



Appeal Decision

Site visit made on 1 October 2025

by **L Francis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16th October 2025

Appeal Ref: APP/U1430/W/25/3369884 84 Westfield Lane, Westfield TN37 7NQ

- 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 Mrs S Rockhill against the decision of Rother District Council.
 - The application Ref is RR/2025/399/P.
 - The development proposed is “proposed outbuilding as an alternative to garage granted consent under RR/2023/344/P to provide ancillary overspill living accommodation”.
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Decision

1. The appeal is allowed and planning permission is granted for “proposed outbuilding as an alternative to garage granted consent under RR/2023/344/P to provide ancillary overspill living accommodation” at 84 Westfield Lane, Westfield TN37 7NQ in accordance with the terms of the application, Ref RR/2025/399/P, subject to the conditions in the attached schedule.

Preliminary Matter

2. Planning permission was granted for a detached garage building with room in the roof, reference RR/2023/344/P. This remains extant and the appellant presents it as a fallback position.

Main Issues

3. The main issues are:
 - whether the appeal proposal would comprise an annexe; and,
 - the effect of the proposal on the character and appearance of the area.

Reasons

Annexe

4. The accommodation proposed within the new building would comprise two bedrooms, living space, a bathroom and office. The description of development on the application form and the supporting material for the appeal make it clear that the intended use of the building would be as an annexe to the existing house at 84 Westfield Lane.
5. Policy DHG10 of the Development and Site Allocations Local Plan 2019 (DaSA) prioritises extensions or conversions before new buildings. The Council indicates an extension has already been given planning permission to convert garage space to additional accommodation (reference RR/2023/222/P), and in any event,

the proposed additional accommodation would not meet the definition of an annexe which would typically provide one bedroom, as set out in the supporting text to the policy.

6. Whilst Policy DHG10 takes a sequential approach to proposals for outbuildings, I attach significant weight to the existence of the extant permission for a building of a very similar scale and mass which would contain a garage, with a room above.
7. Although the proposal would provide two bedrooms, there is no specific policy restriction on the number of bedrooms which should be contained in an annexe. The building would be located close to the existing dwelling and it would share the main dwelling's vehicular access and garden. The evidence before me indicates that the building would be used as additional accommodation for the main dwelling which would support a multi-generational household.
8. Despite the layout of the proposed accommodation therefore, I consider it to be an annexe for use as part of the main dwelling at 84 Westfield Lane. The proposal would be consistent with the aims of DaSA Policy DHG10 insofar as it seeks to control the creation of residential annexes.

Character and Appearance

9. The proposed two storey building would be located within the front garden of the existing dwelling. Although located in front of the main dwelling, the proposed building would be consistent with the building line of properties to the west. There are also several examples to the east of outbuildings located in front of the main dwellings, on either side of Westfield Lane.
10. Dormer windows are a characteristic of other dwellings in the area, and my attention has also been drawn to other examples of residential outbuildings with dormer windows on Westfield Lane. Whilst the addition of a dormer window would give the building a residential appearance, this in itself would be consistent with the character of the area. I accept that the addition of a dormer, along with the absence of a garage door or car-port would mean that the building might appear, in the words of the Council, 'overly domestic', but this does not mean that it would be at odds with the residential character of the area.
11. The proposed building would be in line with the dwellings to the west, it would be set back from the pavement, its appearance would be consistent with other dwellings in the area, and it would occupy a similar position within the site to the extant permission. For these reasons, I do not consider the presence of a building in this location, of the form proposed, would be out of character with the surrounding area.
12. In conclusion on this main issue therefore, the proposal would be consistent with the character and appearance of the surrounding area and would be in line with the aims of DaSA policies DEN1 and DHG9(vii) and Rother Local Plan Core Strategy 2014 policies EN3, OSS3 and OSS4(iii) insofar as they require new development to maintain and respect the character and appearance of the local area.

Other Matters

13. The proposed fenestration would not directly face neighbouring properties. The scale and mass of the building would match that already approved under the

permission reference RR/2023/344/P. Consequently, I see no reason to conclude that there would be any harm to the living conditions of surrounding residential occupiers.

14. The proposed building would not contain a garage. However, there is ample space within the forecourt of the site for vehicular parking and no changes are proposed to the existing vehicular access. I have no evidence before me which would indicate that the proposal would cause harm to highway safety or the ability of future occupiers to park off-street.

Conditions

15. The Council has provided some suggested conditions which I have considered against advice in the Framework and Planning Practice Guidance; as a consequence I have amended or omitted some of the suggested wording. I have attached the standard time limit condition (1) and a plans condition (2) as this provides certainty. Condition 3 regarding materials is necessary in the interests of ensuring an appropriate appearance. I have amended the wording to the Council's suggested condition 4 and removed the requirement for the annexe to be occupied by family members only, as this would be difficult to enforce and it is not necessary or reasonable given the condition only allows the building to be used as part of the existing dwelling. The appeal before me does not propose holiday accommodation, and as such I do not consider a condition prohibiting this would be necessary or reasonable.

Conclusion

16. For the reasons given above, the appeal should be allowed.

L Francis

INSPECTOR

Schedule

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Block Plan- 7561/25/LBP, dated March 2025
Proposed Ancillary Outbuilding- 7561/25/1, dated March 2025.
3. The development hereby permitted shall be carried out in accordance with the external materials/finishes shown on the approved drawings, and shall be maintained as such thereafter.
4. The building hereby permitted shall not be used other than as part of the dwelling known as 84 Westfield Lane, TN37 7NQ.