



Appeal Decision

Site visit made on 24 January 2024

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th February 2024

Appeal Ref: APP/C1435/D/23/3334243

Cobnutt, 186 London Road, Hailsham, BN27 3AS

- 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 Taylor against the decision of Wealden District Council.
 - The application Ref WD/2023/1772/F, dated 10 July 2023, was refused by notice dated 12 September 2023.
 - The development proposed is described as proposed garage.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. Since the appeal application was refused the National Planning Policy Framework 2021 has been replaced. Within the current National Planning Policy Framework December 2023 (Framework) paragraphs 130 and 134 of the Framework 2021 have been renumbered 135 and 139, although their content is unchanged. For the avoidance of doubt I confirm that in this decision I have referred to the new numbering.
3. The application form refers to a side door and window, although these are not evident on the submitted drawings. Accordingly, they have not been taken into consideration in the determination of the appeal scheme.

Main Issue

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

Reasons

4. This section of London Road includes a diverse range of single and two storey detached dwellings that are predominantly set back from the highway behind spacious front gardens. The gardens, which comprise a mixture of soft planting and hard surfacing for parking and turning, are enclosed to the sides and front by a combination of walls, fences, railings and hedges of various styles and heights. Within the highway are grass verges of varied widths, which together with the soft planting and trees within the front gardens contribute to the spacious and suburban character and appearance of this part of London Road.
5. The appeal property comprises a detached bungalow with an asymmetrical plain tiled roof and front projecting wing with a fully hipped roof. To the side is a flat

roofed extension. The front garden is largely hard surfaced and includes a modest sized timber outbuilding with an almost flat roof. The side boundaries comprise timber fencing and along the front boundary are low metal railings, which facilitate open views into the front garden area.

6. Together and amongst other things policies EN27 and HG10 of the Wealden Local Plan 1998 (LP), seek to ensure that development respects the character of adjoining development and is not intrusive in the landscape. Design and materials should be of an appropriate high standard and be sympathetic in relation to existing buildings. Chapter 10, Section 8 of the Wealden Design Guide 2008 (WDG) advises that large garages in front gardens should be avoided where they would be likely to dominate the plot frontage. They should reflect the architectural detailing and materials of the host dwelling. Policy HAIL D1 of the Hailsham Neighbourhood Plan 2021 is consistent with this.

7. Paragraph 134 of the National Planning Policy Framework 2023 (Framework) similarly requires new development to be sympathetic to local character and history, including the surrounding built environment and landscape. Paragraph 139 of the Framework states that development that is not well designed should be refused. Paragraph 131 of the Framework states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning process should achieve. Good design is a key aspect of sustainable development.

8. The proposed double garage would be centrally positioned on the northwest side of the front garden and a short distance from the front boundary of the property. The proposed double garage would have a shallow asymmetrical roof that would be clad on the rear roof-slope with metal sheeting and the front roof-slope would be clad with galvanised coloured metrotiles. The garage walls would comprise precast concrete panels with a pebbledash finish and the front garage doors, which would face into the front garden would be steel.

9. As a result of these factors the proposed garage would appear squat and utilitarian and would fail to respect or reflect the architectural detailing and materials of the host dwelling. Further, it would be prominent within the street scene when seen from the immediate area and from the southeast, where it would appear visually intrusive and would have an enclosing impact on the front garden. It would unacceptably detract both from the character and appearance of the host and adjacent properties and the spacious and suburban street scene.

10. As pointed out by the appellant, there are a number of properties in London Road that have detached garages within their front gardens. However, none of the examples cited are comparable to the appeal proposal. They comprise single garages and are set back from the street scene within deep front gardens. In addition, the garage at No.180 is designed and constructed from materials to match the host dwelling and the other garages referred to are well screened from London Road.

11. Overall, the harm the proposal would cause to the character and appearance of the host property and the locality would outweigh the benefits for the appellant resulting from the provision of a garage. Such harm is not something that could be adequately dealt with by condition. Also, if approved the proposal could set a precedent for similarly designed and sited garages in the immediate area, which would cause further harm to the character and appearance of the street scene.

12. For these reasons I conclude that the proposal would unacceptably harm the character and appearance of the locality. Accordingly, it would conflict with LP Policies EN27 & HG10, WDG Chapter 10 section 8 and paragraph 134 of the Framework.

Elizabeth Lawrence

INSPECTOR