



Appeal Decision

Site visit made on 5 January 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 JANUARY 2022

Appeal Ref: APP/C1435/D/21/3276246

Belmont House, Burwash Road, Broad Oak, Heathfield TN21 8XG

- 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 Chris Gover against the decision of Wealden District Council.
 - The application Ref WD/2020/1551/F, dated 3 August 2020, was refused by notice dated 17 May 2021.
 - The development proposed is for a two storey extension to existing garage and garage annexe.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the surrounding area including the High Weald Area of Outstanding Natural Beauty (AONB) and the host dwelling at Belmont House.

Reasons

3. This part of the AONB, which the appeal site is located, has a natural beauty, and features a pleasing rural mix of rolling hills, woodland, open fields, and scattered groups of buildings. Belmont House lies on the edge of a small group of buildings off the A265. Within the grounds of Belmont House, the garage sits on higher land than the house itself. It is visible from the public footpath with views of the front of the garage on approach to the building, and views of the side and rear of the garage possible along the public footpath. The garage can also be seen from adjoining private land and less so from public vantage points elsewhere in the AONB, given the topography of the land and separation distances.
4. The existing detached garage building sits to the rear of the host dwelling and is broadly one and a half storey in appearance with gable ends and first floor accommodation under a pitched roof with rooflights. Despite being on slightly higher land than the host dwelling and while it has accommodation in the roof space, the lower eaves height, its existing dimensions, and broadly one and a half storey appearance make it appear subordinate when viewed in the context of the host dwelling.
5. A rear extension is proposed to the existing garage building using similar materials to those existing. This extension would incorporate a first-floor balcony, a flat roofed dormer window to the side roof slope facing the public footpath, and additional roof lights of larger size than the existing roof lights.

6. The extension would significantly increase the garage's footprint. This incursion of built development into the undeveloped AONB would be visible above the fence to the side and rear when viewed from the public footpath. The proposed dormer window would also be visible from the front of the appeal site in addition to side and rear views along the public footpath. While it would remain smaller than the house and there would be no increase in the height or width of the garage, the significant size of the proposal and bulky roof design would lead to a substantial and conspicuous building which would have an urbanising and intrusive impact on the natural beauty and intrinsic value of the AONB.
7. Additionally, the proposed first-floor balcony, larger roof lights and dormer window would increase both activity, light spillage, and the bulk of the development proposal at first floor, thereby emphasising this first floor of accommodation. All these features, in combination, would create an ancillary building which would not be proportionate to the character and setting of the host dwelling at Belmont House as well as the AONB.
8. A row of trees sits adjacent to the garage and these contribute positively to the landscape character of the AONB. A 'Report on Inspection of Trees' has been submitted with the appeal, however, it does not assess the impact of the proposed development upon the trees or list any tree protection measures. In the absence of such evidence, I also cannot be satisfied that the landscape character of the AONB would be conserved.
9. Concerns have been raised that the proposal is tantamount to a new dwelling, however, the development proposal before me is for an annexe extension not a new dwelling. Any conversion to a new dwelling would require planning permission. I have therefore considered this appeal on its own merits.
10. The proposed development would harm the character and appearance of the surrounding area including the High Weald AONB and the host dwelling at Belmont House. Accordingly, I find conflict with Policies GD2, EN6, EN27 and DC19 of the Wealden Local Plan 1998; Policies WCS14 and SPO13 of the Wealden Core Strategy Local Plan 2013; Sections 2 (Part 2) and 10 (Part 8) of the Wealden Design Guide 2008 and paragraphs 126, 130, 134 and 176 of the Framework, all of which, amongst other things, seek to ensure that development is appropriate and sympathetic in relation to existing buildings, the overall quality of the area and landscape setting.

Conclusion

11. For the above reasons, having regard to the development plan as a whole, the approach in the Framework and all other relevant considerations, the appeal is dismissed.

N Praine

INSPECTOR