 2019 South Downs National Park Authority (NPA) adopted the South Downs Local Plan (2014-2033) (SDLP). This replaces the saved policy of the East Hampshire District Council Local Plan: Joint Core Strategy (2014) and saved policies of the East Hampshire District Council Local Plan: Second Review (2006) as cited in the NPA's decision notice dated 15 March 2019. As these policies are no longer material considerations, I have not had regard to them in determining this appeal.
3. Nevertheless, policies of the SDLP, then emerging, were considered in the NPA's determination of the application Ref SDNP/19/00107/HOUS, and the main parties have had the opportunity to comment on this changing policy context at appeal. It is incumbent on me to take into account the most relevant and up to date information in reaching a decision. I have therefore determined this appeal against the relevant policies of the newly adopted SDLP.

Main Issues

4. The main issues are whether the proposal would comply with the NPA's strategy for the extension of existing dwellings in the South Downs National Park (SDNP) and whether the proposal would harm protected species.

Reasons

5. The appeal property is a detached two-storey house of narrow rectangular form and an elegant traditional design with economic detailing. Located in a semi-rural area in countryside to the north east of the village of Liss, it stands in a generous plot within extensive grounds. It is set back from the road frontage

with boundaries that are lined mainly with large deciduous trees and mature native species rich hedges.

6. The NPA's approach towards extensions to dwellings is set out in Policy SD31 of the newly adopted SDLP. Criterion 1(a) of the policy advises that proposals should not increase the gross internal area (GIA) of the existing dwelling¹ by more than approximately 30%. Proposals which exceed the 30% size limit may be considered acceptable if there are exceptional circumstances.
7. Although there is no prescribed definition of 'exceptional circumstances', the supporting text to Policy SD31 does give an example of '*exceptional family needs*', such as those arising from a disabled or elderly member of the family. A further example is where it can be '*clearly demonstrated that there will be no harmful intrusive impact in the landscape and that there is an enhancement in the appearance of the host dwelling*'. The NPA's Extensions and Replacement Dwellings Technical Advice Note (2019) (TAN) emphasises that proposals '*must be judged against the high standards expected in the SDNP and therefore enhancements should be significant*'.
8. The appellant has brought to my attention the fact that the property currently benefits from an extant consent² to extend the floor area of the property by 48%. However, this proposal was granted planning permission prior to the adoption of the current development plan. Notwithstanding this, the appeal proposal would extend the current floor area of the house, which is 207.89 square metres (sqm) to 343.06 sqm. This would represent a 65% increase in floor area. Significantly above the 30% size limit promoted by Policy SD31 of the SDLP.
9. To justify the percentage increase limit, the supporting text to Policy SD31 highlights concerns for the potential impact of large extensions upon the accessibility of smaller and medium-sized houses in the SDNP for low to medium income groups. It is clear from the evidence before me that the appeal property is not a small or medium-sized property in these terms and would not be classified as having an impact on the supply of these smaller homes. However, the supporting text also highlights that sizeable extensions to larger houses are more likely to have an adverse impact on character and appearance.
10. Whilst there is no specific policy objection to the principle of a residential extension, the proposal would result in a significant addition which would fail to complement the proportions of the existing dwelling. In this respect, the excessive scale and massing of the proposed extension would be dominant and inconsistent with the existing building. The extent of the proposal would not be visually subordinate and would detract from the simple quality of the original property. The change over the existing situation would be appreciable and the scheme would make a marked difference to the character of this traditional property. Consequently, the proposal would not lead to a significant enhancement in the appearance of the host dwelling that would justify exceeding the 30% size limit stipulated by Policy SD31.

¹ For the purpose of Policy SD31, the term 'existing dwelling' refers to the residential unit that existed on 18 December 2002 or, if built after that date, as originally built.

² SDNP/18/01531/HOUS

11. Consequently, I am of the opinion that there are no material factors that would amount to 'exceptional circumstances' needed to clearly outweigh the presumption against large extensions above approximately 30% in the SDNP. As reasoned above, the proposal would conflict with Policy SD31 of the SDLP and Policy Liss 9 of the Liss Neighbourhood Plan, which specifies that development must meet the highest standards of design and respect and enhance the built character of the village. I have also had regard to the statutory purposes of the National Park designation and paragraph 172 of the National Planning Policy Framework to give great weight to the conservation and enhancement of the landscape and scenic beauty of the National Park.

Ecology

12. The Ecological Impact Assessment, as required by the NPA, was not submitted as part of the planning application and as such has not been considered by the NPA or other parties. Consequently, in the interests of fairness to all parties I have made by decision on the basis of the information that was before the NPA when it reached its decision. As such, the proposed development is contrary to Policy Liss 5 of the Liss Neighbourhood Plan (2017) which, amongst other matters, requires proactive measures to maintain and improve biodiversity in new development.

Other Matters

13. The appellant reasoned that the appeal proposal would provide an improved internal layout and circulation. Although I am not convinced that this could not be achieved with the extant consent, this would not be a reason to allow the appeal.

Conclusion

14. Whilst I take no pleasure from frustrating the appellants' ambitions for their property, the appeal proposal does not offer '*exceptional circumstances*' to allow a proposal which exceeds the tolerances set out in the current development plan policy. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal cannot be supported and must be dismissed.

S Hanson

INSPECTOR