



Appeal Decision

Site Visit made on 21 September 2021

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2021.

Appeal Ref: APP/D3830/W/21/3271420

Oak View, Stockcroft Road, Balcombe, RH17 6LE

- 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 R Ferris (JRF Developments Sussex Ltd) against the decision of Mid Sussex District Council.
 - The application Ref DM/20/4548, dated 2 December 2020, was refused by notice dated 1 February 2021.
 - The development proposed is 'detached single garage to existing new build'.
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Decision

1. The appeal is allowed and planning permission is granted for a detached single garage to existing new build at Oak View, Stockcroft Road, Balcombe, RH17 6LE in accordance with the terms of the application, Ref DM/20/4548, dated 2 December 2020 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 'Location Plan', 'Original Site Survey' (Drawing Number 01), 'Site Plan Showing Proposed Garage' (Drawing Number 04) and 'Indicative Street Scene' (Drawing Number 05).
 - 3) The materials and finishes of the external walls and roof of the garage hereby permitted shall match in colour and texture those of the existing dwelling.

Preliminary Matters

2. Whilst the planning application refers to the proposal as revisions to the existing planning permission for a new detached dwelling, the dwelling appears now to have been substantially completed. The representations from the main parties indicate that the proposal can be dealt with solely as a proposal for the proposed garage and I have proceeded to deal with the appeal on this basis.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character and appearance of the Balcombe Conservation Area.

Reasons

4. Stockcroft Road, in its entirety, is predominantly characterised by detached dwellings of varying designs with generally good levels of boundary screening. The general character of existing development becomes tighter knit to the

north towards and within the village centre. The Conservation Area as a whole is predominantly of a residential character but with intermingled commercial development within and close to the village centre. Whilst the spacious front gardens along Stockcroft Road contribute positively to the Conservation Area, these are less evident in the vicinity of the appeal site, on the northern most section of the road, where there are several properties with smaller front gardens.

5. The detached properties in this part of Stockcroft Road are set back from their front boundaries to varying degrees. Properties such as Wood House and The Croft to the south of the appeal site are particularly prominent in the street scene due to their limited distance from the front boundary. Beechcroft to the south has a large car port structure protruding forward of the dwelling. Furthermore, the Council has recently granted permission for a development including a new shed sited close to the front boundary at nearby Culver House to the north. In spite of the generous front boundary screening evident at many properties, features such as those described above, along with the existing Victory Hall to the northwest of the appeal site and the utility building to the south result in considerable variation within the streetscene in this part of the Conservation Area.
6. Although the proposed garage would be sited forward of the existing dwelling, it would be substantially screened by the existing front and side (southwest) boundaries. There is no evidence that indicates that this existing screening could not be retained and from the information provided, including the proposed site layout plan, I am satisfied that the boundary screening would be retained. Whilst the apex of its pitched roof would be visible above the front hedge, the screening and low floor level of the garage in comparison with the higher level of the adjoining footpath and road, would result in it not being visually prominent or intrusive within the streetscene. The proposed materials, including roof tiles and timber boarding, would match those of the existing dwelling and would provide for a generally well-considered design.
7. Although it would reduce the openness of the front garden to the dwelling, as a single garage it would only have a limited footprint. Given the layout and character of the immediate locality, the design of the garage, the existing screening and the proposed low slab level of the garage, no harm would result to the character or appearance of the surrounding area. The effect of the associated hard standing would be softened by the existing boundary screening and taking account of the context in this part of the road, including the nearby parking area to Victory Hall, it would not result in any visual harm.
8. Whilst the Inspector in another appeal considered a garage to the front of Elkanah on Deanland Road to amount to harmful overdevelopment in the front garden, for the reasons set out above I do not consider this to be case in the current appeal. From the details provided in the Officer's report on the current scheme, it also appears that the garage which was the subject of that previous appeal was larger and not set at a lower level than the road as is relevant in this case. The Parish Council also refer to another dismissed scheme in the village, but without any details including the location of this, so it is not possible for me to make any comparison with the current appeal scheme.
9. I therefore conclude that the proposal would preserve the character and appearance of the Balcombe Conservation Area. It would accord with the

heritage and design aims of Policies DP26 and DP35 of the Mid Sussex District Plan 2014 – 2031, Policy 3 of the Balcombe Parish Neighbourhood Plan 2016 – 2031, the Mid Sussex Design Guide Supplementary Planning Document and the National Planning Policy Framework.

Other Matters

10. Located within a built-up area and causing no visual harm to the locality, the proposal would also conserve the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty.
11. The appellant states that the garage would be positioned to replace an area of hardstanding. No drawings have been provided in respect of such previous approvals. As set out above, no harm would result from the proposed development and, whilst the current proposal might differ from previous approvals relating to the new dwelling, this has very little bearing on the outcome of this appeal.

Conditions

12. An approved plans condition is necessary for clarity on what has been approved. I have only included the plans relating to the proposed garage itself as the other plans listed by the appellant only show the existing dwellinghouse, which is not part of the application. A condition requiring matching materials is necessary to preserve the character and appearance of the Conservation Area.
13. The Council's other suggested condition restricting the use of the garage is not necessary as the garage would be located within and be associated with the residential curtilage of the existing dwelling and would be subject to relevant use class provisions in connection with any change of use.

Conclusion

14. I conclude that the proposal would accord with the development plan and there are no material considerations that indicate that permission should be refused. I therefore allow this appeal.

David Cliff

INSPECTOR