

Appeal Decision

Site visit made on 15 March 2023

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 April 2023

Appeal Ref: APP/M1710/D/23/3314772

57 Chalton Lane, Clanfield, Waterlooville PO8 0PP

- 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 Mrs E Bryson against the decision of East Hampshire District Council.
 - The application, Ref. 29605/005, dated 17 May 2022 was refused by notice dated 2 November 2022.
 - The development proposed is the construction of a new detached garage and front wall.
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Application for Costs

1. An application for costs was made by Mrs E Bryson against East Hampshire District Council. This is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for the construction of a new detached garage and front wall at 57 Chalton Lane, Clanfield, Waterlooville in accordance with the terms of the application, Ref. 29605/005, dated 17 May 2022 as amended and subject to the conditions in the attached Schedule.

Main Issue

3. The main issue is the effect of the proposed garage on the character and appearance of the street scene of Chalton Lane.

Reasons

4. The officer's report on the appeal application refers to paragraphs 3.2 and 3.4 of the Council's Residential Extensions and Householder Development SPD July 2018 which are particularly relevant in this case and thereby merit repetition.
'3.2 In general, outbuildings should be situated in an inconspicuous position when viewed from the public realm. It will rarely be considered acceptable to site outbuildings in front of the existing property, as it would not appear subservient to the main dwelling and could conflict with any established building lines..... 3.4 Garages should be set back from the main building line'.
 5. This guidance has informed the analysis in the report and carried through to a conclusion that the proposal would be in harmful conflict with Policy CP29: 'Design' of the East Hampshire District Local Plan: Joint Core Strategy 2014
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(‘the Local Plan’) which sets out 10 requirements to ensure that development is of a high standard and safeguards the quality of the District’s built environment.

6. The Council’s objection is that the proposed garage would be a large and prominent feature forward of the dwelling and thereby out of keeping with the character of the area, given that there is a consistent building line along Chalton Lane with no outbuildings positioned forward of houses in the near vicinity.
7. Whilst it is true that there is a noticeable building line along Chalton Lane, this is somewhat irregular in depth along this section of the road. And combined with the wide variety of house designs and front curtilage / boundary treatments, with in some cases substantial vegetation, there is no ‘single street view’ that has enough significance as a visual entity to be a defining characteristic of the locality.
8. Instead, rather than the dwellings being recognisable as a collective group or as establishing an identifiable rhythm in Chalton Lane, the perception is more one of detached houses that are read individually, with the only common denominator being set well back from the road. In these circumstances, I consider there is scope for a rare exception to be made to the SPD guidance in any case where the development would be discreet rather than draw the eye as an obtrusive feature.
9. In respect of No. 57 this occurs because the front garden is large enough for the proposed garage to be ‘tucked into’ the boundary with No. 53 and for it not to cut across roadside views of the dwelling. In addition to its recessed position the development would for the most part be screened from the road by the existing vegetation, and I consider its fully hipped roof with an eaves height of 2.5m would ensure the garage would appear as subservient to the house. And provided the hedge and other vegetation is retained at their existing height or greater, the proposed wall and railings would be acceptable in the street scene, especially as this formal boundary treatment would harmonise with the adjoining front wall of No. 53.
10. As regards the setting of a precedent, whilst I am satisfied that on this site the garage would be acceptable for the reasons explained, there are other front curtilages that, because of one or more considerations of their smaller size, openness and siting as regards the road and adjoining properties, would be clearly unsuitable for a building to the front of the dwelling. However, I consider that the circumstances at No. 57 enable an exception to be made as allowed for in the aforementioned SPD, albeit ‘rarely’. Accordingly, subject to conditions the appeal can be allowed without a harmful conflict with both Local Plan Policy CP29 and Section 12: ‘Achieving Well Designed Places’ of the National Planning Policy Framework 2021.
11. A condition requiring the development to be carried out in accordance with the approved plans is needed for certainty and is in the interests of proper planning. A condition requiring the Council’s prior approval for external materials will safeguard visual amenity as it will enable officers to ensure that the roof tiles match those of the dwelling and that the appearance of the wall is appropriate for its prominent position.
12. A condition requiring the protection and retention of the existing vegetation on the site is needed to ‘soften’ the combined effect of the wall, paving and garage

in this rural setting, notwithstanding my assessment that they are acceptable in this location. A condition restricting the garage for parking and domestic storage is needed for amenity and the provision of on-site parking.

Martin Andrews

INSPECTOR

Schedule of Conditions

- 1) The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this Decision;
- 2) The development hereby permitted shall be carried out in full accordance with the following approved plans: Drawing Nos. 502; 500A; 503A; 501B;
- 3) Details and samples of the external materials for the proposed garage and wall shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details;
- 4) The existing hedging/trees /planting as indicated on the approved site plan shall be protected during the construction of the works hereby approved. If any of these trees, hedging or plants die or become seriously damaged or diseased either during the construction period or within 5 years of the first use of the completed garage, they shall be replaced as soon as reasonably practicable with others of the same type, size and number unless alternatives are first agreed in writing by the Local Planning Authority;
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the garage hereby approved shall only be used for the purpose of parking private motor vehicles and for ancillary domestic storage in connection with the residential use of the property.