



Appeal Decision

Site visit made on 7 February 2024

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23RD February 2024

Appeal Ref: APP/F3545/W/23/3330470

1 Langham Way, Haverhill, Suffolk

- 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 Colin Rudge against the decision of West Suffolk Council.
 - The application Ref DC/23/1140/HH dated 21 July 2023, was refused by notice dated 18 September 2023.
 - The development proposed is a new detached single storey garage at the front of the property.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Framework was revised in response to the Levelling-Up and Regeneration Bill: reforms to national planning policy consultation on 19 December 2023. The refusal reason references the Framework however, it is not considered that this impacts upon the determination of this appeal given the main changes to the Framework and the main issue before me.
3. The appellant's submission requests assessment as to the acceptability of an open sided garage if an enclosed garage is not acceptable, however, no plans of this nature of before me and in any case, it is not for an appeal to evolve a scheme. I can only consider, and provide a decision based upon, the scheme which has been considered by the Council and upon which a decision was issued. Consideration of any other, evolved, proposals for which there are currently no plans would potentially prejudice interested/other parties.

Main Issue

4. The main issue is the impact of the proposal upon the character and appearance of the area and street scene.

Reasons

5. The appeal site is a two-storey, detached dwelling, set within a corner plot at the junction of Langham Way and Notley Drive. The appeal site holds a prominent position, highly visible within the public realm and the street scene, with the host dwelling's principal elevation facing towards Langham Way. The host dwelling is set back, from the road and pavement, by a driveway which provides parking parallel to both Langham Way and Notley Drive. At the time of my site visit I found that the setback of built form, from Langham Way, contributes to a sense of openness around the junction and indeed from certain vantage points, within Notley Drive, the absence of built form and set back of

the host dwelling, currently affords clear views of the open, undeveloped, green space to the north of the appeal site beyond Field View. I find that this contributes to the character and openness of the area and breaks up the built environment adjacent to the junction as well as facilitating longer views through the appeal site. As a result of this the proposal would appear at odds with the pattern of development, established setbacks and general setting of the appeal site.

6. The proposal would partly protrude along the principal elevation within an area currently utilised for parking as part of the driveway to the front of the host dwelling. I find that the proposed street scene, demonstrated within the submitted plans as a result of the proposal, demonstrates an awkward interaction between the proposed garage and the principal elevation of the host dwelling due to the partial protrusion partly obscuring windows in the gable projection. This would be exacerbated as a result of scale and massing with a blank flank wall presenting to the highway which would be in close proximity to the road separated only by a hedge and small section of grass verge.
7. The proposal would appear overly dominant from within the street scene due to its position, forward of the principal elevation, as well as obscuring views currently open through the appeal site which contributes positively to the setting, character and appearance of the locality. I find that the proposal would disrupt the surrounding sense of place and fail to enhance the character and appearance of the area which would fail to respect the character, scale and design of the area.
8. At the time of my site visit, there were two vehicles parked in the area of driveway upon which the proposed garage would be located. Based upon the proposed plans before me it would appear that the garage is designed to accommodate one vehicle which would then displace the current parking provision, for two vehicles, to be accommodated on a day-to-day basis elsewhere on the driveway. This would then, most likely, result in vehicles being parked as shown on the driveway on the proposed site plan. Whilst, evidently, planning cannot seek to control how an appellant utilises their driveway as it stands, I find that, in this case, the proposal would result in amendments to the natural utilisation of parking on the appeal site.
9. As the appeal site stands, I find that three vehicles could comfortably utilise the existing driveway, entering and leaving the driveway without requiring movement of other vehicles which still maintains a sense of openness. The proposal would likely change the existing natural parking arrangements, and this would be intrinsically linked with the proposal for a new detached garage in this case. I find that amended parking on the driveway, combined with the proposed scale of the garage, would cumulatively be of detriment to the general openness of the prominent corner plot within which the appeal site stands impacting upon both the character and appearance of the locality.
10. I acknowledge that the appellant has submitted photographs of examples of garages which are stated to be within the immediate area. The examples provided do have different context to the appeal site which is before me and their placement on the street scene is different in every single scenario. The example at 7 Notley Drive is set back from the road by a wide grass verge, pavement and landscaping with one end facing towards the street scene. This is distinctly different to, for example, the appeal proposal, which is before me,

which is side on, in close proximity to the road within a prominent corner plot. Other examples of double, detached, garages are noted, but they are not located in comparable positions being set back from the road with views being, from the Google images provided, of garages to the side and not immediately cutting across the principle elevation of the host dwelling. The example at Calford Drive is noted to be forward of the principle elevation of the host dwelling but, again, it is not prominent within the street scene, is set back from the road by several metres and is not forward of the building line of the adjacent property. I have assessed the case before me on its own merits.

11. The proposal would be highly visible within the public realm, due to its location at the junction of Langham Way and Notley Drive and would appear overly bulky and dominant within the street scene due to its position and scale, negatively impacting upon generally open views towards the open green space to the north of the appeal site which I find contribute positively to the character of the area.
12. The proposal would be contrary to Joint Development Management Policies Document 2015 Policy DM2 which requires all proposals to recognise and address key features and characteristics of an area and maintain or create a sense of place and/or local character as well as producing designs that respect the character, scale, density and massing of the locality. The proposal would also be contrary to paragraph 135 (previously paragraph 130), of the Framework, which requires that planning policies and decisions will function well and add to the overall quality of the area, are sympathetic to local character and establish and maintain a strong sense of place using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Other Matters

13. I note, from the planning statement, that the appellant has had a vehicle stolen from the driveway of the appeal site and that it is stated that the existing integral garage is not wide enough to get in and out of a vehicle once parked. Whilst I sympathise with this, it does not overcome the issues that I have found for the reasons outlined above with regard to the scale and location of the proposal.

Conclusion

14. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR