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## Appeal Decision

Site visit made on 20 February 2023

**by Ian McHugh Dip TP MRTPI**

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

**Decision date: 24<sup>th</sup> March 2023**

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### **Appeal Ref: APP/M1710/D/22/3306554**

### **Enderley, Blacknest Road, Blacknest, Alton, GU34 4PX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Mr Darren Jackson against the South Downs National Park Authority.
  - The application Ref SDNP/21/03041/HOUS, is dated 3 June 2021.
  - The development proposed is the erection of a two-storey side and rear extension and a single storey rear extension, demolition of existing single garage and the addition of an attached double garage plus addition of a wooden open sided porch to the front elevation.
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### **Decision**

1. The appeal is dismissed and planning permission for the erection of a two-storey side and rear extension and a single storey rear extension, demolition of existing single garage and the addition of an attached double garage plus addition of a wooden open sided porch to the front elevation is refused.

### **Main Issue**

2. The main issue is whether the appeal proposal would conflict with the Authority's policies and guidance that seek to protect the supply of small and medium sized properties in the National Park.

### **Procedural Matter**

3. The appeal is against the Authority's failure to determine the planning application within the prescribed period. The documentation supplied in connection with the appeal includes a report by the Authority's planning officer, which provides its assessment of the proposal. I have taken the contents of this report into account in reaching my decision.

### **Reasons**

4. The appeal property is a semi-detached two storey dwelling, which is located on relatively large plot within a small group in dwellings in the countryside. The site is within the South Downs National Park. Paragraph 176 of the National planning Policy Framework 2021 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and that the scale and extent of development should be limited.
5. The proposal is to construct a two-storey side and rear extension with a single storey element at the rear. It also includes the construction of a new detached

- garage to the side of the dwelling, replacing an original garage, which has recently been demolished. An open sided front porch is also proposed.
6. I note that the report of the Authority's Planning Officer states that the development is acceptable in terms of its design and impact on the character and appearance of the area. Although the extension would be large in comparison to the existing dwelling, it would be well set-back from the road and its overall design would complement the existing property. Accordingly, I have no reason to disagree with the officer's conclusion that the proposal would be in keeping with its surroundings and that it would not conflict with Policy SD5 of the South Downs Local Plan 2014 – 2033 (LP). This policy seeks to ensure that new development makes a positive contribution to the area.
  7. However, the officer report points to a conflict with Policy SD31 of the LP and with the Authority's Technical Advice Note for Extensions and Replacement Dwellings 2021 (TAN) on the basis that the extended property would result in the loss of a small/medium sized dwelling.
  8. Although Policy SD31 does not include the protection of small/medium sized properties in the policy wording itself, the explanatory text states that it seeks to protect the limited supply of such dwellings. The policy states (amongst other things) that the floorspace should not be increased by more than 30%. The Council's calculations point to an increase of 118% (excluding the garage).
  9. Furthermore, paragraph 2.2 of the TAN, which has been produced to guide decision makers in interpreting Policy SD31 states that the primary purpose of Policy SD31 (and SD30) is to reduce the loss of small and medium sized homes in the National Park. I am satisfied that the provisions of the policy and its supporting text and the TAN should be read together when reaching a decision. I also note that Policy SD27 of the LP seeks to provide a mix of house types and sizes in the National Park.
  10. Having regard to the detailed advice in the TAN, I consider that the existing dwelling can be regarded as a small/medium sized property and that the appeal proposal would result in the loss of such a dwelling. Policy SD31 and the TAN both state that any increase in floorspace above 30% should only be allowed in exceptional circumstances and with detailed justification.
  11. In reaching my decision, I have considered the appellant's statement that a larger house may be required to provide accommodation for an elderly relative in the future. However, that does not appear to be certain and no third party evidence has been submitted to support such a requirement. Consequently, I am unable to attribute any meaningful weight to this matter and, at present, it would not amount to exceptional circumstances.

## **Conclusion**

12. For the reasons given above, I conclude that the proposal would result in the loss of a small/medium sized dwelling. Consequently, the proposal conflicts with Policy SD31 of the LP and with the provisions of the TAN. There are no exceptional circumstances that would warrant a departure from the LP and therefore, the appeal is dismissed and planning permission is refused.

**Ian McHugh**

**INSPECTOR**