



Appeal Decision

Site visit made on 15 September 2022

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 07 October 2022.

Appeal Ref: APP/B1740/D/22/3294351

St Jude, Roman Road, Dibden Purlieu, SO52 9JT

- 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 K Smith of Principal Estates (Southern) Ltd against the decision of New Forest District Council.
 - The application Ref 21/11392, dated 5 October 2021, was refused by notice dated 14 February 2022.
 - The proposed development is alterations, construction of a two-storey rear extension and first-floor front extension over the porch.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. I am given to understand that the Council does not maintain a list of locally listed buildings. However, in its assessment of the original application the Council treated the property as a non-designated heritage asset. The appellant, although appearing somewhat sceptical as to the Council's adopted stance, does not dispute the Council's right to do so. Also, I note that in commenting on an earlier application¹, the Council's Conservation Officer described the property as '*..an attractive period property from the 20th century, a non-designated heritage asset..*'.
3. Amended drawings were produced following discussions between the parties whilst considering the merits of the original application, and these are the ones subject of the appeal.
4. Reference has been made to two previous appeals² affecting the larger part of the former curtilage of St Judes, and I have familiarised myself with the decisions.

Main issue

5. The main issue is the effect of the development on the character and appearance of the heritage asset.

Reasons

6. St Jude is described by the Inspector conducting the first appeal referred to above as '*a striking two-storey dwelling with a low-pitched turquoise pantile*

¹ Ref 20/10399

² Ref APP/B1740/W/19/3239470 & 20/3256613

roof and turquoise metal framed windows and door set within white render walls’.

7. I would add that the original house was built in an art deco style, and the original distinctive features are largely preserved. The lower windows have been boarded up but, although no structural survey has been produced, it appeared to me that the shell of the building was in good order, including its roof. The rear conservatory shown on the as-existing plans has been demolished.
8. The size of the dwelling’s original garden has been much reduced, and when I visited development was well advanced on the displaced part of the former curtilage. To this extent, the setting of the heritage asset has been subject to significant recent change. Nonetheless, St Jude retains a striking distinctiveness on account of its evocative design, appearance, and the survival intact of most of the external materials of the period in which it was built.
9. I note a measure of agreement between the parties on certain matters, particularly in relation to the proposed rear extension. That is acknowledged, but I am charged with determining the proposal in its totality.
10. The appellant contends that *‘the proposed extensions and alterations are of an appropriate design and size and will preserve the character and distinctiveness of the building’*. I disagree. The changes to the pattern of fenestration, the virtual obliteration of the porch in its current form, the drastic changes in materials and the addition of a sizeable rear extension, taken in combination, would transform the character and appearance of the building to its detriment. The *raison d’être* of the building’s design would be significantly and harmfully affected resulting in an irretrievable devaluation of the heritage asset’s significance.
11. I acknowledge that a case could be made for the rear extension in its proposed form, but only, in my view, on the basis that the materials used match those of the existing building, were they retained.
12. The appellant’s point that permitted development rights could be used to strip the building of its striking materials has been considered, even though no certificate of lawfulness has been produced. If true, it attracts some weight, but insufficient to sway me from my conclusion that the development before me would significantly harm the character and appearance and distinctiveness of St Jude.
13. Accordingly, I find a material conflict with that provision of policy DM1 of the New Forest Local Plan Part 2 which provides that development proposals should conserve and seek to enhance the historic environment and heritage assets. A conflict also arises with that provision of Policy ENV3 of the New Forest Local Plan Part 1 requiring all new development to contribute positively to local distinctiveness. I note that policy D3 of the Hythe and Dibden Neighbourhood Development Plan contains a similar provision.

Other matters

14. All other matters referred to in the representations have been taken into account. To my mind, the scheme represents a clear example of poor design. The government attaches considerable importance to design, and the

Framework³ advises that '*development that is not well designed should be refused, especially where it fails to reflect local design policies*'. I propose to follow that guidance here. Moreover, in my balanced judgment the harm to the significance of the heritage asset would be such that the appeal should not succeed.

15. No other matter is of such strength or significance as to outweigh the considerations that led me to my main conclusion.

G Powys Jones

INSPECTOR

³ National Planning Policy Framework 2021 paragraph 134.