

Appeal Decision

Site visit made on 26 August 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2022

Appeal Ref: APP/W3520/D/22/3297099

1 Rectory Farm Cottages, Main Road, Henley, Suffolk IP6 0RT

- 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 David Lyle against the decision of Mid Suffolk District Council.
 - The application Ref DC/21/06070, dated 7 November 2021, was refused by notice dated 7 February 2022.
 - The development proposed is 'garage/carport forward of building line in front yard of property'.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal site and the street scene.

Reasons

3. The appeal property is a semi-detached two storey cottage in a small group of dwellings fronting onto Main Road and set apart from the main part of the village of Henley. Consequently, the appeal site is in a rural setting with open countryside to the front and rear.
 4. The small group of dwellings are set well back from the road resulting in generous spaces to the front. The only visible example of a detached garage is at No 2 where this building is positioned to the side of the host dwelling on the same front building line. By contrast, the proposed garage and carport would be located well forward of the appeal property.
 5. Due to the amount of space in front of No 1, the new building would not appear cramped in its setting or a form of overdevelopment. However, it would be positioned directly in front of the host dwelling. Consequently, despite its smaller size, due to its location it would obscure the host dwelling and would not appear subservient to it. As such, it would appear as a dominant feature in an uncharacteristic position, which would harmfully erode the openness to the front of No 1, which is part of the character and appearance of the street scene to the front of the small group of dwellings.
-

6. The two trees close to the front boundary were in full leaf at the time of the inspection, but would not screen views of the garage. While I accept that the building would predominantly be seen by passing motorists, it would nonetheless appear as an incongruous and uncharacteristic feature in the otherwise open setting. Requiring a hedge to be planted to the front boundary simply to obscure views of the garage would not be appropriate, particularly because the height and extent of a hedge would also detract from the character and appearance of the cottage in this open rural setting.
7. The appellant draws attention to other examples of detached garages within Henley and nearby hamlets, but due to the distances from the appeal site and neighbouring properties these examples do not form part of the same street scene. Moreover, I have found that the appeal proposal would result in material harm in its particular setting and, therefore, these other examples are not sufficient basis to overcome this harm. While there is a small detached building at Willow Cottage, this is located to the side of the host dwelling and, therefore, is not comparable to the location and effects of the proposed garage.
8. I have had regard to the appellant's contention that due to access rights the building cannot be situated in a different position and that the building could be orientated differently. However, I am required to consider the appeal proposal on the same basis as the Council and the lack of alternative locations for the building does not overcome the harm that would result from it in the location proposed.
9. Accordingly, for these reasons, I conclude that the proposal would have an unacceptably harmful effect on the character and appearance of the appeal site and the street scene. Consequently, it is contrary to the following development plan policies: CS5 of the Mid Suffolk Core Strategy (2008), which includes the requirement that development will be of high quality design; FC1.1 of the Core Strategy Focused Review (2012), which requires that development must conserve and enhance different parts of the district; and GP1 of the Mid Suffolk Local Plan (1998), which includes the requirement that the siting of buildings should maintain or enhance the character of the site. It is also contrary to the National Planning Policy Framework, which promotes good design.

Conclusion

10. For the reasons given above it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR