

Appeal Decision

Site visit made on 2 March 2023

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2023

Appeal Ref: APP/D3830/D/22/3312022

Tyler House, Cross Colwood Lane, Bolney, Haywards Heath, RH17 5RX

- 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 Duke Harvey against the decision of Mid Sussex District Council.
 - The application Ref DM/22/2643, dated 21 August 2022, was refused by notice dated 14 October 2022.
 - The development proposed is a 3 bay garage and store with home office above.
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Decision

1. The appeal is allowed and planning permission is granted for a 3 bay garage and store with home office above at Tyler House, Cross Colwood Lane, Bolney, Haywards Heath, RH17 5RX in accordance with the terms of the application, Ref DM/22/2643, dated 21 August 2022, 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 plans: 2022/021 – 01, 02, 03 & 04.
 3. The development hereby permitted shall be carried out in accordance with the 'Grounds of Tyler House' Arborsense Arboricultural Report dated 28.08.22.

Application for Costs

2. An application for costs has been made by the Appellant against the Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

Reasons

Character and appearance

4. The appeal property is a substantial detached two storey residence, in extensive grounds, set back, and largely screened, from the road and at a lower level with the site continuing to slope downwards beyond. Part of the site, to the east of the proposed garage site is undergoing change as planned holiday accommodation replaces old squash courts and a covered swimming
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- pool. The rural locality contains a number of country dwellings in large grounds and the scene is one of established character and pleasing appearance with landscape predominant and a number of impressive countryside views available. The proposal is as described above and would be sited between the proposed holiday accommodation and the principal dwelling.
5. The Council is concerned that the planned building would be dominant due to scale, form and design, and would not relate sympathetically to the host dwelling. The concern is also that the scale and position of the garage would be out of keeping with the surrounding pattern of development, increase building across the site and generally be urbanising.
 6. Certainly, with 3 bays and loft-over space this would be a not insignificant building taken in its own right. Furthermore, it would have a degree of flamboyance within its design and it would sit on a presently open lawn area between existing the forthcoming buildings.
 7. However, one has to consider the extensive scale of the plot and its main dwelling, the levels and vegetation on the site, the gaps in development which will endure, landscape backdrops, the logical relationship to the existing driveway, and the fact that the design has an appropriate ring of tradition, almost splendour. Given these matters then, to my mind, the case for the scheme is largely made. Added to this is the fact that the dwelling has no garaging; this would seem a reasonable way to provide such an amenity. In summary, the development would not appear prominent or urbanising and in my opinion would relate well as a reasonable scaled structure for a functional ancillary building to serve the main dwelling; local character and visual qualities would be maintained.
 8. Policies DP12 and DP26 of the Mid Sussex District Plan and Policies BOLBB1, BOLE2 and BOLD1 of the Bolney Neighbourhood Plan are relevant. Taken together, and amongst other matters, they underline a precautionary approach to rural development and seek to ensure new buildings are well-designed embodying protection of gardens and the character and aesthetics of the countryside and are of suitable scale and materials and respect topography and landscape. For the reasons given above I conclude that the appeal scheme would not conflict with these policies.

Conditions

9. I agree with the Council that the standard commencement condition should be applied and that there should be a condition that works are to be carried out in accordance with listed, approved, plan; to provide certainty. I would also concur with the Council that in the interests of visual amenity implementation should accord with the submitted Arboricultural Report. External materials are specified within the application and need no further reference via a planning condition in my opinion.

Overall conclusion

10. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the host property or the locality. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR