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## Appeal Decision

Site visit made on 2 May 2023

**by Michael Evans BA MA MPhil DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17<sup>th</sup> May 2023**

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**Appeal Ref: APP/N1730/D/23/3316283**

**Cornfields, Hulfords Lane, Hartley Wintney RG27 8AG**

- 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 Jonathan Stackhouse, Prime Oak Ltd, against the decision of Hart District Council.
  - The application Ref 22/02855/HOU, dated 25 November 2022, was refused by notice dated 9 January 2023.
  - The development proposed is a detached oak framed garage with home office over.
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### Preliminary matter

1. The Council's decision notice does not include a reason for refusal. The Council subsequently indicated in correspondence that the reason given in the report on the application should be used. I am satisfied that this has not prejudiced the interests of the Appellant and will consider the appeal on this basis.

### Decision

2. The appeal is allowed and planning permission is granted for a detached oak framed garage with home office over, at Cornfields, Hulfords Lane, Hartley Wintney RG27 8AG, in accordance with the terms of the application, Ref 22/02855/HOU, dated 25 November 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: 85977/01, 85977/03, 85977/04 and 85977/05.
  - 3) The external surfaces of the development hereby permitted shall be constructed of weatherboard cladding and plain clay tiles as specified on the application form.

### Main issue

3. The main issue in this appeal is the effect on the streetscene and the character and appearance of the locality.

## Reasons

4. The appeal concerns a two storey detached dwelling that fronts onto the north-eastern side of Hulfords Lane. It is one of only three adjacent dwellings that form a particularly small group. At two storey height the host dwelling projects noticeably closer to the road than the adjacent dwelling at Highfield House. However, the neighbouring property has a single storey part that extends appreciably nearer to the road than Cornfields. This attached garage has a pitched roof and is fairly prominent in the street.
5. The bungalow further to the west has a relatively modest bulk by comparison and has a tilted position rather than its front elevation being parallel to that of Highfield House. To the eastern side of these dwellings are stables to which there is a fairly generous gap. Adjacent to the west there are some fairly large commercial buildings. Some of these are significantly further back from the road, while another is relatively close to it. Although these are non-residential structures, they are part of the streetscene and built development in the locality.
6. In the above circumstances there is no well defined or particularly consistent building line and the siting of buildings in the vicinity is somewhat informal and irregular. The new outbuilding would have a fairly low eaves level with the upper floor contained in the roofspace. Matters such as its height, scale, bulk and footprint would be relatively modest. They would be appreciably less than those attributes of the host property, with the new outbuilding appearing subordinate to it. It would also occupy only a relatively small part of the space to the front of the property, towards the eastern side. This relatively extensive area would therefore remain largely open and free of development. Moreover, views of the development would be softened by the presence of the trees along the front boundary anyway.
7. It is acknowledged that the proposed outbuilding would be fairly close to the road and nearer than the neighbouring garage. However, due to the above factors, it would not appear incongruous, overly dominant or visually intrusive, while being compatible with the pattern of development in the vicinity. For the above reasons, it is concluded that there would be no harm to the streetscene or the character and appearance of the locality.
8. The development would comply with Hart Local Plan (Replacement) 1996-2006 Saved Policies, Policy GEN 1, the aims of which include ensuring that development is in keeping with the local character by virtue of matters such as scale, height and prominence. The development would be of a suitably high quality of design and reflect the distinctive qualities of its surroundings, in accordance with Policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032. The proposal would be proportionate to the scale, layout and character of surrounding buildings, therefore satisfying Hartley Wintney Neighbourhood Plan 2017-2032, HW Policy 2.
9. In the National Planning Policy Framework it is indicated that decisions should ensure that developments satisfy a number of considerations. These include that the proposed development should add to the overall quality of the area, as well as being visually attractive and sympathetic to local character, which would all be achieved in this case.

10. I saw at my site visit that the tree in the position of the proposal has already been removed. The Council has indicated that this was of no significant visual merit and that it was not subject to a Tree Preservation Order or any other means of protection. As a result, this would not be a sound reason to reject the appeal.
11. Given the absence of harm that I have found and taking account of all other matters raised, it is determined that the appeal succeeds.
12. A condition specifying the approved plans is needed to provide certainty. Another requiring the facing materials to accord with those specified in the application is justified to protect the appearance of the locality. The new building would be used in association with the host dwelling, with use as a separate dwelling needing planning permission. As such, a condition concerning its use would not be necessary.

*M Evans*

INSPECTOR