



Appeal Decision

Site visit made on 8 December 2021

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 DECEMBER 2021

Appeal Ref: APP/M1710/D/21/3279471

Middlefield House, Wishanger Lane, Churt, GU10 2QJ

- 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 Charlotte Havard against the decision of East Hampshire District Council.
 - The application Ref 39592/003, dated 27 January 2021, was refused by notice dated 5 July 2021.
 - The development proposed is a two-storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey side extension at Middlefield House, Wishanger Lane, Churt, GU10 2QJ in accordance with the terms of the application, Ref 39592/003, dated 27 January 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no 20/21/068/2C.
 - 3) The external materials used in the construction of the extension hereby permitted shall match those of the existing dwelling.

Preliminary Matter

2. The Council's description of development encompasses that on the application form which also includes additional detail. For simplicity the shorter description will be used in this decision.

Main Issue

3. Whether the proposed development would maintain a sufficient range of dwelling sizes in the countryside having regard to local planning policy.

Reasons

4. The appeal property is located outside any settlement policy boundary. Policy H16 of the East Hampshire District Local Plan: Second Review of 2006 is therefore relevant. Based on the size of the original dwelling, this divides dwellings in the countryside into four bands for the purpose of considering proposals to extend them. The policy, whilst broadly permissive, sets limitations for additions to small, mid-range and large dwellings.

5. The “original dwelling” is defined as that which existed on site on 1 April 1974. In this case, that was a caravan of 50 sq m. Following the grant of planning permission in 2004 this was replaced by the appeal property which has a floor area of 157 sq m according to the Council. When applying the policy, Middlefield House should nonetheless be treated as falling within the ‘small’ category given that the original dwelling was less than 66 sq m. On that basis, Policy H16 stipulates that any resulting dwelling should not exceed 100 sq m and that subsequent extensions that would exceed this limit will not be permitted. On the Council’s figures the resulting dwelling would be 226 sq m and there would therefore be a conflict with Policy H16.
6. The policy seeks to maintain the variety of dwelling types and sizes in the light of a trend to create larger properties and the need for smaller, less expensive housing. However, this was a response to Government policy in PPG3 from 2000 and would have been based on data from prior to the adoption of the Local Plan. It therefore deals with an issue that arose nearly two decades ago. The Council refers to housing need surveys but there is no detail of when these were undertaken or of the detailed findings. As noted by the Inspector in the appeal at Medstead (Ref: APP/M1710/D/16/3159561), the supporting text says that the existing stock will be monitored to check for imbalances. However, there is no indication that this has taken place nor that the effectiveness and continuing need for the policy has been reviewed.
7. Existing policies should not be considered out-of-date just because they were adopted some time ago. However, as Policy H16 reflects circumstances that prevailed when it was prepared and as it has not been updated, only limited weight can be attached to the policy conflict. Time has moved on so the position is materially different to when a similar proposal was refused in 2005.
8. In any event, following the original permission, the appeal property is, in reality, within the mid-range band when judged against the policy. If the extension were built it would remain within that bracket and its size would increase by less than 50%. This policy proviso relates to the difference between the original dwelling and the resultant dwelling and so is not directly relevant. It nonetheless indicates that the proposed expansion would not be excessive. More to the point, Middlefield House would stay within the medium size category and so the overall range of dwelling sizes in the District would not change. In this way, there would be no reduction in the supply of smaller dwellings and the aims of Policy H16 would not be prejudiced.
9. In conclusion the proposed development would maintain the range of dwelling sizes in the countryside. Although contrary to the strict terms of Policy H16 this finding is sufficient to outweigh the conflict with the development plan.

Conclusion

10. For the reasons given the proposed development is acceptable and the appeal succeeds subject to conditions. In this respect the approved drawings should be specified in the interests of certainty and matching materials required to assimilate the extension into its surroundings.

David Smith

INSPECTOR