

# PLANNING STATEMENT

## CONSTRUCTION OF BASEMENT PARKING AREA

AT  
MILLICENT,  
HILLGROVE LANE,  
LURGASHALL,  
PETWORTH  
GU28 9EP

Application made on behalf of:

Mr G Ayrton - Grime

October 2023

## 1.0 INTRODUCTION

1.1 This application statement is submitted on behalf of our client, Mr Ayrton-Grime, and is submitted as part of an application which seeks planning permission for the construction of a basement parking area at the property addressed Millicent, Hillgrove Lane, Lurgashall, GU28 9EP.

1.2 The site lies in the South Downs National Park, outside of any settlement boundary, approx. 700m to the north west of Lurgashall. The proposal seeks to extend the existing garage below ground to provide a basement parking and domestic storage area to serve the dwelling. The outbuilding is currently being utilised for ancillary / incidental domestic purposes to the main dwelling as staff accommodation and for the parking of domestic storage and vehicle parking. The subterranean nature of the development ensures it can be achieved without detrimental impact on the character of the locality, special qualities of the National Park or residential amenities of nearby occupiers. As such the site is considered suitable for the nature and level of development proposed.

1.3 The details of the proposed development have been set out within this statement, together with the principal policy considerations pertinent to the determination of the application. It will be demonstrated that the scheme is acceptable having regard to relevant policy at the national and local level and any other material considerations such that planning permission should be approved.

1.4 This householder application is accompanied by the following:

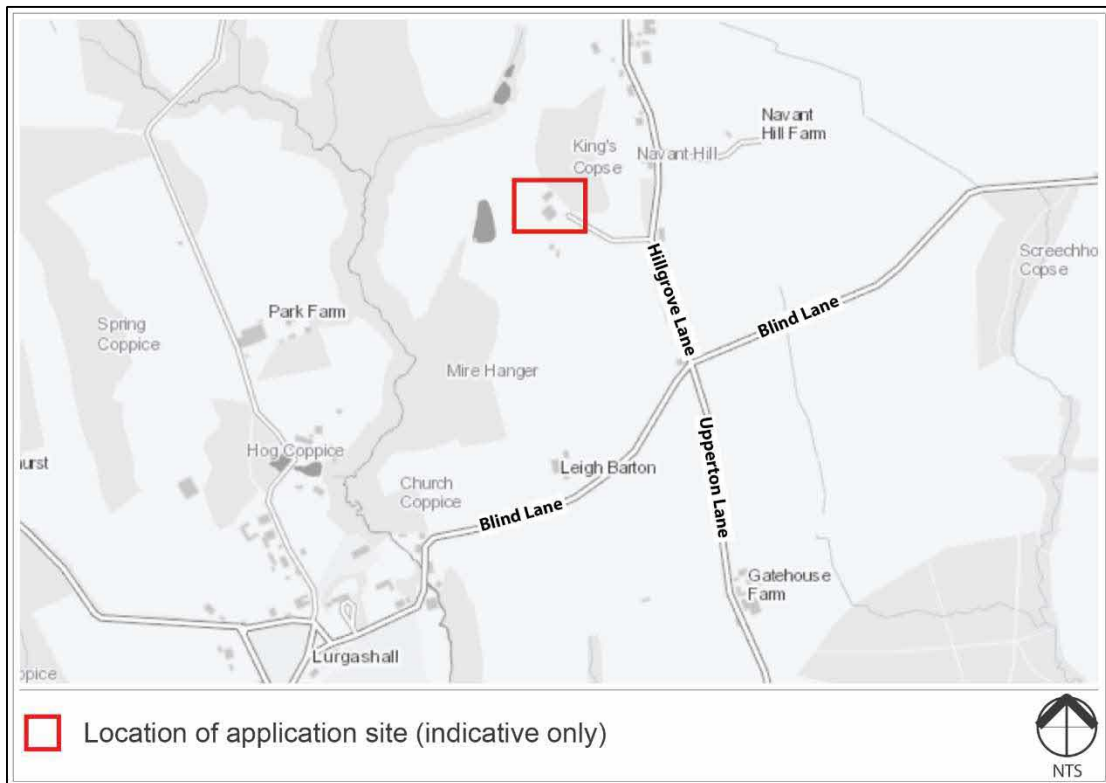
- Site Location Plan
- Site Plan
- Existing and Proposed Plans
- Floor Plan Areas
- CIL forms
- Ecosystems Services and Soil Management Statements
- Sustainability Assessment
- Lighting Assessment

1.5 The remainder of this supporting planning statement is set out as follows:

2. Application site and planning history
3. Proposed development
4. Relevant planning policy and planning assessment
5. Conclusion

## 2.0 APPLICATION SITE AND PLANNING HISTORY

2.1 The application property, Millicent, is a substantial two storey dwelling set within extended grounds on the western side of Hillgrove Lane and approximately 700 metres to the north west of Lurgashall.



*Location map (Source: SDNP Local Plan Policies Map)*

- 2.2 The detached residential dwelling is set back some 150 metres from Hillgrove Lane, accessed by a private driveway directly off the highway to the east. Residential curtilage extends around the property to all sides. Within the residential curtilage lies the application outbuilding.
- 2.3 Millicent is set within 16 ha of land, which includes both the residential curtilage around the property as well as agricultural land beyond.
- 2.4 The property is orientated in a south west –north east alignment within the plot and set within established landscaped grounds. The property is set well away from its closest neighbour, which lies on the opposite side of the highway at the entrance to the private drive.

- 2.5 The aerial image below illustrates the position of the property (indicated by the red star) and its relationship to the public highway and neighbouring properties.



*Aerial image of property –source Google maps*

- 2.6 Within the grounds of the property lie a swimming pool, tennis court and garage outbuilding. The garage subject of the application lies immediately adjacent to the dwelling at the northern edge of the entrance drive into the property. Its position is shown on the following mapping extract:



*Aerial photograph of site – application outbuilding circled and main dwelling highlighted – source Google maps*

2.7 The outbuilding is a hipped roof building faced in stone under a tiled roof. The appearance of the outbuilding can be seen in the following images.

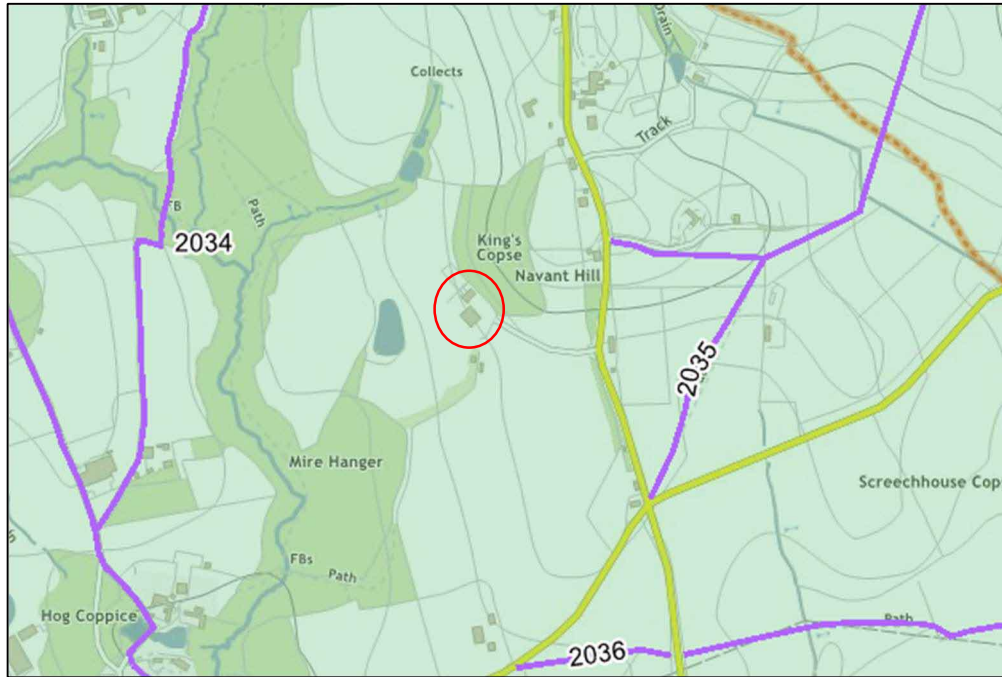


*South east elevation of garage building*



*North west elevation of garage building*

- 2.8 The outbuilding is closely related to the main dwelling in terms of its position at the edge of the frontage parking area to the property and within 10 metres of the dwelling. The outbuilding lies within the residential curtilage of the property. This is clearly evidenced in the aerial photograph at paragraph 2.6 and will be apparent to Officers at the site visit.
- 2.9 The garage has accommodation over three floors. At ground floor, a double garage and domestic store are present, with internal stairs to basement and first floor. Within the basement a plant room and prep kitchen are present. At first floor, ancillary habitable accommodation can be found in the form of an ensuite bedroom and open plan kitchen, dining and living area.
- 2.10 The closest public rights of way to the application site can be seen in the following mapping extract. Footpath 588-1 and 2035 start at Hillgrove Lane and extend away from the application site in a easterly and north easterly direction, respectively. To the west, footpath 2034 runs in a north-south direction some 430metres away with intervening wooded areas. These are all some distance from the application site.



*Public rights of way in vicinity of application property (circled) Source – West Sussex County Council*

## 2.11 Planning History

2.12 The relevant planning history for the site is shown in the table below:

REFERENCE	PROPOSAL	DECISION
SNDP/22/05165/LDE	Existing lawful development to establish that the dwelling and detached garage have not been built in accordance with the approved plans (of appeal reference: app/13815/a/07/2056846) for a period in excess of 10 years.	<b>Granted</b>  13/06/2023
SDNP/13/03145/FUL	Agricultural barn.	<b>Refused</b>  03/10/2014
SDNP/12/01517/FUL	Erection of a tennis court to include installation of 2.8m high chain link fence within the grounds of the property.	<b>Granted</b>  04/01/2013
07/02816/FUL	Replacement of residential mobile home with new dwelling and garage/garden store (revision to	<b>Refused</b>



<b>APP/L3815/A/07/2056846</b>	planning permission LG/04/03950/FUL). Realignment of existing access drive.	20/08/2007 <b>Allowed on appeal</b> 27/03/2008
<b>06/05687/FUL</b>	New dwelling and garage to replace existing mobile home (revision to planning permission LG/04/03950/FUL).	<b>Withdrawn</b> 11/12/2006
<b>06/02992/FUL</b>	Replacement dwelling and garage. (Revision to permitted scheme LG/04/03950/FUL).	<b>Withdrawn</b> 04/09/2006
<b>04/03950/FUL</b>	Modifications to permitted design LJ/04/00875 (as yet unbuilt).	<b>Granted</b> 18/02/2005
<b>04/00875/FUL</b>	Replacement dwelling.	<b>Granted</b> 06/10/2004
<b>02/01854/FUL</b>	Replacement of residential mobile home with single detached dwelling.	<b>Granted</b> 25/06/2003
<b>01/03165/OUT</b>	Replacement of residential mobile home with single detached dwelling.	<b>Withdrawn</b> 25/07/2002

*Table of planning history*

### **SNDP/22/05165/LDE –Lawful Development Certificate for Dwelling and Garage**

- 2.13 The planning history confirms that garage building (and house) as they currently stand on site is lawful.
- 2.14 Planning permission was originally granted at appeal for the construction of a replacement dwelling and a detached garage/ garden store, under application reference, LG/07/02816/FUL. As a result of minor alterations being undertaken to the approved design of the main dwelling and detached garage during the construction phase, the house and garage in situ represented a departure from the approved planning permission.

- 2.15 The construction works were completed in excess of 10 years ago and Certificate of Lawfulness was recently submitted seeking to confirm the lawfulness of the development.
- 2.16 The South Downs National Park Authority issued a Certificate of Lawfulness, SDNP/22/05165/LDE in June 2023, confirming that the dwelling and detached garage on site are lawful.

### 3.0 PROPOSED DEVELOPMENT

3.1 This application seeks permission for the construction of a basement parking area.

#### 3.2 **Use**

3.3 The garage is well located in relation to the residential property, sitting within 10m of Millicent on its northern side. The garage is located entirely within the residential curtilage, at the northern end of the driveway/ frontage parking area to Millicent and is therefore well positioned to serve the domestic needs of the dwelling.

3.4 The garage is currently arranged over three floors. Within the basement, a prep kitchen and plant room are present, with basement access to the main dwelling. At ground floor is domestic storage, double garage and an internal stairwell to the basement level while at first floor ancillary habitable accommodation is present comprising an ensuite bedroom and open plan living/ dining and kitchen area.

3.5 This application relates only to the provision of an underground parking area to the garage and associated access to that via the existing garage building. A separate application is being submitted in conjunction with this which seeks to extend the existing garage building for ancillary habitable purposes.

#### 3.6 **Need**

3.7 Millicent is a substantial 7 bedroom property served only by a double garage with no other outbuildings available for the storage of domestic items or land maintenance equipment. Noting the size of the property and the 16ha holding within which the property sits, the existing outbuilding is undersized for the reasonable needs of the dwelling and wider land holding.

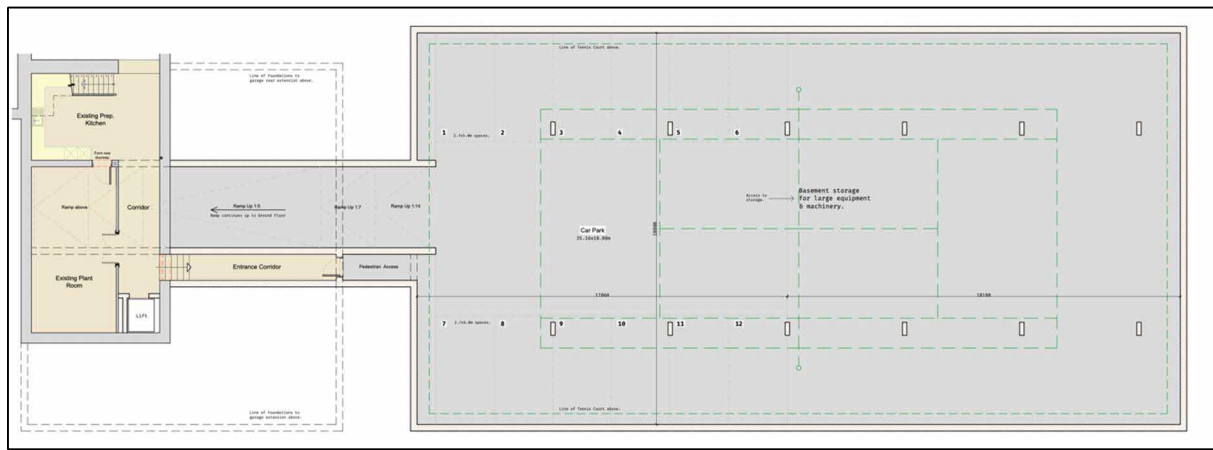
3.8 The applicant owns a number of vehicles. The overspill parking of cars is currently undertaken within existing areas of hard surfacing to the front of the dwelling and garage with further of cars parked along the north-western side of the garage. It is clear the existing garage outbuilding is not sufficiently large enough to cater for size of property and its land holding,

accordingly there is a justified need for increasing the amount of secure parking and domestic storage at the site.

- 3.9 The underground parking area proposes to address this need for parking in a manner that is sensitive to the context of the site within the South Downs National Park. In recognition of the National Park setting and sensitivities of the landscape, the applicant proposes the construction of the garage and storage area below ground within one space.
- 3.10 The proposal mitigates the need for additional domestic outbuildings at the site to serve the reasonable incidental and ancillary needs of a dwelling of this size. In addition, space is incorporated to allow for the storage of larger land maintenance equipment required in association with the ongoing land management of the 16ha holding thus removing the need to provide additional above ground storage buildings for such equipment.
- 3.11 Re-locating existing domestic vehicle parking underground and providing suitable storage space for land maintenance and other domestic equipment in an underground storage and parking area will remove the requirement for multiple above ground buildings within the National Park.
- 3.12 **Amount and Layout**
- 3.13 Vehicular access to the parking area would be via the existing garage door within the southwest elevation of the garage building. Vehicles will enter the garage and directed down a newly constructed ramp into the underground parking area. Pedestrian access would be via the existing basement to the garage building, where an entrance corridor, separated from the vehicle entrance would be provided.
- 3.14 The basement parking area will have a floor area of 18m x 35m extending underneath the existing tennis court.
- 3.15 The basement would provide sufficient space for the parking of multiple cars alongside the secure storage of large equipment and machinery.
- 3.16 The introduction of underground storage will conserve the special qualities of the National Park by removing the requirement for above ground buildings within the landscape.

3.17 Millicent is set within 16ha of land, which comprises domestic grounds with large pond, agricultural land and woodland. The underground storage will therefore provide sufficient secure storage space for items required in association within the ongoing land maintenance of the 16ha holding.

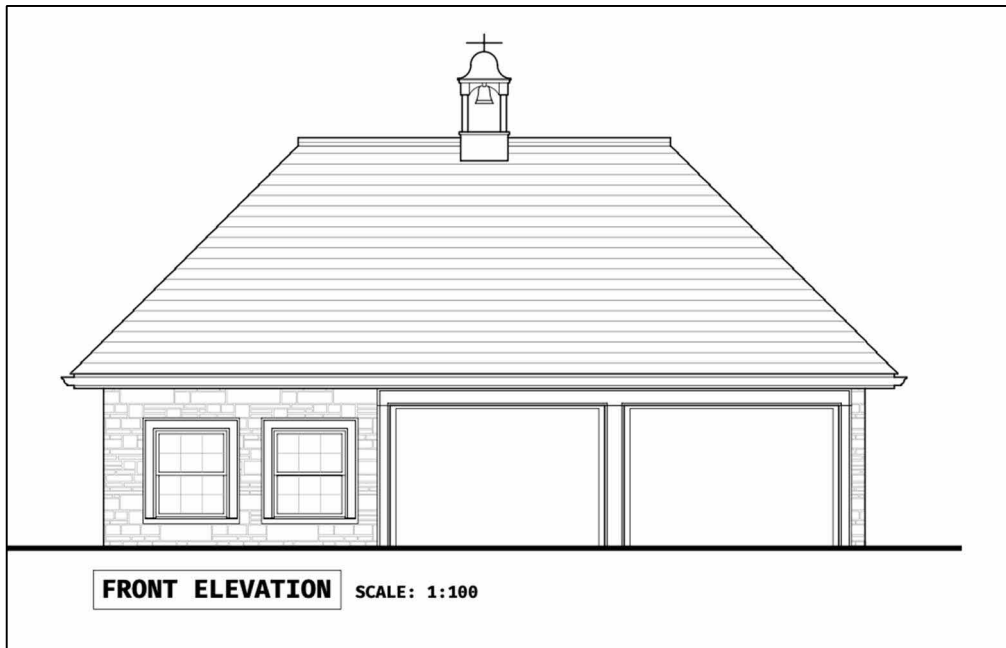
3.18 The proposed floor plan can be seen in the following drawing extract:



*Proposed basement floor plan*

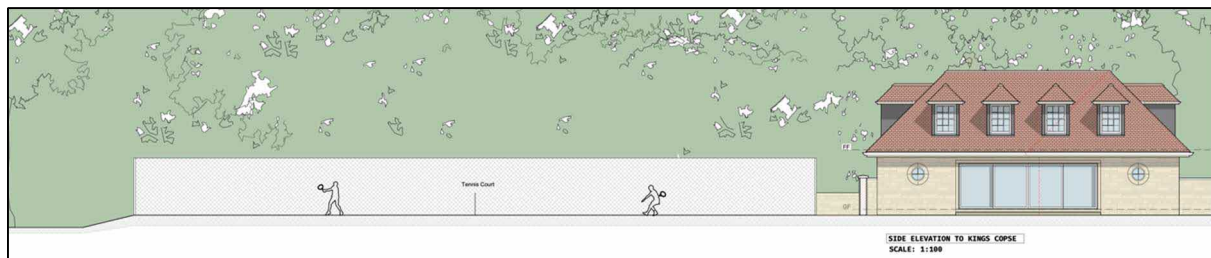
### 3.19 Scale and Appearance

3.20 The proposal will be entirely subterranean. The entrance into the basement parking area will be via the existing garage door within the south east elevation of the building thus ensuring there will be no external alteration to the appearance of the garage as a result of this proposal.



*Proposed front elevation of garage building – no change to current appearance*

3.21 A light well above the ramp is proposed to the underground ramp. The light well will be surrounded by low walling. Externally, the basement will not be apparent. This is evident in the following drawing extracts.



*Proposed view towards Kings Copse – basement parking not visible*

3.22 The above extract shows the garage as proposed to be extended, to provide guest/ staff accommodation. Those works do not form a part of this planning application.

3.23 The tennis court will be taken up to allow for the necessary excavations to be undertaken and re-laid on top of the parking area in its current position.

### Landscaping

3.24 The basement parking area will be constructed underneath the existing tennis court. Accordingly, there will be a requirement during the construction works to lift the existing tennis court and surrounding fencing in order to undertaken the excavation works. Following

the completion of the basement works, the tennis court will be re-laid above in the same position with fencing around the court re-introduced. There will be no visual change to the site following the completion of the works.

### **Trees**

Kings Copse is on steeply rising ground to the north west of the garage. A retaining wall is present to the edge the existing driveway with the existing garage set at a lower level to the copse. Trees within the adjacent Kings Copse will not be impacted upon the proposed development.

### **Access and parking**

- 3.25 In terms of vehicular access, no change to the existing access arrangement is sought. The existing access drive serving the property will remain unaltered. A separate application has been submitted seeking an extension to the garage to provide additional ancillary accommodation. Those works do not form a part of this application.
- 3.26 It is the case that the development will be constructed in accordance with the relevant requirements of Part M of the Building Control Regulations relating to access to and use of buildings.

#### 4.0 **RELEVANT PLANNING POLICY AND PLANNING ASSESSMENT**

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

##### **National Planning Policy Framework (NPPF) 2021**

4.2 The NPPF is a material consideration in the determination of this case and the following are considered relevant:

- Chapter 2: Achieving sustainable development
- Chapter 12: Achieving well designed places
- Chapter 11: Making effective use of land
- Chapter 16: Conserving and enhancing the natural environment

4.3 Paragraph 120 confirms decisions should “*promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available site could be used more effectively*”

4.4 Paragraph 130 confirms that decisions should “*ensure that developments are visually attractive as a result of good ..layout and appropriate and effective landscaping and are sympathetic to local character and history, including ..landscape setting*”

4.5 Paragraph 176 states “*Great weigh should be given to conserving and enhancing landscape and scenic beauty in National Parks..which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks*”

#### 4.6 **The Development Plan**

4.7 The development plan comprises the South Downs National Park Local Plan 2019.



- 4.8 The two statutory duties of the National Park designation are: firstly to conserve and enhance the natural beauty, wildlife and cultural heritage of their areas; and secondly, to promote opportunities for the public understanding and enjoyment of the special qualities of their areas. If there is conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

South Downs National Park Local Plan 2014-33 (2019)

- 4.9 The South Downs National Park Local Plan was adopted in July 2019. The Plan is landscape led and looks to “conserve and enhance the landscapes, the special qualities of the National Parks and communities small and large within it”. The most relevant policies of the Local Plan are set out below.

4.10 Policy SD31 Extensions to Existing Dwellings and provision of Annexes and Outbuildings

- 4.11 This policy states “ *Development proposals for extensions to existing dwellings and provision of annexes and outbuildings will be permitted where:*

- a) The proposal does not increase the floorspace of the existing dwelling by more than approximately 30% unless there are exceptional circumstances;*
- b) The proposal respects the established character of the local area; and*
- c) The proposal is not overbearing or of a form which would be detrimental to the amenity of nearby residents by virtue of loss of light and/ or privacy.*

*3. Proposals for outbuildings should demonstrate that they are required for purposes incidental to the use of the host dwelling.*

4.12 Policy SD4: Landscape Character

- 4.13 This policy states “ *Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that:*

- a. They are informed by landscape character, reflecting the context and type of landscape in which the development is location;*

- b. *The design, layout and scale of proposals conserve and enhance existing landscape and seascape character features which contribute to the distinctive character, pattern and evolution of the landscape;*
- c. *They will safeguard the experiential and amenity qualities of the landscape; and*
- d. *Where planting is considered appropriate, it is consistent with local character, enhances biodiversity, contributes to the delivery of GI and uses native species, unless there are appropriate and justified reasons to select non-native species”*

#### 4.14 SD5 –Design

4.15 This policy states that ‘*Development proposals will only be permitted where they adopt a landscape led approach and respect the local character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area. The following design principles should be adopted as appropriate:*

- a) *Integrate with, respect and sympathetically complement the landscape character by ensuring development proposals are demonstrably informed by an assessment of the landscape context;*
- b) *Achieve effective and high quality routes for people and wildlife, taking opportunities to connect GI;*
- c) *Contribute to local distinctiveness and sense of place through its relationship to adjoining buildings, spaces and landscape features, including historic settlement pattern;...*
- d) *Incorporate hard and soft landscape treatment which takes opportunities to connect to the wider landscape, enhances GI, and is consistent with local character;*
- e) *Utilise architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night and day visibility, elevational and where relevant, vernacular detailing;...*
- f) *Ensure development proposals are durable, sustainable and adaptable over time, and provide sufficient internal space to meet the needs of a range of users;...*

*g) Have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities”*

4.16 Other relevant policies within the Local Plan include:

- SD1 Sustainable Development
- SD2 Ecosystem Services
- SD7 Relative Tranquility
- SD8 Dark Night Skies
- SD9 Biodiversity and Geodiversity

4.17 Supplementary Planning Documents

- Extensions and Replacement Dwellings Technical Advice Note (August 2019)
- Design Guide SPD (2022)
- Ecosystems Services and householder Planning Applications TAN (2019)
- Biodiversity Net Gain TAN (2022)
- Dark Skies Technical Advice Note (April 2018)

## Planning Assessment

4.18 Principle of development

4.19 Policy SD31 of the Local Plan confirms that proposals for extensions to existing dwellings and the provision of annexes and outbuildings are acceptable subject to criteria, including where the proposal does not increase the floorspace of the existing dwelling by more than approximately 30% unless there are exceptional criteria, the proposal respects the established character of the local area and where the proposal would not be detrimental to residential amenity.

4.20 Having regard to the adopted Extensions and Replacement Dwellings TAN 2021, which provides guidance to Policy SD31, the document confirms at paragraphs 3.14 and 3.30;

*‘A residential unit may have a number of outbuildings. The presumption is that outbuildings and detached annexes will be excluded from being part of the ‘residential unit’ as they are physically separate from the main structure even if they provide habitable accommodation, for*

*example, a home office or gym... for the avoidance of doubt, the floor space of a detached garage, which is used for the purposes of storing vehicles and/ or other ancillary domestic storage, will not be included within the percentage floorspace increase. However, integral/ attached garages and any additional floorspace located above detached garages that is used for ancillary habitable accommodation, such as guest accommodation or a home office or studio will be included within the percentage floorspace increase.”*

- 4.21 It is clear, the adopted TAN does not intend to consider outbuildings which are plainly to be used for purposes ancillary/ incidental to the main dwelling as representing an increase to the floor space of the existing dwelling. It is therefore the case that the basement parking will not represent an increase in floorspace for the purposes of Policy SD31.
- 4.22 The construction of a basement parking area will not conflict with the aspirations of Policy SD31 and in all other respects the proposal is compliant with this policy. The following sections will consider the impacts to the character of the area and residential amenity considerations.
- 4.23 Impact on the Character of the Area
- 4.24 The SDNP Local Plan requires development to adopt a landscape led approach that respects local character through sensitive and high-quality design that makes a positive contribution to the overall character and appearance of the area. It also requires proposals to conserve and enhance the landscape character.
- 4.25 The proposal utilises an existing building already present within the landscape. There will be no change to the external appearance of the garage building, with the existing garage entrance door proposed to be the access point into the basement parking.
- 4.26 The subterranean nature of the proposal will ensure that the proposal will avoid any adverse impacts upon the landscape of the National Park. There will be no change to the visual appearance of the site than currently exists, with the plans proposing to re-lay the existing tennis court following the completion of the excavation works.
- 4.27 The works would represent a visual enhancement to the site and landscape of the South Downs through the re-location of above ground overspill parking of domestic vehicles on outside parking spaces. The proposal would in addition remove the need for additional above

ground storage buildings for the reasonable domestic needs of the dwelling and land maintenance equipment that would otherwise be required, thus further limiting the impact of future proposals within the National Park landscape.

- 4.28 In terms of Dark Skies considerations, the application site falls within zone E0. The entirely subterranean nature of the works will ensure that there is no light spill from the proposal into the surrounding area thus conserving the dark night skies. Furthermore, it is the case that no external lighting is proposed as part of this application. It is the case therefore that the proposal can be undertaken without causing harm to Dark Skies.
- 4.29 The existing garage is not highly prominent within its setting. Views of the existing building from Hillgrove Lane are obscured by Kings Copse and the closest public rights of way are set a significant distance away from the application site. Accordingly, there are no public rights of way (PROWs) in the vicinity of the application site from which users are able to experience the building in question. Due to the subterranean nature of the proposal, it is not considered to cause any adverse changes to the visual or aural environment in the immediate vicinity of the application site nor negatively impact upon users of the adjacent highway. The proposal is therefore considered to conserve the relative tranquillity of its location.
- 4.30 Millicent is a residential site and the proposed development will remove the parking of existing vehicles around the property on existing areas of hardstanding. The removal of external car parking at the site will represent an enhancement to the landscape and visual characteristics of the National Park and the underground nature of the proposal would not detract from the character of the immediate and wider area. The building will remain ancillary / incidental to the main dwelling and therefore will continue to assimilate with the appearance of the site within its setting. The integration of domestic storage and land maintenance equipment will also reduce the pressure for the construction of above ground outbuildings to accommodate these items and thus the proposal respects the landscape character of the National Park.
- 4.31 There will be no impact to tranquillity or dark night skies as a result of this proposal. There will be no external above ground change to the appearance of the garage building as a result of this application, an established feature within the landscape on this residential site and the proposal is wholly respectful of the South Downs National Park.

4.32 For the reasons given, the proposal would be in full accordance with Policies SD4, SD5, SD7, SD8 and SD31 of the development plan.

Neighbour amenity:

4.33 The outbuilding is set away from nearby residential properties. The works are entirely subterranean and the use is incidental to the main dwelling. Accordingly, the basement parking area will not impact nearby neighbouring occupiers.

## 5.0 SOUTH DOWNS NATIONAL PARK ASSESSMENT

5.1 The application site lies within the South Downs National Park.

5.2 There are two statutory purposes for national parks:

1. Conserve and enhance natural beauty, wildlife and cultural heritage
2. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When National Parks carry out these purposes they also have a duty to

- Seek to foster the economic and social well-being of local communities within the National Parks

5.3 The Sandford Principle requires that if there is conflict between the two purposes, conservation takes precedence.

5.4 It is considered that the application proposal can be achieved without any detrimental impact on the wider area of the National Park designation; more specially, the proposal will conserve the natural beauty, cultural heritage or wildlife of the locality. The section below addresses the relevant issues that are pertinent to planning application submissions within the South Downs National Park.

5.5 **Air Quality Assessment:** The development comprises the construction of a basement parking and storage area. It will not have any overall impact on the air quality of the surrounding area.

5.6 **Lighting Issues:** It is acknowledged that the area of the application site is designated as a Dark Skies Reserve, therefore artificial lighting should be kept to a minimum. The works are subterranean and the scheme does not include any proposals for external lighting.

5.7 **Biodiversity Survey:** The basement will be cited below the existing garage and tennis court. Having regard to its position, the impact upon biodiversity would be limited. Accordingly, no ecological survey is required.

- 5.8 **Flood Risk Assessment:** The property is located in Flood Zone 1, an area with a low probability of flooding. This is confirmed by the Government's Flood Map for Planning. The site is less than 1 hectare in size and is not affected by any other sources of flooding. As such, the likelihood of flooding is negligible, and no Flood Risk Assessment is required.
- 5.9 **Landscape and Visual Impact Assessment:** The outbuilding is not prominent within its setting, being a well-established feature within the landscape. The works are subterranean and beyond the construction phase there will be no external change to the appearance of the site as a result of the proposed works. The development can therefore be said to be sympathetic to both landscape and residential setting within which it will be located.
- 5.10 **Noise Impact Assessment:** The application site, while located within the countryside relates to a residential outbuilding in connection with a well-established residential location. As such there will be no increase in noise as a result of the proposed works. There will be a minor increase in the noise associated with construction work, but this will be temporary in nature.



## 6.0 CONCLUSION

6.1 This statement has set out the full details of the construction of a basement parking and storage. It has been demonstrated that the scheme is acceptable for the following reasons:

- proposal represents an appropriate form of development in accordance with the parameters of Policy SD31.
- the proposal will be for purposes incidental to the host dwelling;
- The proposal will respect the rural character of the area;
- The basement will not be a visible above ground and thus will conserve the landscape character of the National Park ;
- There will be no detrimental impact in terms of Dark Skies resulting from the proposed development and there will be no adverse impact upon relative tranquillity;
- The scheme accords with the two statutory purposes of the National Park;
- no impact upon the residential amenities of adjacent occupiers;

6.2 The development has been assessed against national and local planning policy and is considered to meet the requirements and criteria set out within. We therefore respectfully request that planning permission is granted for the proposed development.