

Appeal Decision

Site visit made on 12 July 2017

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

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

Decision date: 2 August 2017

Appeal Reference: APP/Y9570/D/17/3171533

'Summerfield Cottage', Graffham Street, Graffham GU28 0NP

- 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 J Uphill against the decision of the South Downs National Park Authority.
 - The application (reference SDNP/16/05918/HOUS, dated 27 November 2016) was refused by notice dated 9 February 2017.
 - The development proposed is described in the application form as a "proposed new driveway with off-road parking".
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Decision

1. The appeal is allowed and planning permission is granted for a "proposed new driveway with off-road parking", at 'Summerfield Cottage', Graffham Street, Graffham GU28 0NP, in accordance with the terms of the application reference SDNP/16/05918/HOUS, dated 27 November 2016), subject to the conditions set out in the attached Schedule of Conditions.

Main issues

2. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. Graffham is a small and very loose-knit settlement, in a rural landscape, with houses spaced out along the roadside through the village, often in relatively large plots. The appeal site lies within the Graffham Conservation Area.
4. Many of the properties along the frontages either side of the road through the village, Graffham Street, are set on ground that rises away from the roadside and front boundaries are often marked by stone walls, which may be retaining walls that support the land behind. There is a significant level of on-street parking along the road, although a number of properties have the benefit of access from the road to their own private parking areas or garages, involving the removal of some sections of the walls or retaining walls, including at 'The Shieling', the property that adjoins the appeal site to the north.

5. 'Summerfield Cottage' itself is set high above the road, at the end of a short terrace of cottages, which date from the early nineteenth century and are listed (Grade II) as being of special architectural or historic interest. 'Summerfield Cottage' has the benefit of a large and attractive garden that extends away from its side (north) elevation, providing a generous curtilage to the property.
6. An historic stone wall supports the garden along the highway frontage and the site has no off-road parking space available, at present. The wall is in need of repair but is attractive and historic and is a significant feature in the streetscene, making an important contribution to the character and appearance of the Graffham Conservation Area.
7. It is now proposed to create a new access point on the road frontage, breaking through the retaining wall and creating a new driveway, sloping up to a new parking area at the rear.
8. It has, however, been recognised that an extant planning permission exists for the construction of a garage and access in the general location where the new access is currently proposed. This is an important planning consideration in the case.
9. Provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 make it necessary to have special regard to the desirability of preserving the setting of listed buildings, while other provisions in the Act require decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas affected by development proposals.
10. That statutory framework is reinforced by the 'National Planning Policy Framework', especially at Section 12, which emphasises the importance of conserving and enhancing the historic environment, though it also points out the desirability of putting a heritage asset to its "optimum viable use" as does the 'Planning Practice Guidance'.
11. The importance of protecting the historic heritage is also emphasised in local policies, including policies in the Development Plan, which includes policies from the 'Chichester Local Plan First Review'. Of these, the most relevant are Policies BE4 and BE6, which relate to listed buildings and conservation areas respectively, and Policy BE11, which deals with general design considerations (including the "intrinsic merit" of the design).
12. The proposed scheme would involve the loss of a length of the boundary retaining wall on the site frontage and would reduce the sense of enclosure along the road in this part of the Graffham Conservation Area. Nevertheless, the access that is now proposed has been tightly planned and designed to minimise its visual impact, for example by adopting reduced visibility splays. The new retaining walls would mellow over a period of time, as would the repairs that are envisaged in any case.
13. In order to maintain quality, however, the materials and construction to be used would need to be carefully defined, (especially in the case of the new retaining walls and driveway surface). The works would also need to take account of the trees on the site (as shown on the submitted "Tree Protection Plan"). Subject to a level of care in execution, however, the project would

preserve the character and appearance of the Graffham Conservation Area and would not harm the setting of nearby listed buildings.

14. In any case, it is necessary to have regard to the fact that the alternative, "fallback", scheme would have a similar effect on the wall and its surroundings, while the garage and associated space that would be created would also have a visual impact.
15. It is acknowledged that there is a need for off-road parking provision and that the appeal scheme would bring an obvious planning benefit. The harm that would be caused to the historic setting would be "less than substantial" in policy terms, and, on balance, would be outweighed by the benefit of the scheme, bearing in mind the existence of the "fallback" alternative.
16. In short, I have concluded that the scheme before me would not undermine the aim of protecting the historic environment which is established in primary legislation, set out in Section 12 of the 'National Planning Policy Framework' and reinforced by policies in the Development Plan. On balance, I am persuaded that the scheme before me can properly be permitted, subject to conditions, and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
17. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the local planning authority in the usual way (without prejudice to their main arguments in the appeal). I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained.

Roger C Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - drawing number 06/084-001A (site plan existing);
 - drawing number 06/084-002A (site plan proposed);
 - drawing number 06/084-003A (site sections – existing & proposed);
 - drawing number 06/084-004A (front elevation – existing & proposed);
 - drawing number 06/084-005 (location plans);
 - drawing number TPP_Summerfield_1:200_A4 (Tree Protection Plan).
3. Notwithstanding the information provided with the planning application, no development shall take place until samples (or specifications) of the materials and drawings (at appropriate scales) of the construction details to be used in the construction of the external surfaces of the new development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, using the approved materials.
4. Notwithstanding the information provided with the planning application, no development shall take place until a scheme of measures for the protection of trees during the course of the works has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, using the approved materials.