
Appeal Decision

Site visit made on 11 July 2017

by Mike Fox BA (Hons) DipTP MRTPI

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

Decision date: 20th July 2017.

Appeal Ref: APP/D0840/D/17/3170619

8 Mill View Road, Millbrook, Torpoint, Cornwall, PL10 1DL

- 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 Neil Harvey against the decision of Cornwall Council.
 - The application Ref PA16/06388, dated 11 July 2016, was refused by notice dated 31 January 2017.
 - The development proposed is erection of garage.
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Decision

1. The appeal is allowed and planning permission is granted for erection of garage at 8 Mill View Road, Millbrook, Torpoint, Cornwall, PL10 1DL, in accordance with the terms of the application Ref PA16/06388, dated 11 July 2016, and the plans submitted with it, subject to the following condition:
 - 1) The garage building hereby approved shall only be used incidentally to the enjoyment of the dwelling house known as 8 Mill View Road, Millbrook.

Procedural Matter

2. A planning application to erect a garage on the appeal site was granted in 2015. The completed garage, however, is 73cm higher than the height shown on the approved plans. The appeal seeks to regularise the garage as built.

Main Issue

3. The main issue is the effect of the garage, which has already been constructed, on the character and appearance of the streetscene and the host property.

Reasons

4. The appeal property is a bungalow which occupies a corner plot at the junction of Mill View Road with Higher Anderton Road within the village of Millbrook. The neighbouring properties are a mix of bungalows and two storey dwellings.
5. The garage which is the subject of the appeal has a similar design and uses the same external materials as those which were approved, the only departure from the approved drawings being the increased ridge height of 73cm. The increased height of the garage slightly exceeds that of the host dwelling, but not to the extent that it undermines its subservience to it. Furthermore, the pitched roof of the garage, its overall dimensions and use of its external materials are fully in keeping with the parent building. The modest increase in roof height compared to the approved drawings is insufficient to lead me to

conclude that it dominates the main dwelling or introduces a discordant feature in the streetscene.

6. The height of the land falls away northwards along Mill View Road, and the roof of the garage at the appeal site reflects the gradual fall in the ridge lines in the road, and does not interrupt this gentle cadence. For all of the above reasons, I consider that the garage does not have an overbearing impact on the host building and is not out of scale with the streetscene. Any overshadowing attributed to the extra 73cm of roof height is minimal.
7. Taking account of the above considerations, I conclude that the appeal garage accords with the character and appearance of both the host building and the surrounding streetscene. As such it is not contrary to policies 12 (design) or 13 (development standards) in the Cornwall Local Plan Strategic Policies 2010-2030 or policy 5 (general development) in the emerging Rame Peninsula Neighbourhood Development Plan (NDP), although I can only attach limited weight to the NDP at this point in its progression towards being 'made'.
8. Regarding the Council's suggested conditions, the only one that is still appropriate requires the garage to be used incidentally to the enjoyment of the dwelling house, so as to safeguard the living conditions of neighbouring residential occupiers.
9. In conclusion, I find that the garage which is the subject of the appeal has no significant impact on the character and appearance of either the host property or the streetscene and is therefore not contrary to the relevant development plan policies. For the reasons given and having regard to all other matters raised, I conclude that the appeal should be allowed.

Mike Fox

INSPECTOR