



Appeal Decision

Site visit made on 14 November 2023

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th December 2023

Appeal Ref: APP/B1740/W/23/3322123

Knap Barrow Farm, Toyd Down, Tidpit, Martin SP6 3JR

- 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 Crispin De Pass against the decision of the New Forest District Council.
 - The application Ref 21/11080, dated 22 July 2021, was refused by notice dated 15 November 2022.
 - The development is single storey residential lodge building, ancillary to the main dwelling house.
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Decision

1. The appeal is allowed, and planning permission is granted for a single storey residential lodge building, ancillary to the main dwelling house, at Knap Barrow Farm, Toyd Down, Tidpit, Martin SP6 3JR, in accordance with application Ref 21/11080, dated 22 July 2021, and the information submitted with the application, and subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Reference A-484519_301A, Proposed Site Plan Reference A-484519_303A, Proposed Site Plan Reference A-484519_303B, Floor Plan and Elevations Reference A-484519_304 and Proposed Landscaping Plan Reference A-484519_305.
 - 2) No external lighting shall be installed on the 'lodge' building hereby permitted unless details are submitted to and approved in writing by the Local Planning Authority.
 - 3) Within three months from the date of this decision, a scheme for the native hedgerow, in accordance with approved Landscaping Plan Reference A-484519_305, shall have been submitted for the written approval of the Local Planning Authority. The scheme shall include indications of the plant species and the size of plants that shall comprise the hedgerow.
 - 4) All planting, stated in the approved hedgerow scheme, shall be carried out in the first planting season following the approval of the scheme; and any plants which within a period of 5 years following the planting of the approved hedgerow, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Procedural Matters

2. When I carried out the site visit, there was a single storey, timber framed building in front of the dwelling at the appeal property.
3. The property has planning permission for stables and associated equine facilities. I saw no structures related to this permission at the time of the site visit. However, I find nothing before me to suggest that this extant planning permission will not be implemented.
4. The appeal property is in the Cranborne Chase Area of Outstanding Natural Beauty (AONB). On 22 November 2023 all designated AONBS in England and Wales became National Landscapes. Accordingly, the former AONB is referred to as a National Landscape in this appeal decision. Local and national policy relevant to AONBs, now known as National Landscapes, has not changed since the Council's original decision.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance.

Reasons

6. The appeal property is part of a farmstead that comprises agricultural buildings, associated hardstanding and a dwelling. The farmstead has a hill-top location and is set against a rising slope at its rear, such that the views of the farmstead are largely limited to the front and side.
7. The Cranborne Chase National Landscape is diverse, with rolling chalk grassland, ancient woodlands, chalk escarpments and river valleys. The appeal property is in the downland hills of this Landscape, which is characterised by a series of small scale but prominent hills, with woodland at the crests of slopes, and medium to large field patterns of arable and grass farmland. Development is of a low density, with a dispersed settlement pattern of scattered farmsteads. In addition to being a tranquil area, due to the limited development and topography of the land, the area is important for its dark skies and has been designated an International Dark Skies Reserve.
8. The National Planning Policy Framework (the Framework) states great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs [National Landscapes] which have the highest status of protection in relation to these issues.
9. The Farmhouse at Knap Barrow is a two storey, family sized detached home, with a traditional brick built architectural style. While appearing part of a farmstead, it is separated from farm buildings by tracks and access roads such that its domestic curtilage is distinct. This curtilage includes a spacious plot of garden which is mainly to the side and front of the dwelling.
10. The lodge, subject of this appeal, is at the front of the dwelling. While this new structure is sizeable, considerable garden space is retained at the side of the main dwelling. The large windows at the side and front of the lodge give it a contemporary quality. However, it has a simple pitched form, and this is not at odds with the traditional architectural style of the existing dwelling or its rural setting. While the lodge is constructed in contrasting materials, the timber cladding is not an uncommon feature in the wider area and does not visually

jar with the brick of the existing house. Moreover, this contrast in materials makes it legible as an ancillary addition to the main farmhouse.

11. While the footprint of the lodge may be larger than the main dwelling, as a single storey structure it appears a subservient addition to the property. Also, in this spacious plot it is comfortably accommodated such that it does not appear cramped, nor does it appear a harmfully dominating feature in this setting. Moreover, largely confined to the existing domestic curtilage, where residential paraphernalia is expected, the development does not harmfully alter the existing character of this immediate area.
12. The windows of the lodge have an outlook over the nearby Public Right of Way to the north and northwest. There are concerns that light from these windows could impact on the dark skies in this area. In consideration of this matter, the lodge, at the front of the existing dwelling, somewhat screens the existing light source at the ground floor of the house, such that any increased light emissions are limited. Also, the mature boundary at the front and south of the residential plot helps contain light emissions from the internal space of this single storey addition.
13. The Council asserts that existing hedges could be removed. Even if this was to be the case, for the reasons already stated, the building does not harm the character of this domestic plot. Also, although unlikely to happen, the hedge could be removed if permission for the building was not granted, and lighting associated with the main house would still be present at this location. This matter has not altered my findings for this reason.
14. This aside, the windows of the lodge on the northern part of the structure are wall to ceiling and the boundary treatment at this part of the residential plot is limited. It has been suggested that these windows should have in-built blinds. However, I agree with the Council this is unlikely to satisfy the test for a condition. In any event, it is likely that these windows will have some type of screening at night-time for the privacy of the building's occupants. Moreover, as already outlined the increase of light emission from internal sources, over and above that which exists at this property, is limited.
15. The appellant has submitted a landscaping plan for a hedge on the northern boundary of the plot. While it may take time to mature, this hedge will improve the enclosure of the garden at this boundary and in turn will help keep light spill largely contained within the existing residential curtilage. Also, the plan shows that the hedge would comprise native species, which will be sympathetic to this landscape. As such I find it reasonable and necessary to secure this enhancement by condition.
16. I have had regard for the Cranborne Chase AONB Position Statement 1 - Light Pollution. This guidance largely seeks to restrict the harmful effects of external lighting in the National Landscape. While I find nothing controlling lighting on the existing dwelling, this annex is a significant new addition to the property in this sensitive landscape. Moreover, the requirements of the Position Statement do not preclude external lighting and are reasonable in this respect. Agreement of a scheme of external lighting for the lodge in line with these requirements would protect the dark skies and in turn would ensure that this special quality of the landscape is preserved. A condition requiring approval of external lights would ensure the development is acceptable in this respect.

17. Concerns have been raised about the impact of the development on the wider landscape. However, for the reasons outlined above the development is not harmful to the character of the farmstead and its immediate setting. Also, while the farmstead has a hilltop location, from distant vantage points it is only discernible in glimpse views. In any event, contained within the farmstead, any panoramic views of the development are seen in that existing context. As such it does not harmfully alter the largely undeveloped quality of this landscape. Given the above factors the development is generally consistent with Planning Practice Guidance which highlights the consideration of location or design especially where long views from, or to the National Landscape are involved.
18. In light of the factors above, the development conserves the special qualities of this National Landscape. As such I conclude on this matter that the development does not have a harmful effect on the character and appearance of the area. In this regard, the development does not conflict with Policies ENV3, ENV4 and STR2 of the Local Plan 2016-2036 Part One: Planning Strategy - New Forest District outside the New Forest National Park. Collectively, these policies require new development to be well designed to respect the character of the countryside, to contribute positively to local distinctiveness and sense of place, to be appropriate and sympathetic to their setting in terms of scale, height, layout and relationship to adjoining buildings, and to conserve and enhance the landscape and scenic beauty of AONBs.
19. The development also generally accords with the guidance set out in the Cranbourne Chase AONB Management Plan, related guidance and provisions of the Framework which seek to conserve the natural environment.

Other Matters

20. Concerns have been raised that this building is sizeable and includes internal facilities such that it could function as a separate dwelling. Be this as it may, the building is presented as being within the single planning unit of the existing dwellinghouse and used as additional living space. It is therefore the same use as the main house. Even if the building is described as 'ancillary' to the house, its use is for residential purposes that are integral to the residential use of the existing main house. A material change of use, through subdivision of this single planning unit, and the creation of a separate dwelling would require planning permission. A condition controlling this matter is not therefore necessary.
21. The appeal property is within the zone of influence of habitats protected under the Conservation of Habitats and Species Regulations 2017. These protected habitats host rare flora and fauna that are sensitive to the increase of wastewater in the riverine habitats and human pressure through recreational activities.
22. These habitats have been found to be in unfavourable conditions such that any single additional residential unit, in combination with other projects, would likely have a significant adverse impact on the protected habitats. However, the development before me extends living accommodation at an existing dwelling and does not therefore result in a net gain in dwellings in the affected zone. Likely significant adverse impacts on the integrity of Habitats are ruled out in this case for this reason.

23. The Council has concluded that, as a householder application, it is not considered proportionate or appropriate to require Biodiversity Net Gain in association with this development. As this scheme simply extends existing living accommodation I agree with the Council's conclusions on this matter. However, the proposed native species hedgerow would be an environmental benefit that weighs in favour of the development.

Conditions

24. Statutory time limits are not required in this case as the development has commenced. However, ensuring that the development is carried out in accordance with the submitted plan is necessary to protect the landscape and scenic beauty of the area and for certainty.
25. Approving details of the hedgerow is necessary to ensure that the plant species and size are in keeping with the character of the area. There is a timetable for compliance because permission is being granted retrospectively, and it is not possible to use a negatively worded condition to secure the approval and implementation of the matter before the development takes place. This condition will ensure that the development can be enforced against if this requirement is not met.
26. It is also reasonable and necessary to control external lighting to conserve the special qualities of the landscape.

Conclusion

27. For the reasons stated above and having regard to the development plan, the Framework and other material considerations, the appeal should be allowed.

A J Sutton

INSPECTOR