
Appeal Decision

Site visit made on 18 August 2020

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2020

Appeal Ref: APP/B9506/W/20/3251099

2 Barns, Stock Lane, Landford, Salisbury SP5 2ER

- 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 Christopher Monckton against the decision of New Forest National Park Authority.
 - The application Ref 19/00918, dated 4 December 2019, was refused by notice dated 14 February 2020.
 - The development proposed is described as "*regularisation of changes to the appearance of the existing agricultural barns made during the course of implementation of prior notification 17/00533*".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I note that the planning application was submitted retrospectively, and on my site inspection I observed that the appeal scheme has been partially implemented. I have dealt with the appeal accordingly.
3. Rather than take the appellant's name from the planning application form, in this instance I have taken it from the appeal form and decision notice. It is apparent that the name on the planning application form includes a typographical error so it would be inappropriate to use that name in this decision.
4. The appellant has offered to alter the appeal scheme, including removing doors, windows and front porches and reducing the height of the buildings to accord with the details approved under prior approval applications, Refs 17/00911, 17/00533 and 17/00333. Such changes to the plans were not made prior to the determination of the planning application.
5. The planning appeals procedural guidance¹ (Annexe M) advises that, if an applicant thinks that amending their application proposals will overcome the local planning authority's reasons for refusal, they should normally make a fresh planning application. Moreover, if an appeal is made, the appeal process should not be used to evolve a scheme, and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.

¹ Procedural Guide. Planning Appeals – England. The Planning Inspectorate August 2019.

Accordingly, I have determined the appeal on the basis of the scheme which was refused by the council and the plans listed on the decision notice.

Main Issue

6. The main issue is the effect of the appeal scheme on the character and appearance of the host properties and the New Forest National Park landscape.

Reasons

7. The appeal site is located in Stock Lane, within open countryside within the New Forest National Park (NFNP). The road is very rural in character. Open land predominates, broken up by scattered dwellings. The appeal site is occupied by two former agricultural buildings, which are currently being altered to accommodate Class B1 offices following the aforementioned prior approvals under Schedule 2, Part 3, Class R of The Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO). The site is bounded by timber post and rail fencing, which separates it from adjacent agricultural land within the appellant's ownership. Accordingly, the appeal site exhibits characteristics which are intrinsic to the rural character of the area.
8. The buildings are set back from Stock Lane and accessed via a gravel track. Due to undulating land levels, they are sited at a higher ground level than the road, and are visible in wider views from outside the site. They are surrounded by grassed fields, which separate them from the closest neighbouring residential properties.
9. The evidence before me indicates that the original agricultural barns comprised simple steel-framed, pitched roof structures with corrugated roofs and walls and concrete floors. The permitted scheme ensured the retention of their rural character. The roof form of both buildings, and their eaves and ridge heights, were to be maintained. Approved fenestration comprised simple timber front entrance doors, a limited amount of new glazing, blank rear elevations, and no full height glazed windows or doors. As such, the approved changes to the buildings were sufficient to facilitate the proposed office layouts, without significantly altering the character of the buildings.
10. The appeal scheme incorporates changes to the approved development, including higher ground floor levels, eaves and ridge heights, alterations to the internal layouts, larger windows on the front elevations, floor to ceiling windows on one side of each building, 3 windows on the rear elevations, and front porches incorporating a central door with accompanying windows to each side.
11. I find that, cumulatively, these alterations and additions result in the buildings acquiring a more residential appearance. The design of the windows and doors is distinctly domestic in respect of size, proportions and positioning, and is not typical of the style of fenestration usually associated with rural buildings. The front porches also contribute to the overall domestic design.
12. Consequently, I find that the building features would be at odds with both the original agricultural nature of the buildings and their approved office use, and would result in an overall design that is more akin to that of two residential bungalows. This, in combination with their formal side-by-side layout, accessed via shared driveway, would comprise a form of development which is typically found within an urban area. Therefore, I am not persuaded that the design of

the buildings is appropriate to its rural context. I find that the changes to the existing agricultural style buildings would be out of keeping with, and detract from, the rural appearance of the site and the surrounding area.

13. This suburbanising impact would be exacerbated by an increase in light pollution arising from the significant increase in glazing in both buildings over and above that of the approved scheme. This would erode the rural character and natural landscape beauty of the NFNP.
14. I acknowledge that the slate roofs and timber-clad blockwork walls of the appeal scheme accord with the previously approved building materials. However, this is not sufficient to address the aforementioned harm I have identified in respect of the design of the buildings.
15. I have also noted the appellant's intention to plant an indigenous hedge to diminish the discernible impact of the buildings, and to enhance the rural nature of the site. I do not have full details of such a scheme before me, and there is no guarantee that appropriate landscaping could be secured and thereafter retained. I am not, therefore, persuaded that this would outweigh the harm to the landscape character of the area that I have found.
16. For the above reasons, I therefore conclude that the development would be contrary to Policies DP2, DP18, SP7 and SP17 of the *New Forest National Park Local Plan 2016 – 2036 (2019)* (the Local Plan). These policies, amongst other things, seek to ensure that new development is contextually appropriate, conserves and enhances existing landscape character, is sympathetic in terms of scale, appearance and form, does not erode the character of largely open and undeveloped landscapes between settlements, and does not individually, or cumulatively, erode the local character of the NFNP or result in a gradual suburbanising effect within the NFNP. It is also contrary to the intention of Local Plan Policy DP49, which seeks to enable the re-use of existing buildings provided the building is appropriate in scale and appearance to its location and capable of conversion without significant extension or detriment to itself or its surroundings. These policies are consistent with the great weight given in the *National Planning Policy Framework 2019* to the conservation and enhancement of the landscape and scenic beauty of National Parks.

Other Matters

17. I acknowledge the economic benefits resulting from the provision of office accommodation for an expanding local business. However, the office use of the buildings has already been approved, and there is no evidence before me that the appeal scheme, which does not include an increase in the overall permitted office floorspace, would result in significant economic advantages over and above the development already permitted.
18. The Council considers that the appeal scheme amounts to the rebuilding rather than the conversion of the buildings, and that, as such, the development falls outside the remit of permitted development under Schedule 2, Part 3, Class R of the GPDO, upon which the consented scheme relied. The appellant refutes this, on the basis of the works that have been carried out in respect of the buildings. Notwithstanding this, the determination of what could potentially be built under permitted development rights is not a matter for me to decide within the context of an appeal made under Section 78 of the Act.

Conclusion

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

S Leonard

INSPECTOR