

Appeal Decision

Site visit made on 15 December 2016

by D Cramond BSc MRTPI

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

Decision date: 06 January 2017

Appeal Ref: APP/D3830/D/16/3159319
100 Mill Road, Burgess Hill, RH15 8BZ

- 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 Alan Clark Homes Limited against the decision of Mid Sussex District Council.
 - The application Ref DM/16/1983, dated 4 May 2016, was refused by notice dated 13 July 2016.
 - The development proposed is a single storey front infill extension, addition of first floor and changes to openings to create 4 bed dwelling; demolition of existing garage and erection of detached double garage.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey front infill extension, addition of first floor and changes to openings to create 4 bed dwelling; demolition of existing garage and erection of detached double garage at 100 Mill Road, Burgess Hill, RH15 8BZ in accordance with the terms of the application Ref DM/16/1983, dated 4 May 2016, subject to the following conditions:
 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 plan: 3834-02A.

Procedural Matter

2. I use the Council's description of development which is more precise than the application form.

Main Issue

3. The main issue is the effect of the proposal on living conditions for neighbours.

Reasons

Living conditions

4. The appeal property is a detached bungalow within an irregular shaped plot in a residential area which encompasses a range of house types, styles and sizes which come together to form a relatively pleasing suburban scene. On the street frontage the appeal site lies between two and half storey terraced corner
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units and a bungalow; single storey properties set at an angle lie to the rear. The proposal is as described above.

5. The Council is satisfied that the development would be accommodated comfortably within the streetscene and I would agree with that opinion. However, the Council is concerned that the planned upward extension to the dwelling by reason of its height, proximity to the rear boundary and upper floor rear windows would result in loss of privacy and an overbearing impact upon the single storey cottages to the west.
6. The case is made that the appeal site's rear garden, with a mid point depth of about 8 metres is not sufficient to mitigate adverse effects from the planned structure. I did however note that the area is one with some relatively close relationships of built form and that some inter-visibility between homes is not an uncommon phenomenon locally. The rear garden size is by no means insignificant; the planned property works would be angled such that they do not directly face the cottages to the rear; and the two clear glazed windows would serve a second and fourth bedroom rather than principal living accommodation. I would assess the degree of additional scope for overlooking as being modest and acceptable. The proposed upper floor to the rear would make use of a hipped roof and windows which break into the eaves and form part dormers. The building alterations would certainly lead to a degree of change in outlook for householders to the rear but I would not class the scheme as being unduly overbearing and the design exhibits a degree of subtlety.
7. Policies B3 and H9(c) of the Mid Sussex Local Plan and Policy DP24 of the Pre-Submission Draft District Plan include the requirement to ensure that development does not have any undue adverse impact on adjoining properties. I conclude that this scheme would not conflict with these policies.

Conditions

8. The Council suggests the standard commencement condition along with the requirement that works are to be carried out in accordance with listed, approved, plan. I would agree with this to provide certainty.

Overall conclusion

9. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on living conditions for neighbours. Accordingly the appeal is allowed.

D Cramond

INSPECTOR