
Appeal Decision

Site visit made on 19 May 2017

by Ken Barton BSc(Hons) DipArch DipArb RIBA FCI Arb

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

Decision date: 25 May 2017

Appeal Ref: APP/Q3305/D/17/3172447
52 Forest Road, Frome, Somerset BA11 3HE

- 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 Reg Ling against the decision of Mendip District Council.
 - The application Ref 2016/3046/HSE, dated 1 October 2016, was refused by notice dated 20 January 2016.
 - The development proposed is a garage (reduced size).
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Decision

1. The appeal is dismissed.

Effect on the Character and Appearance of the Surrounding Area

2. The proposed double garage would have a pitched roof and be located to one side of the road at the entrance to a cul-de-sac off Forest Road. The cul-de-sac is predominantly hard surfaced and serves garages at the bottom of the rear gardens of the dwellings that surround it. The cul-de-sac and its immediate surroundings have a relatively simple, spacious, character and appearance. The proposed materials would reflect those of the wider area of the Stonebridge estate being buff brickwork and dark red roof tiles. I note that there is no objection to the proposed materials.
3. The garages are generally in pairs, apart from that at no 54, and for the most part have flat roofs. They are set back from the road to provide off road parking in front of the garages, which follow a building line on the east side of the cul-de-sac. On the west side there is a double garage at no 80 but this shares a building line with the pair of garages beyond it whilst the next pair are set back behind the building line. The double garage at No 80 has two gable ends facing the cul-de-sac.
4. Although the proposed double garage, and that at No 80 opposite, would have some sort of symmetry in terms of setback from the road at the entrance to the cul-de-sac, this would not be readily apparent. An established hedge, together with the topography of the area, means that the garage at No 80 is set down behind the hedge and so makes little contribution to the character and appearance of the area. In contrast, even though the proposed garage would have a smaller footprint than the two garages opposite and a smaller volume than the garage immediately opposite, the proposed pitched roof double garage would be set forward of the garage at No 54 creating a cramped corner at odds with the spacious character of the cul-de-sac.

5. This would be exacerbated by the location of the cul-de-sac entrance on a curve such that the proposed garage would be prominent in views when approaching from either direction, unlike the garage at No 80 that is masked by vegetation when viewed from Forest Road to the west and which is only partly visible against a backdrop of the houses beyond when approaching from the east. Whilst the Appellant has offered to plant a beech hedge this would take years to become established and of a size to have any significant impact in terms of character or biodiversity, and even then the topography would prevent it making the same contribution as it does on the opposite side of the road at No 80.
6. Reference has been made to numerous other garages elsewhere on the estate. These make no contribution to the character and appearance of this cul-de-sac and would not justify allowing the proposal that would be detrimental to the character and appearance of the area, contrary to Policies DP1 and DP7 of the Mendip District Local Plan Part 1: Strategy and Policies 2006-2029 adopted in December 2014 which reflect the guidance in paragraph 58 of the National Planning Policy Framework.

Other Matters

7. When No 52 was built, permitted development rights were removed. The Appellant maintains that but for this the proposal would be permitted development. Notwithstanding this, it is not disputed that planning permission is required and I have determined this appeal on its planning merits. The cul-de-sac and its surroundings are not listed or in a Conservation Area but this does not mean they have no merit in terms of character and appearance.
8. I note that the occupier of 54 Forest Road has several disabilities, and uses a mobility scooter, but these personal circumstances would not generally outweigh normal planning considerations. Similarly, the effect on the value of No 54 would not generally be a planning matter. It is claimed that the proposal would make parking at No 54 almost impossible, although the Appellant states that the neighbour currently crosses his land to reach the highway. This is a legal, rather than a planning, matter but I note that the Appellant has proposed an alternative access point to the neighbouring property together with an offer to cover the cost of the change.
9. The proposal is for a double garage with a pitched roof. However, it would be sited sufficiently far from the rear elevation of No 54 to prevent any significant impact on the levels of daylight or sunlight experienced by occupiers of No 54. Indeed, it would be sited in front of the existing single garage at No 54 that stands at the bottom of the rear garden.
10. The Appellant maintains that the garage space is needed, at least in part, to enable restoration of the Valentines Gas Lamp that stands in the centre of Frome. However, the local tradition of lighting the lamp would not outweigh the detrimental impact the proposal would have on the character and appearance of the area.

Ken Barton

Inspector