
Appeal Decision

Site visit made on 26 April 2022

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 May 2022

Appeal Ref: APP/N1730/D/22/3293869

5 Churchill Close, Hartley Wintney, Hook RG27 8RA

- 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 Miller against the decision of Hart District Council.
 - The application Ref 21/03177/HOU, dated 16 December 2021, was refused by notice dated 10 February 2022.
 - The development proposed is the erection of a detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached garage at 5 Churchill Close, Hartley Wintney, Hook RG27 8RA, in accordance with the terms of the application Ref 21/03177/HOU, dated 16 December 2021, and subject to the following conditions:-
 - 1) The development hereby permitted shall begin not 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 drawings:-
 - i. Site location and block plans (drawing no PO1 D); and
 - ii. Detached garage plans and elevations (drawing no P20 D).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the house.

Procedural Matters

2. The appellant has referred to a recent permission for a two storey side and a single storey rear extension and alterations to the house. I have had regard to this decision in my consideration of the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. 5 Churchill Close (No 5) is a detached house positioned within a mostly residential area that comprises a mix of ages and styles of houses and bungalows. No 5 is at the end of a residential cul-de-sac within which

detached dwellings are set back from the highway behind similar sized front gardens. Both the appeal property and 4 Churchill Close (No 4) have deep front gardens due to their position at the end of the road. Much of the garden of No 5 is laid to lawn with two areas of parking provision, whilst in the front garden of No 4 there is a large detached pitched roof double garage that has been extended at either end.

5. The proposed double garage would be positioned in the south-west corner of the front garden, close to the property boundaries. The straight nature of Churchill Close and the open spaciousness created by the generous front gardens of the houses to either side of the cul-de-sac, would make the garage visible within the surrounding area, including from Franklin Avenue. The garage would also be visible to the occupiers of nearby properties in Arrow Lane.
6. Although the garage would be visible in the surrounding area, as it would have an essentially compact and conventionally domestic appearance it would not be unduly conspicuous in its residential setting. The garage would erode some of the open nature of the front garden of the appeal property, but as it would be set back from the highway in one corner of the garden, it would have a recessive appearance within the street scene. The roof of the garage would be visible to the occupiers of the properties in Arrow Lane, but due to its modest size and domestic appearance, it would not appear harmfully intrusive or discordant in this residential context.
7. Moreover, the garage would be positioned close to the nearby tall boundary fences and also near to the neighbouring extended detached garage. The positioning of the garage to one side of the plot would be similar to that evident with the garage at No 4, and as such the proposal would be seen as another detached domestic outbuilding within the garden of a property that was part of a residential area. Given this context, the garage would integrate with the character and appearance of the area. Not only would it have a clear ancillary relationship with the main dwelling, but it would also reflect the presence of the existing detached garage in the neighbouring property.
8. The double garage would have a pitched roof and be of a size to accommodate vehicles and storage space. Nevertheless, its form, height, and size would clearly reflect its role as an ancillary outbuilding to the main dwelling. Furthermore, due to the gentle slope of the front garden, the garage would be at a lower level than the house. Taken as a whole, the position of the garage, including that it is set apart from the house, along with its domestic ancillary form and modest dimensions would make it legibly subservient to No 5, and this would be the case whether the house remains as it is or if the permitted extensions are implemented. As such the garage would not detract from the character and appearance of the area.
9. Thus, the garage would not harm the character and appearance of the area, and would accord with Policy NBE9 of the Hart Local Plan (2020) and Policy GEN1 of the Hart District Local Plan (Replacement) (2009). These policies seek amongst other things, high quality design that is in keeping with and makes a positive contribution to local character, thereby reflecting objectives of the National Planning Policy Framework (the Framework).

Other Matters

10. Concerns regarding the Council's handling of the application relate to procedural matters and have no bearing on my consideration of the planning merits of the case.

Conditions

11. The conditions suggested by the Council have been considered against paragraph 56 of the Framework. Where necessary and in the interests of clarity and precision they have been altered to better reflect these requirements.
12. The standard time condition has been imposed, as has one requiring the development to be carried out in accordance with the approved plans, so as to provide certainty and avoid doubt. Whilst noting that permission exists for alterations and extensions to occur to No 5, to ensure that the garage harmonises with the house and the character and appearance area of the area, I have also imposed a condition requiring the external materials to match those used in the house.

Conclusion

13. Thus, for the reasons given above, and having considered all other matters raised, the appeal is allowed.

J J Evans

INSPECTOR