
Appeal Decision

Site visit made on 30 November 2016

by Paul Jackson B Arch (Hons) RIBA

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

Decision date: 09 December 2016

Appeal Ref: APP/Y9507/D/16/3155365

Brookvale, Mill Vale Meadows, Milland, Liphook GU30 7LZ

- 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 & Mrs Mark Steward against the decision of South Downs National Park Authority.
 - The application Ref SDNP/16/01498/HOUS, dated 30 March 2016, was refused by notice dated 26 May 2016.
 - The development proposed is erection of detached double garage with ancillary non-habitable accommodation over.
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Decision

1. The appeal is allowed and planning permission is granted for erection of detached double garage with ancillary non-habitable accommodation over, at Brookvale, Mill Vale Meadows, Milland, Liphook GU30 7LZ in accordance with the terms of the application, Ref SDNP/16/01498/HOUS, dated 30 March 2016, and the plans submitted with it, 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: P1532/PL01/P1, P1532/PL02, P1532/PL03/P1.
 - 3) The ground floor of the building hereby approved shall retain space for the parking and turning of 2 vehicles at all times and that space shall not be used for any other purpose.
 - 4) No development shall commence until details of the ground floor finished floor level is provided to the local planning authority and confirmed in writing. The development shall be constructed in accordance with the approved level.
 - 5) The level of the guttering of the building hereby approved shall be no higher than the ground floor guttering of the host dwelling.
 - 6) Notwithstanding the details shown on the application drawings, the roof windows on the north elevation shall be constructed of obscured glass and permanently locked shut.

Main Issue

2. The main issue is the effect of the proposed double garage on the character and appearance of the area, which lies within the South Downs National Park.

Reasons

Policy background

3. The development plan for the area includes the saved policies of the Chichester District Local Plan First Review of 1999 (LP). Policy RE1 restricts development in the rural areas outside settlement boundaries. Policy BE11 advises that new development must not detract from its surroundings. Criteria to be taken into account will include its effect on the local environment, its intrinsic design merit, its setting in the landscape and its relationship to and effect on neighbouring development.
4. The LP is of considerable age and the National Planning Policy Framework (NPPF) of 2012 is an important material consideration. Paragraph 115 confirms that national parks have the highest status of protection and great weight should be given to conserving their landscape and scenic beauty.
5. The Milland Neighbourhood Development Plan 2016–2030 (MNDP) was made by the Council on 9 June 2016 and forms part of the development plan. The MNDP sets out aspirations, objectives and policies for the sustainable growth of the parish of Milland over the next 15 years. Policy S.5 concerns Mill Vale Meadows and advises that *'the existing pattern of development will be expected to be retained, that is a crescent mainly of bungalows, with five original two-storey houses at a strategic setting in the overall plan, and all with open-plan front gardens. The alteration of the bungalows by the insertion of a second floor under a new roof will be refused although alterations to allow the introduction of living accommodation within the existing roofspace will be approved subject to design and amenity considerations'*. On matters of design, later explanatory text notes that retaining and enhancing the vernacular style of design found within both the public realm and architecture of Milland is a priority to ensure that the parish maintains its character. It goes on to say that Milland accepts the need for sustainable and contemporary development approaches within its built fabric but this must be achieved in a way that respects the vernacular character of the area, is subservient to the landscape and significantly enhances the overall character of the parish.
6. The draft South Downs Local Plan Preferred Options 2015 was approved in July 2015 but at the present time its policies carry only limited weight. However the South Downs Partnership Management Plan (SDPMP) of 2013 sets out the vision and long term outcomes for the national park (NP) and contains 5 year policies and a delivery framework. The statutory purposes of NPs are to conserve and enhance the natural beauty, wildlife and cultural heritage of their areas and promote opportunities for the public understanding and enjoyment of their special qualities.

Character and appearance

7. Milland is a rural parish. The small core village with that name is surrounded by open countryside and was developed in the mid-20th century. Much of the housing in the village is suburban in character, including the 1960s Mill Vale Meadows, which is lined with a mixture of generally closely sited bungalows

and a few 2 storey detached houses. The road forms a short loop behind Fernhurst Road, a pleasant straight road lined with mature trees leading out of the village to the east. The appeal property is a modest bungalow with roof accommodation and dormers on the corner of Mill Vale Meadows and Fernhurst Road where the distance between dwellings and the carriageway is greater than elsewhere and there is no clearly indicated 'building line'. Brookvale also has the benefit of a large front garden behind a prominent hedge and a fence lining the adjoining roads. The value of unfenced front gardens, noted in the MNDP, is eroded at either end of the road, where hedges and fences have been erected.

8. The proposal would be lower than the host dwelling and would be constructed of an oak frame with oak square edge board cladding. The plain tile roof would be at a pitch to match the existing house. It would not be dissimilar to many other oak ancillary buildings seen in the countryside that are sympathetic and subservient in character. A significant and useful area of garden would remain between the dwelling and Mill Vale Meadows; this would be greater than many other dwellings in the road. There would not be an unacceptable impact on the impression of spaciousness at the start of the road.
9. I consider that the proposed building would not be dominant on the plot, would be subservient to the host dwelling and would not appear unusually out of place. It would not compromise the statutory purposes of the NP in this location or conflict with the design quality objectives of LP policies RE1 and BE11. The oak materials and small scale of the proposal would add interest and make a positive contribution to the public realm in this case and the scheme would not conflict with the aims of the MNDP.
10. The Council is concerned that the eaves level would be higher than that of the host dwelling. It is not entirely clear from the sections provided that there is a significant difference, given the 'open eaves' proposed. However a condition can be imposed requiring the gutter line to match. This would help it to appear part of the overall development on the plot.
11. Turning to the effect on the NP, the access would be from Mill Vale Meadows and not Fernhurst Road. The structure would be located some distance away from the hedge on the boundary and would not be prominent in views along Fernhurst Road, to an extent because of the many dominant mature trees. There would be an insignificant effect on the character and appearance of the village and no noticeable impact on the natural beauty of the NP, which would be conserved.

Other matters

12. I have taken account of all the other matters raised, including the observations of nearby residents. Two of the roof windows in the building would overlook the conservatory of the neighbouring house. Notwithstanding that the upper floor is designated as storage, I consider that an unacceptable level of intrusion could result. This can be resolved by imposing a condition requiring the windows to be obscure glazed and permanently locked shut.

Conditions

13. The Council has not suggested any conditions beyond the usual time limitation and control of external materials. Materials are shown on the application

drawings and no further control is necessary. A condition requiring the slab and eaves levels to be controlled is necessary to ensure the building is no more conspicuous than it needs to be. Another condition is necessary to avoid unacceptable overlooking. A restriction is placed on the use of the parking bays to ensure vehicles can be turned within the plot. For the avoidance of doubt and in the interests of proper planning, the approved application drawings are listed.

Conclusion

14. For all the above reasons, the appeal should be allowed.

Paul Jackson

INSPECTOR