
Appeal Decision

Site visit made on 24 January 2017

by L Gibbons BA (Hons) MRTPI

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

Decision date: 21 February 2017

Appeal Ref: APP/Y9507/W/16/3156058

Aspen House, Kilmeston Road, Kilmeston, Hampshire SO24 0NJ

- 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 and Mrs Pardoe-Williams against the decision of South Downs National Park Authority.
 - The application Ref SDNP/16/00013/FUL, dated 4 January 2016, was refused by notice dated 16 May 2016.
 - The development proposed is the erection of replacement dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, having regard to its location within the South Downs National Park.

Reasons

3. The appeal site is located to the south of the small settlement of Kilmeston, and is within the South Downs National Park (SDNP). The local area is part of the Bramdean Woodlands character area and has little modern intrusive development. Key features of the character and landscape include rolling hills, arable farming and woodland cover and hedgerows. Panoramic views are a feature of the area. Overall, there is a very strong rural character and appearance to the area in which the appeal site is located. The policies of the National Planning Policy Framework (the Framework) in respect of the National Park indicate that great weight should be given to conserving landscape and scenic beauty in National Parks.
 4. The existing dwelling is a large bungalow which lies parallel to the road. There are a number of buildings within the appeal site including a garage, workshop and summerhouse. The east and south boundary of the site includes a mature hedgerow which screens the majority of the buildings from view along the road. The west boundary is much more open and includes a low hedge, individual and groups of trees and a fence.
 5. The proposal is accompanied by a Landscape and Visual Impact Appraisal (LVIA). This identifies a number of viewpoints of the site. The lack of strong screening on the west boundary and the rolling landscape results in the existing dwelling being visible from the Wayfarers Walk to the west. This is
-

slightly exacerbated by the light colour of the building and its position on slightly higher ground than the rest of the appeal site. Nevertheless, it has a simple design which ensures the building is not overly dominant in the landscape.

6. When seen from the Wayfarers Walk, I consider that the existing dwelling is evidently part of a cluster of buildings which are to the south and east of the site. A small workshop and other features immediately to the south of the appeal site and the bungalow all contribute to this grouping. This includes residential and agricultural buildings. I do not agree that the existing dwelling is separate enough from these buildings to be viewed as a single entity. Although there is a small outbuilding very close to the north boundary of the appeal site, it is a considerable distance from the other buildings, and appears significantly more isolated than the bungalow. As such, I do not consider it to be part of the overall grouping of the buildings.
7. The proposal is for a replacement dwelling which would be located more centrally within the appeal site. Saved Policy CE23 of the Winchester District Local Plan Revised (LP) 2006 indicates that the principle of replacement dwellings is acceptable. The policy sets out that a replacement dwelling should reflect the form and character of the existing dwelling. I note that the policy does not refer to a like for like replacement. The policy also indicates that the proposed replacement should not result in increased visual intrusion by increase in size or unsympathetic design.
8. The new dwelling would be on land which is lower than that of the existing dwelling and as a result the ridge height would be lower. The design of the dwelling would be similar to other buildings and would use materials found within the area. I accept that the proposed dwelling would have a west elevation a shorter length overall than the existing dwelling. I note that isolated dwellings are found within the area.
9. Nevertheless, the replacement dwelling would be approximately 60 metres away from the existing dwelling. This would result in the replacement dwelling appearing very isolated from the existing cluster of buildings and would move domestic features further away. Furthermore, it would draw the eye as it would have a considerably more complex form than the existing dwelling. This would include features such as differing height rooflines, gables and bay windows, and varying lengths of elevations. I consider these would accentuate the building within the plot and add to the impression of bulk. In addition, the long northern elevation would be visible from the path northwest of the site. New features such as the proposed access would also draw attention to the dwelling. New planting is proposed, this would take some considerable time to mature.
10. In conclusion, although the dwelling would be lower than the bungalow it would be seen set against the open landscape with land rising up above. The eye would be drawn to the residential nature of the scheme as part of this panorama. I consider that the scheme would represent a significant negative change to the character and appearance of the area and that it would not result in a beneficial impact.
11. I note that conditions are suggested in relation to closing off the existing access. However, this matter is not sufficient reason to outweigh the harm I have found.

12. For the reasons given above, I conclude that the proposed development would cause harm to the character and appearance of the area having regard to its location within the SDNP. It would be in conflict with saved Policies CE23, DP3, CE5 of the LP and Policies CP19 and CP20 of the Winchester District Local Plan Joint Core Strategy (JCS) 2013. These amongst other things seek new development that responds positively to the character, appearance and variety of the local environment, and is in keeping with the context and the setting of the landscape and settlements of the SDNP.

Other matters

13. The Council consider that insufficient information was submitted with the proposal to determine whether Natural England (NE) would issue a license for the bat populations which are present within the existing dwelling. Proposals for mitigation during demolition and for the new dwelling were contained within the accompanying ecological survey. Were other matters acceptable, I am satisfied that a condition relating to measures for the implementation of mitigation would be sufficient to address potential impacts on the bat population, and that there would be no conflict with Policy CP16 of the JCS.

Conclusion

14. I accept that the current occupiers find that the bungalow is not suitable for their family and that it has been within the family for some period of time. The new dwelling would provide modern accommodation suitable for the family needs. The proposed dwelling would be constructed using sustainable construction methods. I acknowledge that the dwelling would be located further away from the campsite which is close to the bungalow, and that this would result in some reduction in noise and disturbance to the existing occupiers of the bungalow. However, I have found that the proposal would cause considerable harm to the character and appearance of the area and this is sufficient reason to dismiss the appeal.
15. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L Gibbons

INSPECTOR