
Appeal Decision

Site visit made on 3 December 2019

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th December 2019

Appeal Ref: APP/B1550/D/19/3236428

43 Folly Lane, Hockley SS5 4SE

- 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 & Mrs Graham Meldrum against the decision of Rochford District Council.
 - The application Ref 19/00376/FUL, dated 18 April 2019, was refused by notice dated 17 June 2019.
 - The development proposed is first floor front extension, detached garage and front porch.
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Decision

1. The appeal is dismissed insofar as it relates to the detached garage. The appeal is allowed insofar as it relates to the first floor extension and front porch and planning permission is granted for first floor front extension and front porch at 43 Folly Lane, Hockley SS5 4SE in accordance with the terms of the application, Ref 19/00376/FUL, dated 18 April 2019, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3536-04 Rev A
 - 3) The materials to be used in the construction of the external surfaces of the first floor extension hereby permitted shall be in accordance with the details included on the application form and indicated on drawing no. 3536-04 Rev A.

Main Issue

2. The main issue is the effect of the detached garage on the character and appearance of the area.

Reasons

3. 43 Folly Lane is a detached two storey dwelling located on a corner plot, with both its side and front elevation facing onto Folly Lane. The area is characterised by a mix of dwelling styles but generally the properties along

Folly Lane have a generous frontage, with vegetation creating a spacious pleasant character.

4. The proposed garage would be positioned along the side elevation of the existing dwelling, enclosing the area to the side of the dwelling, which is currently open and has some vegetation which softens the appearance of the side elevation when travelling along Folly Lane.
5. The garage would be located close to the boundary with 41 Folly Lane, which is a single storey dwelling with its access and parking area running parallel with the boundary. The scale of no. 41 and the position of both properties set back from the road contributes to the openness of this part of Folly Lane. Whilst the existing vegetation and fencing along the boundary with Folly Lane does enclose the space to some extent, this is again at a limited height.
6. The introduction of the built form of a detached garage, due to its siting in close proximity to the boundary with no. 41 and the highway, would erode the open character of this part of Folly Lane. The loss of the open frontage and the introduction of an incongruous and dominant form of development would be detrimental to the overall character and appearance of the area.
7. The appellant points out that a detached garage could be erected at the appeal property without the need for planning permission. Be that as it may, in my view, any such garage would not be as high as the proposal before me. I have also been referred to other examples of garages located in similar frontage positions. However, I do not have full details of the circumstances that led to these proposals being accepted and so cannot be sure that they represent a direct parallel to the appeal proposal. In any event, the examples that I saw confirmed that such structures do appear prominent within the street scene and are detrimental to the character and appearance of the area.
8. In conclusion, for the reasons given and even having regard to the presence of other garages in the vicinity, overall the proposed development would represent an unduly dominant and highly discordant feature, and would have a significant adverse effect on the character and appearance of the appeal site and its surroundings.
9. The development would conflict with policies CP1 of the Rochford District Council Local Development Framework, Core Strategy 2011 and policy DM1 of the Rochford District Council Local Development Framework, Development Management Plan 2014. These policies seek to ensure developments are of a high quality design which promotes the character of the surrounding built environment.

Other matters

10. The proposal also includes a first floor front extension and front porch. The first floor extension incorporates a gable end roof which reflects the existing roof form of the host dwelling. The extension would be proportionate to the main dwelling and along with the front porch would enhance the character of the dwelling and the appearance of the wider area. I therefore find no harm in respect of this element of the proposal and I note the Council raised no objection in this regard either. The appellant requests that a split decision be considered. As the proposed first floor front extension and front porch are both

physically and functionally severable I consider a split decision would be a logical outcome.

Conditions and Conclusion

11. In respect of the first floor extension and front porch I have attached the standard time limit condition and a plans condition as this provides certainty. I have also added a condition concerning materials to ensure a satisfactory appearance.
12. For the reasons given above, I conclude that the appeal should succeed in relation to the first floor extension and front porch. However, in relation to the detached garage the appeal should be dismissed.

G. Pannell

INSPECTOR