The Planning Inspectorate

Appeal Decision

Site visit made on 16 November 2016

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 22nd November 2016

Appeal Ref: APP/Y2430/D/16/3157294
Lakeside Lodge, Hoby Road, Asfordby, Melton Mowbray LE14 3TL

- 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 Stuart Bradshaw against the decision of Melton Borough Council.
- The application Ref 16/00405/FULHH, dated 8 June 2016, was refused by notice dated 1 August 2016.
- The development proposed was originally described as "Treble garage to rear of property. The owner already has permission for this but would like to change the roof".

Decision

1. The appeal is allowed and planning permission is granted for a 3 bay garage with 45 degree roof at Lakeside Lodge, Hoby Road, Asfordby, Melton Mowbray LE14 3TL in accordance with the terms of the application, Ref 16/00405/FULHH, dated 8 June 2016, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1, 2, 3, 4, 5, 6, 7, 8 and 9 (all dated 27/05/2016).

    3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the approved plans.

Preliminary matter

2. The description used in the heading above has been taken from the original application form. However, in my formal decision I have used the one provided in the appellant's appeal form. This provides the most accurate and clear description of the development provided as part of the appeal.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

4. The appeal site sits in the grounds of a private fishing pond. There is an existing 1.5 storey dwelling on the site, along with another detached outbuilding on the opposite side of the main dwelling to the garage. These share a broad architectural style of timber construction, steep pitched roofs and low eaves heights. The main building includes dormers on both sides of

the building. The site is separated from the road by a high hedgerow, which is punctured for the vehicular access into a small car park serving the leisure use. The site is outside any defined settlement boundary and for the purposes of local policy is considered to be in the open countryside.

5. Planning permission already exists for a detached garage at the same location and with the same footprint as the appeal proposal (ref: 15/00907/FUL). I have not received the full details of this, but from the evidence provided I am satisfied that the only difference between the schemes is the height and pitch angle of the roof. I saw that construction work on the permitted scheme was already underway at the time of my visit, and had reached eaves height. The extant permission is a fallback position of some significance and my deliberations must therefore focus on the differences between the two schemes.

6. The garage would be orientated the same way as the main dwelling, with the gable facing the roadside. It would be relatively near to the roadside boundary of the site, but is otherwise well separated from the main building and is in an open and spacious area of landscaping and lawn. The ridge height of the roof would be just over 1m higher than the permitted garage. This is not insignificant and the garage would clearly be visible over the hedge and be relatively prominent when viewed from the roadside.

7. However, I am conscious that the permitted garage would also be visible over the hedgerow and I am not convinced that the difference in height would have a significantly different or detrimental impact on the street scene. The other existing buildings are equally visible and do not detract from the local character and appearance of the countryside. I see no reason why the proposed development should have a significantly greater or detrimental impact than the existing buildings or that already permitted. The street scene is one of a long straight country lane with periodic buildings of different types, styles and functions. In this context, the development would be no different to the existing permission and the increase in height would have a negligible effect on the overall visual quality of the area or its open and rural character.

8. The garage has been designed to reflect the character and materials of the other buildings on site and, in particular, that of the main dwelling. In that respect, it would harmonise well with its surroundings and form part of a complementary and largely homogenous group of buildings. Moreover, there is sufficient space between buildings to ensure that the garage would not appear unduly dominant in relation to the main house or the site as a whole. I am satisfied that irrespective of the increase in height, the overall scale and appearance of the building is such that it would remain a complementary feature in the wider site.

9. In conclusion, the development would not result in any material harm to the character and appearance of the area. Accordingly, there would be no conflict with saved policies OS2, C11 or BE1 of the Local Plan[1] which, amongst other things, seek to ensure development in the countryside, including extensions, is in-keeping with their surroundings and is not significantly detrimental to the rural character of the open countryside. There would also be no conflict with the National Planning Policy Framework which requires development to be of a

[1] Melton Local Plan – Adopted 23 June 1999

high standard of design which recognises the intrinsic character and beauty of the countryside.

Conditions

10. I have considered the suggested conditions from the Council in accordance with the guidance contained in the Planning Practice Guidance (PPG). In addition to the standard condition which limits the lifespan of the planning permission, I have imposed conditions specifying the relevant drawings as this provides certainty. I have also included a condition on the materials to be used in the interests of the character and appearance of the area.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

S J Lee

INSPECTOR