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## Appeal Decision

Site visit made on 19 March 2025

by **Martin Andrews MA(Planning) Bsc(Econ) DipTP & DipTP(Dist) MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 31 March 2025**

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**Appeal Ref: APP/D3830/D/24/3353239**

**38 Blackthorns, Lindfield, West Sussex RH16 2AY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Miles Lewry against the decision of Mid Sussex District Council
  - The application Ref. is DM/24/1256.
  - The development proposed is a detached double garage to the front of the dwelling; partial change of use of the integral garage to include a gym, and extension of existing drive.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are (i) the effect of the proposed garage on the character and appearance of the Blackthorns street scene, and (ii) the effect on the health of a mature tree.

### Reasons

3. On the first issue, I saw on my visit that this part of Blackthorns is a cul-de-sac with side/rear garden of No. 42, No. 40 and the appeal dwelling No. 38 on its northern side and four houses opposite to the south. No. 36 is on its own in a set-back position, with its large open plan front garden extending to the road's turning circle.
4. In views up the road towards the cul-de-sac head there are a number of elements that combine to form the 'open, green and spacious streetscene' referred to in the Notice of Refusal. These comprise the lawns of No. 36; the appeal property's front lawn; the presence of the appellant's mature tree together with other trees and shrubs at the western end of 'Hunters End'; a grass verge on the north side of the road, and the front lawns of the other houses.
5. In my view, the introduction of the proposed garage in front of No. 38 would draw the eye as a particularly harmful intrusion to the street scene. I agree with the Council's view that it would be perceived as an incongruous addition. Furthermore whilst flat roof garages are commonplace in the locality, they are attached to the side of the dwellings and therefore read together with the host building.
6. This reduces their utilitarian appearance which essentially lacks any design merit. However, when introduced as a stand-alone feature, as is the case with the appeal proposal, the limited visual quality of the garage would become readily apparent and in marked contrast with the pleasing appearance of the street scene, which the Council as the Local Planning Authority are seeking to retain.

7. I have carefully considered the grounds of appeal. In respect of the need for security, the property already has a double garage which because of its integral design is always likely to be more secure than a detached outbuilding. I also note that part of this existing garage is intended to be a gym, which whilst it may be desirable is perhaps less of a necessity than securing valuable property.
8. I accept that for a growing family, space is at a premium but the house has already had an extension over the garage and the property appears to be one of the largest in the cul-de-sac. Indeed, it may well have reached the reasonable limit of built form on the site without having an adverse effect on the public interest in terms of the impact on its surroundings. Certainly, I consider that the latter would be the consequence if the proposed garage were to be built.
9. As regards the other properties with garages in front of the building, I have noted these. However, each case must be decided on the individual circumstances of the site and the proposed building, and nothing I have seen or read persuades me that the appeal scheme would not cause unacceptable harm to the character and appearance of the street scene. This would conflict with Policy DP26 of the Mid Sussex District Plan 2014-2031 adopted March 2018 ('the Local Plan'); Principles DG11 & DG49 of the Mid Sussex Design Guide SPD, and with Government policy in Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework, revised December 2024.
10. Turning briefly to the second main issue, the effect on the nearby tree, even though not in leaf at the time of my visit I am satisfied that the tree makes a significant positive contribution to the visual amenity of the street scene and that no risk should be taken as regards its health and survival. I have noted the appellant's comments as to a trench that was dug and the proposed raft/slab foundation for the garage. Nonetheless, I consider that it would be necessary for evidence to be submitted as part of the application in the form of a report by a qualified arboriculturalist confirming that no harm would occur, and an associated Method Statement for construction of the garage. In their absence I concur with the Council that the application contains insufficient information and is in conflict with Local Plan Policy DP37.

## **Conclusion**

11. For the reasons explained above and having had regard to all other matters raised, the appeal fails.

*Martin Andrews*

INSPECTOR