



Appeal Decision

Site visit made on 4 May 2021

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 28 May 2021

Appeal Ref: APP/B1415/D/20/3264764

35 Langham Road, Hastings, East Sussex, TN34 2JE.

- 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 and Mrs R. Young against the decision of Hastings Borough Council.
 - The application Ref HS/FA/20/00417, dated 11 May 2020, was refused by notice dated 16 September 2020.
 - The development proposed is a detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for a detached garage at 35 Langham Road, Hastings, East Sussex, TN34 2JE in accordance with the terms of the application, Ref HS/FA/20/00417, dated 11 May 2020, and the plans submitted with it, 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, drawings: 4749.1, 4749.2, 4749.LP and 4749.SP.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the garage hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. I consider the main issue to be the effect of the proposed development on the character and appearance of the host property as well as the street scene.

Reasons

3. The appeal property, 35 Langham Road, is a two-storey detached dwelling. Generally, as here, the properties in the road are set well back from the road edge in mature garden plots. The front garden area of number 35 area is well screened from the road by a large mature oak tree and established shrub planting.

4. The appellants propose the construction of a detached timber clad garage with a shallow pitched, felt covered roof. It would be 4.9 x 4.75 metres in plan with a ridge height of just 3.2 metres. It would have no openings other than a pair of access doors and it would be set down below road level behind the existing boundary planting.
5. I accept that the garage would be open to, albeit limited, view through the existing vehicular access. However, overall due to its limited size, height, three-dimensional form, cladding, lack of openings, siting, the topography of the garden and the established boundary planting it would, in my judgement, have limited impact on the openness of the front garden and thereby the street scene.
6. Furthermore, for all these reasons I am not persuaded that it would appear as either a dominant or overbearing feature in this location. If anything, given the lack of buildings in the front gardens of the properties in the road it, would in this case, serve to add some visual interest.
7. I therefore conclude in respect of the main issue that the proposal would not cause harm to the character and appearance of the property or the surrounding area. It would therefore accord with Policy DM1 of the Hastings Local Plan–Hastings Development Management Plan (Adopted 23 September 2015) and the Hastings Local Development Framework-Supplementary Planning Document–Householder Development: Sustainable Design (Adopted February 2007) as they relate to the quality of development and the protection of local character.

Conditions

8. The conditions follow from those suggested by the Council. To ensure a high quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building.
9. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR