
Appeal Decision

Site visit made on 19 December 2016

by Nicola Davies BA DipTP MRTPI

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

Decision date: 4 January 2017

Appeal Ref: APP/C1435/W/16/3157843

Elmshurst Cottage, Dacre Road, Herstmonceux BN27 4LP

- 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 Nick Clarke against the decision of Wealden District Council.
 - The application Ref WD/2016/1095/F, dated 4 May 2016, was refused by notice dated 1 July 2016.
 - The development proposed is the demolition of an existing garage on land at the rear of Elmshurst cottage and provision of a single storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site has been the subject of a previously dismissed appeal (reference APP/C1435/W/15/3033358) in which the Inspector noted that this part of Dacre Road comprises a mix of single storey and two storey detached houses set back from the road with open frontages. Whilst surrounding properties are characterised by frontage parking, this is predominantly in tandem form with a balance of soft and hard landscaping.
 4. The Inspector also commented that "this section of the street opens out towards a public footpath that runs to the side of the site and the rooftops and first floor elevation of properties on Hailsham Road, which sits at a lower level, are partially visible across the site. These factors combine to create a sense of openness and spaciousness that positively contributes to the character and appearance of the area". Based on my observations I concur with the Inspector's findings.
 5. The appeal site forms part of the rear garden of Elmshurst Cottage. Off street parking relating to this property fronts onto the turning head of Dacre Road. A single storey pitched roof garage and areas of hard surfacing and grass currently occupy the site. I observed two vehicles and a mobile caravan were parked upon the hard surface and a grassed area.
 6. I acknowledge that the proposed dwelling would have a reduced width to that previously proposed but the roof has increased in height and would incorporate
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a steeper pitch. Although stepped in from the side boundaries of the appeal site providing private outdoor amenity space to the side and rear, the proposal would occupy a large part of the site with tandem parking proposed to one side and a further single parking space within the frontage. Whilst the proposed dwelling would have a small area of front garden this would be constrained by the parking provision within the frontage and would limit any meaningful landscaping taking place even if subject to a planning condition. As a result, the proposed dwelling, parking provision and front garden would appear cramped within this constrained site despite the appeal site being positioned between existing gardens and a public footpath. Furthermore, the proposal would be located in close proximity to the turning head and would introduce a more visually prominent building than that of the existing garage and which would unduly dominate the streetscene.

7. In addition, the short length of open garden frontage would contrast to those open frontages of neighbouring properties and would not reflect the prevailing sense of openness and spaciousness. The proposed development would not respect the character of adjoining development and would, therefore, erode the open character and appearance of the area.
8. For these reasons, I conclude that the proposal would be harmful to the character and appearance of the area. The proposed development would be contrary to Policies SPO13, SPO14 and WCS14 of the Wealden District (Incorporating Part of the South Downs National Park) Core Strategy 2013 and Policy EN27 of the Wealden Local Plan 1998 which requires that development is sustainable, is of high quality, respects the character of adjoining development and promotes local distinctiveness, amongst other matters. The proposed development would also be contrary to paragraphs 9, 17, 56, 58 and 64 of the National Planning Policy Framework (the Framework) that seek to promote or reinforce local distinctiveness and attach great importance to the design of the built environment.

Other Matters

9. I accept the proposal would provide an additional compact dwelling on a windfall site within the urban area which comprises bungalows and two storey dwellings. The proposal would contribute a one bedroom dwelling to the District's overall housing supply without impacting upon matters of archaeological importance. I also note that the proposed development is acceptable to the Highway Authority in respect of parking provision and highway safety. In addition, it would not cause harm to the living conditions of adjoining occupiers, including that of Elmshurst Cottage and Green Doors, in respect of overbearing, light and privacy. However, these benefits would not outweigh the harm that I have identified above in terms of the character and appearance of the area.

Conclusions

10. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Davies

INSPECTOR