



Appeal Decision

Site visit made on 20 January 2020

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 31 January 2020

Appeal Ref: APP/Y9507/D/19/3233129

South Lodge, Annexe, Blackmoor Road, Blackmoor, Liss GU33 6BJ

- 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 J Trodden against the decision of South Downs National Park Authority.
 - The application Ref SDNP/19/00564/HOUS, dated 4 February 2019, was refused by notice dated 20 May 2019.
 - The development proposed is the erection of a hobbies room and store.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the application was determined the Authority has now adopted (on the 2 July 2019) the South Downs Local Plan 2014-33 (2019) (SDLP). The form and wording of Policies SD5, SD13 and SD31 of the SDLP have not materially changed from when the planning application was determined by the Authority.
3. In their refusal notice, the Authority has also referred to Policies CP10, CP19, CP29 and CP31 of the East Hampshire District Local Plan: Joint Core Strategy 2014 (JCS) and Policy HE12 of the East Hampshire District Local Plan: Second Review 2006 (LP) as reasons for refusal. However, as noted above, the Authority has now adopted the SDLP and therefore the policies in the SDLP replace those in the JCS and the LP. Hence, although the Authority's refusal notice refers to policies in the JCS and the LP, they are no longer relevant to the determination of this appeal.
4. Notwithstanding that the Authority's officer report, in their planning assessment of the proposed development, correctly refers to Policy SD31 of the submission SDLP, in response to my query, the Authority has confirmed that there was an error in the second reason for refusal on their decision notice in so far as it should have read Policy 'SD31' and not 'CP31'.

Main Issues

5. The main issues are (i) whether the proposal adheres to the Authority's strategy for the extension of residential accommodation in the South Downs National Park; and (ii) the effect of the proposed development on the setting of the Grade II listed South Lodge.

Reasons

6. The appeal site is located south of Blackmoor Road near to the junction with Petersfield Road (the A325). It falls within the South Downs National Park (SDNP) where there is a statutory duty to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

Strategy for the extension of residential accommodation

7. The Authority's second reason for refusal refers to the proposal providing a level of accommodation that would constitute the provision of a new self-contained dwelling in the countryside.
8. The appellant's evidence indicates that the appeal building, a two-storey annexe located approximately 14 metres north-west of South Lodge, a Grade II listed building, is subject to an agreement under Section 106 of the Act¹ which ensures that the annexe will not be used as a separate unit or as independent residential accommodation. I saw on my site visit that the annexe has an open plan living/kitchen area, a bedroom and a bathroom at ground floor level, and a further kitchen, bathroom, bedroom and living room at first floor level.
9. Thus, in this context, I have no compelling evidence before me to indicate that the proposed single-storey extension to provide a new hobbies room and store would result in a new self-contained dwelling in the countryside.
10. However, what gives pause for thought is that the development would extend further the annexe to the main dwelling, and thus extend further the residential accommodation on the site.
11. Policy SD31 of the adopted South Downs Local Plan (2019) (SDLP) states, amongst other things, that *'development proposals for extensions to existing dwellings, and the provision of annexes and outbuildings will be permitted where: a) the proposal does not increase the floorspace of the existing dwelling by more than approximately 30% unless there are exceptional circumstances; b) the proposal respects the established character of the local area; and c) the proposal is not overbearing or of a form which would be detrimental to the amenity of nearby residents by virtue of loss of light and/or privacy'*. The supporting text to the policy states the term *'existing dwelling'* for the purposes of this policy refers to the residential unit that existed on 18 December 2002.
12. The Authority's evidence on this matter refers to the implementation of planning permission² granted in 2007 to extend the dwelling of South Lodge by around 48%. Therefore, even if the proposal were to adhere with parts b) and c) of Policy SD31, on the basis that the dwelling has already been extended by such an amount post 2002, the proposal to extend the annexe to provide further residential accommodation would not adhere to part a) of the policy. Moreover, I have not been presented with any *'exceptional circumstances'* as required by the policy to permit a greater increase in floorspace.
13. For the reasons outlined above, I conclude that the proposed development would not accord with the Authority's strategy for the extension of residential accommodation in the SDNP. Consequently, it would not accord with Policy

¹ Town and Country Planning Act 1990

² Ref: 28564/010

SD31 of the SDLP in so far as it seeks to resist the increase in floorspace of existing dwellings by more than approximately 30% unless there are exceptional circumstances.

Setting of listed building

14. The significance of South Lodge, constructed in 1869 by Alfred Waterhouse, is mainly derived from its original architectural features and historic interest. The Gateway Adjoining South Lodge, also Grade II listed, is included within the listing for group value. South Lodge and the Gateway Adjoining South Lodge, as a result of their position close to the boundary of the appeal site and the gentle bend in the road, are highly visible in local views from Blackmoor Road.
15. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
16. I saw at the time of my site visit ongoing refurbishment works to the annexe. Based on the evidence before me these works are in respect of recent planning approvals³. I also saw that the resultant detail to the annexe of the refurbishment works is similar to that of South Lodge, however it is generally of a simpler form. Consequently, notwithstanding the scale of the annexe, the simpler detail serves to reflect its subservient relationship to the main house.
17. The proposed single-storey side extension would be attached to the south-east elevation of the annexe. Thus, would close the gap between it and the heritage asset. However, taking into account the scale and subordinate design of the extension and the set-back position of the annexe from the road compared to South Lodge, the development would not significantly change the visual relationship between South Lodge and its annexe in local views from Blackmoor Road. Furthermore, although the size of the annexe would increase as a result of the proposal, the overall detailed design of the proposal is such that the appearance of the retained annexe in combination with the proposed extension would remain broadly subservient to South Lodge.
18. For the reasons outlined above, I conclude that the setting of the listed building would be preserved. Consequently, in this regard, it would not conflict with Policies SD5, SD13 and SD31 of the SDLP or with chapter 16 of the National Planning Policy Framework in so far as they seek to conserve the historic environment. In this regard, the cultural heritage of the SDNP would also be preserved.

Conclusion

19. In conclusion, whilst the proposal would preserve the setting of the listed building it would not accord with the Authority's strategy for the extension of residential accommodation in the SDNP. Therefore, I conclude that the appeal should be dismissed.

Andrew Bremford

INSPECTOR

³ Refs: SDNP/18/00541/HOUS and SDNP/18/04812/HOUS