



Appeal Decision

Site visit made on 4 February 2025

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd April 2025

Appeal Ref: APP/B9506/W/24/3352357

Turbary, Pound Lane, Burley, Hampshire BH24 4EE

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 (as amended) 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 I Harjette against New Forest National Park Authority.
 - The application Ref is 24/00548FULL.
 - The development proposed is extension.
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Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. The National Park Authority did not determine the application. However, the Authority has produced an officer report with draft reasons for refusal which I have taken into account in identifying the main issue.
3. The Authority has confirmed that since the appeal was submitted, a Planning Committee meeting was held in December 2024 and nominations of properties were formally considered for adoption onto the Local List. Included in the list of nominations was the appeal property, Turbary. The minutes show that the Committee resolved to add the nominated properties to the Local List as they are special and represent important heritage assets.
4. The appellant was provided with the opportunity to comment on the inclusion of the appeal property on the Local List. I acknowledge the concerns raised by the appellant in relation to the manner in which the Authority carried out the nominating and adoption of properties for the Local List, including the apparent lack of notification received by the appellant in respect of their particular property. However, the appellant's response does not make a substantive case against the inclusion of the property on the Local List. I shall therefore proceed with the determination of the appeal on the basis that the appeal property is a Non-Designated Heritage Asset (NDHA).

Main Issue

5. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Burley and Fritham with Eyeworth Conservation Area (CA), including a NDHA.

Reasons

6. The Burley and Fritham with Eyeworth Conservation Area Character Appraisal (the Appraisal) confirms that Burley is a historic forest village with medieval origins. It has a strong local vernacular characterised by cottages and farmsteads surrounded by small fields and paddocks. The Appraisal further states that the area of the CA where the appeal site is located is characterised by scattered predominantly linear development to the north eastern end of Pound Lane and more dispersed residential and agricultural development to the southwest of Pound Lane. Built development in the area appears to have taken place post 1870 and the development on the south side of Pound Lane, is of linear form, one plot deep, facing towards the road. The special interest of the CA is in part derived from the settlement's long history, evident within the diversity of its heritage assets, layout and surviving historic plots and traditional materials, which together reveal its built evolution over many centuries.
7. The Authority's December 2024 Committee report describes Turbary, and the terrace of which it forms part of, as first shown on the 1907 OS map. The report further describes the terrace as a good example of Edwardian encroachment/workers cottages, which have an attractive Arts and Crafts design which corresponds with the dominant architectural style of the village at this time of expansion. The quality of the building's design, scale, proportions and materials, together with the historical calibre of the terrace, means that the Turbary contributes positively to the significance of the CA as well as being part of a NDHA.
8. The historic form of the terrace remains appreciable across much of the rear elevation which has mainly been subject of extension at ground floor level. However, at Fyfield, a neighbouring property, a two storey extension has been erected on the rear of that property. This dominates the rear aspect of the terrace and is at odds with the simple and modest proportions of the rear elevations of the remaining properties.
9. The proposal would result in the removal of the existing single storey extension and its replacement with a two storey extension with a hipped roof and a flat roof dormer window. A flat roof single storey extension would then be attached to the rear of the two storey extension. Having regard to the existing impact of the extension at Fyfield, this would lead to further degradation of the character of the terrace as a whole. Despite the hipped roof on the extension, it would be a visually and physically dominant addition that would further unbalance the proportions of the terrace. Its scale would not be sympathetic to the existing proportions of the host building, and this would compromise the historical interest of the NDHA. The new single storey extension in isolation would not cause harm to the character and appearance of the NDHA, but it would exacerbate the impact of the two storey extension when considering the combined massing and bulk of both extensions.
10. The rear of the terrace is not visible from the public realm. However, views of the proposed development would still be easily attainable from within the appeal site itself and from neighbouring properties. Furthermore, the Authority's policies and the National Planning Policy Framework (the Framework) require development to be of good design and the proposed development fails.

11. The appellant has drawn my attention to the two storey extension that has been constructed at The Pound, at the opposite end of the terrace to Turbary and Fyfield. Whilst that extension is overtly visible from the front of the terrace, it is not overtly visible from the rear due to its position in relation to the historic core of the terrace. Additionally, it has been erected to the side of the terrace and has not altered the historic form and proportions of the terrace itself. It is therefore not comparable to the appeal proposal and its presence does not alter my findings above.
12. I have also been provided with a potential alternative scheme for the erection of an outbuilding, which the appellant asserts would be permitted development. Whether or not that is the case, the effects would again differ. As such, the potential for the outbuilding to be constructed does not change my findings above.
13. The proposal would cause visual harm to the character of the terrace and the positive contribution it makes to the significance of the CA as a whole. As such, it would fail to preserve or enhance the character or appearance of the CA. In terms of the harm to the CA, the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given the scale and nature of the proposals, the degree of harm would be less than substantial in this instance, but nevertheless of considerable importance and weight. Under such circumstances the Framework indicates that this harm should be weighed against the public benefits of the proposal.
14. I have limited evidence before me setting out the benefits that may arise from the proposed development. There would be a contribution to the economy resulting from the construction of the extension but given that this would be a short term benefit, I afford it limited weight. The appellant has suggested that the current layout of the dwelling prevents long term letting. It can therefore be drawn from that statement that increasing the overall floor area of the dwelling could improve the opportunity for long term letting. However, as it has not been demonstrated that there is a shortage of properties of a certain size for let, or that the proposal would assist in addressing that type of shortfall in some way, the potential to improve the letting quality of the property attracts limited weight.
15. Even when taken together, the above stated benefits are insufficient to outweigh the less than substantial harm to the CA and the considerable importance and weight it carries.
16. For these reasons, the proposed development would not preserve or enhance the character or appearance of the CA, including a NDHA. Consequently, the proposal would conflict with Policies DP2, DP18, DP36, SP16 and SP17 of the New Forest National Park Local Plan 2016 – 2036, which collectively seek, in part, that development proposals demonstrate high quality design and construction which enhances local character and distinctiveness, development is appropriate and sympathetic in terms of scale, appearance and form, proposals protect, maintain or enhance nationally, regionally and locally important sites and features of the historic and built environment, and the significance or special interest of designated or non-designated heritage assets are conserved and enhanced.

Other Matters

17. As the site lies within the New Forest National Park it is necessary to consider whether the development would further its statutory purposes. Insofar as those purposes include conserving and enhancing cultural heritage my findings above indicate that the development would fail. I am mindful of the fact that neither party has directly addressed the matter. However, whilst my findings provide a further indication of the inappropriateness of the development, they do alter the outcome of the appeal given my conclusion in relation to the main issue. Therefore, the interests of neither party are prejudiced by my findings.
18. The appellant has also raised concerns with aspects of the Authority's handling of the planning application, including the manner in which the Authority adopted the appeal building as a NDHA. However, this is a matter outside the scope of the appeal.

Conclusion

19. For the reasons given above, the proposed development would conflict with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

K Reeves

INSPECTOR