

Appeal Decision

Site visit made on 9 September 2020

by Jameson Bridgwater PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07/10/2020

Appeal Ref: APP/B9506/D/20/3250403

Densome Cottage, Upper Densome Wood, Woodgreen SP6 2QU

- 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 Butler against the decision of New Forest National Park Authority.
 - The application Ref 19/00868, dated 11 November 2019, was refused by notice dated 19 February 2020.
 - The development proposed is described as 'alterations and extensions, demolition of kitchen extension, replacement car port and refurbishment of outbuilding'.
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Decision

1. The appeal is allowed and planning permission is granted for alterations and extensions, demolition of kitchen extension, replacement car port and refurbishment of outbuilding at Densome Cottage, Upper Densome Wood, Woodgreen SP6 2QU in accordance with the terms of the application, Ref 19/00868, dated 11 November 2019, subject to the 12 conditions in the attached schedule.

Main issues

2. The main issues in the appeal are:
 - the effect of the proposed scheme on the character and appearance of the existing cottage and the Western Escapement Conservation Area; and
 - whether the proposal would conflict with the policies of the development plan, with particular regard to outbuildings.

Reasons

3. The appeal property is a single storey cottage that has been extended over time that is located within the Western Escarpment Conservation Area. It has been identified by the Council as an encroachment cottage, and a building of local historic and architectural interest. As such, the cottage is considered to be a non-designated heritage asset. The site also contains a number of outbuildings that are in poor condition.
 4. It therefore rests with me as the decision maker to apply the intended protection for heritage assets as specified in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
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Character and appearance

5. I have carefully considered the Council's representations that the proposed extension would by reason of its design, massing and scale visually impact on the character and appearance of the cottage and the Western Escarpment Conservation Area. However, from my site visit observations I consider that the height, design and roof form of the proposed extension are of a modest rural scale and proportion. Therefore, the proposal would respect the architectural integrity of the original cottage and its countryside location. Consequently, I find that the proposal including the refurbishment/cladding of the existing outbuilding would not result in material visual harm to the cottage a non-designated heritage asset and would ensure that the character and appearance of the Western Escarpment Conservation Area is preserved.
6. Therefore, having reached the conclusions above the proposal would not conflict with Policies DP2, DP18, SP16 and SP17 of the New Forest National Park Local Plan 2016-2036 (NFNPLP).

Outbuilding

7. Policy DP37 of the NFNPLP seeks to control proposals for outbuildings. Albeit, the Council's Planning Committee report is clear that the policy is aimed mainly at proposals for new outbuildings. Having read the policy in detail along with its supporting text I see no reason to reach a different conclusion. Therefore, given that the proposal is for the refurbishment of an existing outbuilding with timber cladding with no material change to the overall footprint/size the policy in this site specific circumstance can only be afforded limited weight.
8. I have therefore carefully considered the Council's concerns with regard to the potential use of the outbuilding and any potential impacts on the National Park. Whilst the outbuilding is in a state of disrepair, I consider that subject to a condition limiting its use to purposes incidental to the dwelling it would not result in material harm to the National Park or the Western Escarpment Conservation Area (Condition 12). Moreover, any future change of use of the outbuilding to ancillary/independent living accommodation would in itself require planning permission and would therefore be subject to scrutiny of the Local Planning Authority.
9. Having reached the conclusions above the refurbishment of the outbuilding would not conflict with Policies DP2 and DP37 of the New Forest National Park Local Plan 2016-2036.

Conditions

10. The conditions suggested by the Council have been considered in light of the advice contained within the national Planning Practice Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, it is necessary for certainty, to define the plans with which the scheme should accord. In the interests of the character and appearance of the development and the wider area it is necessary to apply conditions in relation to materials, landscaping, tree and hedgerow protection (Conditions 3, 4, 5, 6 and 7). It is necessary in the interests of the protecting rural amenity of the National Park and biodiversity to impose conditions in relation to external lighting, bats and the temporary storage of construction materials/waste (Conditions 8, 10 and 11). Furthermore, it is necessary for permitted development rights relating to extensions and alterations/extensions

to the roof to be removed to enable the Council to assess any future development to seek to ensure that the dwelling remains of a size which is appropriate to its location within the countryside (Condition 9).

Conclusion

11. For the above reasons and having regard to all other matters I conclude that the appeal should be allowed.

Jameson Bridgwater

INSPECTOR

Conditions schedule

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. Development shall only be carried out in accordance with Drawing Nos: 988-20-01, 988-20-04B, 988-20-05B and 988-20-06B. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.
3. No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority. Development shall only be carried out in accordance with the details approved.
4. No windows/doors shall be installed until the following details have been submitted to and approved in writing by the New Forest National Park Authority.
 - a) Typical joinery details including window/doors.
 - b) Details of all pipes, vents and flues (the latter to be finished in black)Development shall only take place in accordance with those details which have been approved.
5. All new roof lights shall be of a 'Conservation' type and shall be fitted so that, when closed, their outer surfaces are flush with the plane of the surrounding roof covering.
6. No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include:
 - a) the existing trees and shrubs which have been agreed to be retained;
 - b) a specification for new planting (species, size, spacing and location);
 - c) areas for hard surfacing and the materials to be used;
 - d) other means of enclosure, including all boundary treatments;
 - e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

7. The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement (Development Site Arboricultural Method Statement ref: SW/AMS/396/19 dated 7 November 2019).
8. No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.
10. Unless otherwise agreed in writing by the National Park Authority, development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the ecological report (Phase 2 Bat Survey Work ref: AE/4285 dated August 2019) hereby approved. The specified measures shall be implemented and retained at the site in perpetuity.
11. All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site in accordance with the submitted Construction Management Statement, unless otherwise agreed in writing by the local planning authority.
12. The outbuildings the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.