

Appeal Decision

Site visit made on 5 April 2017

by D Cramond BSc MRTPI

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

Decision date: 27th April 2017

Appeal Ref: APP/C3810/D/17/3169968

Tortington House, Tortington, Arundel, BN18 0BG

- 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 M Bradley against the decision of Arun District Council.
 - The application Ref AB/135/16/HH, dated 26 October 2016, was refused by notice dated 10 January 2017.
 - The development proposed is a 2 bay garage, incorporating open car port & artists studio.
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Decision

1. The appeal is allowed and planning permission is granted for a 2 bay garage, incorporating open car port & artists studio at Tortington House, Tortington, Arundel, BN18 0BG in accordance with the terms of the application Ref AB/135/16/HH, dated 26 October 2016, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. No development shall take place until details and/or samples of the external materials and finishes to be used in the construction of the building have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: IBA/430/102 (2 sheets: Location & Block Plan and Proposed Plans) & IBA/430/103 (Proposed Elevations).

Main Issue

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

Reasons

Character and appearance

3. The appeal site includes a two storey detached dwelling with various outbuildings situated towards the northern end of a large garden area which runs down alongside a rural lane. The locality is one of limited sporadic development within an attractive area of countryside character. The proposal is as described above and would be sited well away from the main property at the southern end of the garden with access off the lane at the appoint where an existing, but little used, farm-gate type entrance exists. This entrance faces
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one of the more significant developments locally, a residential development formed at a previous educational establishment.

4. The proposal is of considerable scale and the Council is concerned that this sizing and its siting, in an area at the far end of the garden well removed from the home and on a stretch of the side of the lane not presently developed, would result in obtrusive and visually prominent development harmful to the aesthetic of the area. It is certainly the case that, as outbuildings go, this would be substantial and it would be well removed from the main dwelling. However the latter point is to a degree one of choice for the Appellants and I can see that shape and layout of the plot at the northern end would not lend itself to the provision of this type or scale of development. Furthermore I believe that the inherent mitigation within this scheme would deem it to be acceptable in the context. The longer views of the site are extremely restricted by mature vegetation to be retained. The building would be set well back from the road and have a treed backdrop. The gateway already exists and the immediate context opposite is of built form. In any event, the architecture itself would be very much of the rural, almost 'barn type', idiom particularly given the intended external materials, roof styles and opening arrangements and would be suitably subtle in appearance and character.
5. Saved Policy GEN7 of the Arun District Local Plan 2003, seeks, amongst other matters, to ensure that development is of high quality design and layout, would respect or enhance local distinctiveness, would protect woodland, and would generally accord with an area's local character and landscape. I conclude that there would be no conflict with this policy. Similarly the scheme would not run contrary to the very comparable intended requirements within Policy D DM1 of the emerging Arun Local Plan 2011-2031 or the relevant content of the National Planning Policy Framework which would relate to the appeal proposal.

Conditions

6. The Council suggests the standard commencement condition along with the requirement for materials to match the existing building. However this latter condition would not be appropriate as materials selected for this outbuilding are specified within the application form. Nevertheless the materials chosen and their finishes are described in general only and furthermore there is contradictory roofing intent between the plans and forms. Given the particular importance of the final appearance of this outbuilding, in the interests of rural amenity, I shall require the submission and approval of these external matters before development commences. I would agree with the Council that there should be a condition that works are to be carried out in accordance with listed, approved, plans as this provides certainty albeit materials would need specific clearance.

Overall conclusion

7. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the locality. Accordingly the appeal is allowed.

D Cramond

INSPECTOR