



Appeal Decision

Site visit made on 10 January 2024

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 February 2024

Appeal Ref: APP/D3830/D/23/3330428

10 Leyfield, Albourne, Hassocks, West Sussex, BN6 9DA

- 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 M Derias against the decision of Mid Sussex District Council.
 - The application Ref DM/23/1223, dated 16 May 2023, was refused by notice dated 10 July 2023.
 - The development proposed is a detached garage in front of property including drive/crossover.
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Decision

1. The appeal is allowed and planning permission is granted for a detached garage in front of property including drive/crossover at 10 Leyfield, Albourne, Hassocks, West Sussex, BN6 9DA in accordance with the terms of the application, Ref DM/23/1223, dated 16 May 2023, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Block Plan & Proposed Elevations Drawing No 2022/07/1002/B.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the streetscene; and
 - the nearby Conservation Area.

Reasons

Streetscene

3. The appeal property is a detached two storey dwelling on a generous plot. It is set within a cul de sac of broadly similar good quality estate homes and the overall air is one of established residential character and a pleasing spacious suburban streetscene. The proposal is as described above and would embody a single low hipped roof garage with a new driveway on the opposite side of the
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front garden from the existing driveway, parking and single storey garage arrangement.

4. I mention the spacious arrangement above and this stems in part from generous front gardens which are generally open plan, walls and fences are rare, but the scene is not completely horizontal given a range of vegetation which is in situ. Detached buildings forward of the main dwellings are not a characteristic and care would need to be taken on such a matter. I note however that there is considerable variety in overall building line between properties and also the profiles of front elevations; gables, lean-to projections and sizeable porches are to be seen for example.
5. On the relevant stretch of road, the host property is set the furthest back, appreciably so relative to each neighbour. The proposed garage would sit alongside and project a little beyond the adjoining garage and home (No 9) but relatively marginally. Given the staggered frontage of the streetscene I would read this projection as a change but not an alien one. The perspective of the garage from different vantage points along the road would to a degree be filtered by vegetation and almost always seen as a low-key element within a grander built-up backdrop. The accessway and crossover would be relatively narrow and 'green' surfacing would continue to prevail. The front garden would still appear as a large one.
6. Policy DP26 of the Mid Sussex District Plan (DP) is relevant. Amongst other matters, it seeks to ensure new development is well-designed embodying appropriate scale and protection of local character, gardens and street scenes generally. For the reasons given above I conclude that the appeal scheme would not conflict with this policy. I also conclude that it would not run contrary to the parallel aims of the Mid Sussex Design Guide SPD (SPD), which is concerned with protection of local character, ensuring suitable scale, and safeguarding aesthetic qualities generally. Albeit this document could not be expected to cover in detail every eventuality.

Conservation Area

7. The site lies close to the Albourne Conservation Area (CA). There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. DP Policy DP35 reflects S72(1), adds direction on differing development types, and underlines that the protection of the setting of a Conservation Area is important. Previously cited DP Policy DP26 calls for the protection of valued townscapes.
8. The majority of the CA lies well removed from the frontage of the appeal property, separated physically and visually by considerable built form and open land. A small detached garage would have no implications for this whatsoever. There is one part of the CA which abuts the Leyfield highway towards the end of the cul de sac. At least two substantial homes have been built in this area and upper levels are visible as one approaches down Leyfield. The principal difference is that more mature and widespread vegetation is evident here than elsewhere on this small estate. I have carefully considered whether the proposed garage would have any impact on the setting of this sector of the CA and I can only conclude that it would have none whatsoever. Looking more closely, a change in the immediate visual approach to the CA, a change to how

the CA part of Leyfield is appreciated, a change to the aesthetic and historic qualities of the CA would all be imperceptible to my mind. This small garage in this location would be benign.

9. Having regard to the foregoing I conclude that there would not be conflict with S72(1) of the Act; there would be preservation of the character and appearance of the Conservation Area. Additionally, I conclude that the scheme would run not contrary to DP Policies DP35 and DP26 or the parallel objectives of the SPD.

Conditions

10. 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, plans; to provide certainty. I agree that external materials should match the principal property in the interests of visual amenity.

Overall conclusion

11. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the streetscene and it would preserve the character and appearance of the nearby Conservation Area and its setting. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR