



Appeal Decision

Site visit made on 30 January 2024

by L Francis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th February 2024

Appeal Ref: APP/B1415/D/23/3322259

1 St. Matthew's Gardens, St. Leonards-on-sea TN38 0TS

- 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 Adam Brown against the decision of Hastings Borough Council.
 - The application Ref HS/FA/22/00418, dated 17 May 2022, was refused by notice dated 9 March 2023.
 - The development proposed is the erection of a double garage.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated in December 2023, during the consideration of this appeal. Insofar as is directly relevant to the appeal, there are no substantive changes. Neither main party were asked for their views and no parties have been prejudiced as a result.
3. Subsequent to the Council's decision notice being issued, the appellant has provided updated drawings which provide clarification as to the refuse storage, electric vehicle charging points and soft landscaping. Given that the updated drawings do not make any substantive changes to the appeal scheme, I do not consider that any party is prejudiced as a result and I have considered the appeal on the basis of the updated drawings.

Main Issue

4. The main issue is the effect of the proposals on the character and appearance of the host dwelling and whether they would preserve or enhance the character or appearance of the Springfield Road Conservation Area (CA).

Reasons

5. The appeal site lies within the Springfield Road CA. The statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
6. The Springfield Road CA comprises a compact area surrounding Springfield Road, St Matthews Gardens and connecting streets. It is characterised by substantial late nineteenth century 2 and 3 storey semi-detached and detached dwellings. Architecturally, there is a mix of styles and detailing, with a common palette of red brick, render, decorative clay tiles and timber detailing. St

Matthews Gardens itself is set around a triangular green space, dotted with mature trees. Many houses retain their original stone walls to the front boundary. The street pattern, layout and planting lend an open, verdant character to this part of the CA. The significance of the heritage asset is derived from its pattern of late 19th Century residential development of substantial houses in an open setting, the varying architectural detailing within the same broad palette of materials and the stone boundary walls where retained.

7. The appeal site is a detached 3 storey dwelling located at the north-west end of St Matthews Gardens. The topography means that houses to the northern end of the street are in an elevated position in relation to the pavement. To the front of the house at street level is a small, single garage, along with the remainder of the original stone retaining wall to the front garden and steps leading up to the front door.
8. The proposal involves the replacement of the single garage with a double garage. New steps would be provided up to the dwelling, along with new soft landscaping and balustrading above the garage. The garage would also accommodate refuse storage and electric vehicle charging.
9. The proposed garage would extend across almost the entire width of the plot and would be located further forward than the current garage, standing flush with the front boundary. The garage would largely replace the stone retaining wall to the front garden. Given its prominent position set along the front boundary, coupled with its width, the proposed garage would be a dominant feature in the streetscape and in views of the host property. Taken together, the additional bulk and mass introduced to the streetscape directly in front of the house along with the loss of a large proportion of the stone front boundary wall would cause less than substantial harm to the designated heritage asset.
10. There are 3 other single garages along this part of St Matthews Gardens, along with a double garage immediately adjacent to the appeal site that serves the building at 6-8 St Matthews Road. All were granted planning permission between 1967 to 1970 and were in existence before the CA was designated. I attach limited weight to the presence of the existing garages as a means of establishing any precedent for the proposal, given they were granted planning permission before designation of the CA, and that the legislative and policy framework for those permissions was different to that in place today.
11. There was also a permission for a double garage at the appeal site which was never implemented. I have also afforded this limited weight given it can no longer be implemented and that there is an updated policy framework for the consideration of this appeal.
12. Beyond this part of St Matthews Gardens there are few examples of similar garages across the CA; they are not a characteristic feature. The existing single garages on St Matthews Gardens are reasonably subservient in nature and do not dominate in street views due to their size and degree of set back from the front boundaries.
13. Similarly, the double garage adjacent to the appeal site is set back from the pavement boundary. It also has a slightly different context to the appeal site in that it is located to the rear of the care home it serves and is not located in front of the principal elevation of the building. In any event, I do not consider

that the presence of the double garage adjacent to the appeal site indicates that a garage of a similar size should necessarily be acceptable.

14. I acknowledge that the materials and detailed design proposed for the garage would be consistent with those found in the CA. However, the materials and design, along with the presence of soft landscaping and planting would not be sufficient to overcome the less than substantial harm caused by the bulk and mass of the proposed garage.
15. I conclude that the proposal would be harmful to the character and appearance of the host dwelling and would fail to preserve the character and appearance of the Springfield Road Conservation Area. The proposal, therefore, would conflict with Policies DM1, EN1 and HN1 of the Hastings Local Plan – Development Management Plan 2015 which relate to matters of character, the historic environment and designated heritage assets. These policies, amongst other things, require development to protect and enhance local character, require proposals to show an appreciation of the surrounding neighbourhood's historic context, plot layouts, height and massing.

Other Matters

16. I note that the highway authority has not objected to the appeal scheme and I have no reason to disagree with the Council's assessment on highway matters. The double garage has the potential to remove up to 2 vehicles from on-street parking in the area, potentially alleviating some pressure. I have not been provided with any evidence to suggest that there is a significant issue with the availability of on street parking. This matter holds neutral weight in my overall consideration of the appeal.

Planning Balance

17. The alterations would provide off street parking for 2 vehicles, along with refuse storage and 2 electric vehicle charging points for current and future occupiers of the property. I consider these benefits to be largely private.
18. Whilst there may be some public benefit in terms of alleviating pressure on on-street parking locally, I consider this benefit is limited given the small scale of the appeal scheme.
19. As such I do not consider that the public benefits are sufficient to outweigh the identified less than substantial harm to the significance of the designated heritage asset. Therefore, the proposal would not accord with the policies of the Framework which seek to conserve and enhance the historic environment.

Conclusion

20. I have found that the appeal proposal would not preserve or enhance the character or appearance of the Springfield Road Conservation Area. As such it is contrary to the development plan read as a whole. The material considerations in this case do not indicate that the decision should be taken otherwise than in accordance with the development plan. The appeal should therefore be dismissed.

L Francis

INSPECTOR