The Planning Inspectorate

Appeal Decision

Site visit made on 27 September 2012

by Ian McHugh Dip TP MRTPI

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

Decision date: 9 October 2012

Appeal Ref: APP/W1715/D/12/2180712
Upton Lodge, Blundell Lane, Bursledon, Hampshire, SO31 1AA

- 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 M Fairclough against the decision of Eastleigh Borough Council.
- The application Ref F/12/70363 was refused by notice dated 9 May 2012.
- The development proposed is erection of detached ancillary stable and store.

Application for Costs

1. An application for costs was made by Mrs M Fairclough against Eastleigh Borough Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for erection of a detached ancillary stable and store at Upton Lodge, Blundell Lane, Bursledon, Hampshire, SO31 1AA in accordance with the terms of the application, Ref F/12/70363 , dated 27 January 2012, subject to the following conditions:

    1) The development hereby permitted shall begin not later than three years from the date of this permission.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Job No.1403/08, Drawing No. 01, Rev A; Job No.1403/08, Drawing No. 02.

    3) No development shall commence on site until details of the colour of the timber boarding and tiles to be used for the external walls and roof covering have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

    4) The development shall be carried out in accordance with the submitted Arboricultural Implications Assessment and Method Statement produced by Ecourban Ltd dated 4 April 2012.

Procedural Matter

3. Reference is made in the appeal documentation as to whether the proposal is permitted development under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development Order) 2008. In this case, it is my responsibility to determine the appeal against the refusal of planning permission. I am therefore unable to give an opinion as to whether or not planning permission is required. Consequently, I have made my decision solely with regard to the planning merits of the proposal.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site is a grassed area of undeveloped land, situated to the side of Upton Lodge. It is located between the dwelling and its outbuildings and an enclosed paddock which is used for the grazing of horses. The site has a frontage to, and is elevated above, Blundell Lane which is a narrow country road, providing access to a small number of individual houses. Trees and hedging partially screen the site from the road, although it can be seen in places through gaps in the vegetation. A group of trees lies to the south of the proposed building. These trees are not covered by a Tree Preservation Order. The appellant's Arboricultural Consultant states that no trees would have to be removed to facilitate the development, but recommends protection during construction works.

6. The proposal is to erect a single storey 'L' shaped timber stable and storage building, which would be used to house the appellant's horses, together with associated tack and hay. It would also store a vintage tractor. The longer wall of the building would run parallel to the boundary of the site facing Blundell Lane. The Council considers that the proposed building would be visually prominent, and due to its size and siting, would be out of keeping and harmful to the appearance of the countryside. It states that other outbuildings in the area are small and predominantly set back from the road. On this basis, the Council maintains that it would be contrary to Policies 1.CO; 3.CO; 9.CO; and 59.BE of the Eastleigh Borough Local Plan Review 2006 (LP), which primarily seek to ensure that new development protects the countryside from inappropriate development; is in character with its surroundings; and that "Local Gaps" in the countryside are maintained. I also note that a similar objection has been raised by the Parish Council.

7. I consider that the proposed stable and storage building would, due to its materials, form and design, be appropriate in its countryside setting and would therefore not be out of keeping with its surroundings. Although it would extend the line of built development on the site, it would not be intrusive or highly visible from Blundell Lane, due to the screening effect of the trees and vegetation along the boundary of the site. I acknowledge that the proposed building would result in additional physical development within an area that is defined in the LP as a "Local Gap". However, the underlying aim of the relevant policy (3.CO) is to prevent the coalescence of smaller settlements. I consider that the proposal would not conflict with this policy, as the form and relatively

small scale nature of the proposal would not compromise the separate identity of the area.

8. For the reasons given above, I conclude that the proposal would not be harmful to the character and appearance of the area. Accordingly, it would not conflict with Policies 1.CO; 3.CO; and 59.BE of the LP which I consider to be the most relevant in this case.

Conditions

9. The Council has suggested conditions in the event of the appeal being allowed. I have considered these in the light of Circular 11/95. For the avoidance of doubt and in the interests of proper planning, a condition is imposed requiring the development to be carried out in accordance with the approved plans.

10. I note that details of materials to be used in the construction of the building are specified on the planning application form. However, to ensure a satisfactory external appearance, I have imposed a condition requiring details of the colours of the timber boarding and roof tiles to be submitted to and approved by the Council prior to development commencing on site.

11. A condition requiring the development to be carried out in accordance with the submitted Arboricultural Assessment and Method Statement is also necessary to protect the existing trees on the site.

Conclusion

12. It is concluded for the reasons given above, that the appeal should be allowed.

Ian McHugh

INSPECTOR