
Appeal Decision

Site visit made on 29 November 2016

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 December 2016

Appeal Ref: APP/U1430/W/16/3157578

Land adjacent to 10 Crowmere Terrace, Bexhill TN40 2BD

- 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 Oliver Beswick of The Goldeneye Group against the decision of Rother District Council.
 - The application Ref RR/2016/1288/P, dated 10 May 2016, was refused by notice dated 17 June 2016.
 - The development proposed is described as "erection of 2 No.2 bedroom houses on virtually the same foot print as application No. RR/2016/169/P".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address provided on the application has been replaced by a fuller version in subsequent documents. I consider this to be usefully more accurate and have thus employed it here.

Main Issues

3. The main issues raised in respect of the appeal are the effect of the proposed development on: -
 - (a) The character and appearance of the area; and
 - (b) The living conditions of adjoining occupiers.

Reasons

Character and appearance of the area

4. The character of Crowmere Terrace is formed on its northern side by semi-detached and terraced two-storey houses that are set behind long front gardens which front with regularity onto the highway. To its south side is a bungalow with garden to front and side. To the west is Mayfair Mews a row of two-storey terraced houses fronting directly onto the highway with gardens to the rear. The appeal site is a grass and vegetated site sandwiched between the dwellings in Crowmere Terrace and Mayfair Mews.
 5. The overall size of the plot has not changed and the position of the building is largely similar to the approved detached single house (Planning ref: RR/2016/169/P) and would be no wider or taller or closer to the eastern
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boundary. However, the proposal would extend further forward increasing the depth of the dwellings and include two single storey front projections at either end of the frontage. I acknowledge that planning permission is in place to erect a detached two-storey three bedroom house at the appeal site.

Nevertheless, the proposed development being considered here is for a pair of semi-detached two-storey two bedroom houses. The proposal is a different scheme and, therefore, should be assessed on its own merits notwithstanding the fall back position that a single dwelling could be erected at the site.

6. Although the proposed dwellings would be comparable to the size of the terrace dwellings at Mayfair Mews, the dwellings and garden sizes are significantly smaller when compared to those of other semi-detached dwellings close by. Whilst the semi-detached pair would be conventional in terms of their design, materials and detailing, and be symmetrical in appearance, the proposal would not reflect the size and frontage width of other semi-detached properties in the area or the more generous gardens and spacious plot sizes relating to these existing properties. For this reason, the proposed semi-detached properties would appear cramped and constrained.
7. I note the Council's concern over space for ancillary domestic structures. However, I have no substantive evidence before me that would lead me to conclude that a proliferation of outbuildings and domestic structures would take place, therefore, I can only give this concern limited weight.
8. The footprint of the proposal would be larger than that of the approved single dwelling. The development would be closer to Mayfair Mews and have a tighter relationship with No.5 Mayfair Mews than that of the single dwelling. The proposal would have a more enclosing impact to this part of this street scene than that of the approved scheme which incorporated a spacious layout that maintained a more significant separation from Mayfield Mews. As the proposal would be positioned at almost a right angle to this existing terrace the tightness of this relationship would be pronounced when viewed within the context of the Mayfair Mews street scene.
9. As a result, taken these issues collectively, the proposed development would not reflect similar development in the area and would appear cramped, both in terms of site coverage and its appearance in relation to adjoining existing development. This would be harmful to the character and appearance of this area.
10. In addition, the site would be surrounded by a closeboard fence but the frontage onto Mayfair Mews would be open. Due to the close proximity of the front ground floor projections to the boundary, the additional hardstandings for car parking and footpaths to the front, there would be less opportunity to plant landscaping when compared to that of the approved single dwelling. Such planting would be a visual benefit to the appearance of Mayfair Mews. Whilst the proposed development would create an 'end stop' to Mayfair Mews it would not provide the same opportunity as the approved scheme for frontage landscaping which would enhance the appearance of the proposed development.
11. For these reasons, I conclude that the proposal would have a harmful effect on the character and appearance of the area. The proposal conflicts with Policy OSS4 (iii) of the Rother Local Plan Core Strategy which seeks all development to respect and not to detract from the character and appearance of the locality.

Living conditions of adjoining occupiers

12. The proposed development would abut highways and the gardens of adjoining dwellings. The Council is concerned that two dwellings as opposed to one dwelling would lead to increased noise, activity, and movements, by the occupiers of two households in close proximity to adjoining occupiers. It considers this increased activity, including increased use of the Mayfield Mews access, would cause disturbance that would be harmful to living conditions. The proposed development would introduce outdoor space adjacent to neighbouring gardens. On-site car parking is also proposed that would abut the boundaries of neighbouring properties similar to that of the existing parking relating to Mayfair Mews. Notwithstanding this, I observed that residential gardens that adjoin one another are a common feature of the area. The proposed outdoor spaces would abut existing gardens or parking areas however, this is not an unusual relationship in this location.
13. The level of activity generated by the occupiers of two family sized dwellings as opposed to one would not, in my opinion, be significant or give rise to comings and goings or outdoor recreational activity substantially greater than would take place within the area already. I cannot, therefore, conclude that the pedestrian or vehicle movements generated by the occupiers of two additional dwellings or the use of the gardens would give rise to an unacceptable level of harmful noise and disturbance.
14. The Council has not raised concern in respect of outlook, privacy or light and consider the imposition of appropriate conditions could mitigate any harm. On these matters I have no reason to come to a contrary view.
15. For these reasons, I conclude that the proposal would not have a harmful effect on the living conditions of adjoining occupiers and that the proposal accords with Policy OSS4 (ii) of the Rother Local Plan Core Strategy which seeks all development to not unreasonably harm the amenities of adjoining occupiers.

Other Matters

16. The Council indicates that a 5 year Housing Land Supply is not in place. I acknowledge the proposal would provide two additional family sized homes within the urban area that would contribute to the District's overall housing supply. Whilst the development would make effective use of the site and a valuable contribution to the supply of housing in the area, these benefits would not outweigh the harm that I have identified above.

Conclusions

17. Whilst I have found in favour of the appellant in terms of the effect on the living conditions of adjoining occupiers, this does not overcome the identified harm in respect to the first main issue. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Davies

INSPECTOR