

Appeal Decision

Site visit made on 16 January 2017

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

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

Decision date: 25TH January 2017

Appeal Ref: APP/C1435/W/16/3161557

Land off Sandy Lane, Mayfield, East Sussex TN20 6TU

- 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 Ashley Warriner of A1 Building Contracts Ltd against the decision of Wealden District Council.
 - The application Ref WD/2016/1060/F, dated 15 July 2016, was refused by notice dated 13 September 2016.
 - The development proposed is construction of new three bedroom, two storey dwelling compared to previous approval reference WD/2014/1247/F.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site lies in the built-up area of Mayfield, a village within the High Weald Area of Outstanding Natural Beauty (AONB). It is a rectangular plot of land, with an area of about 310sqm. Vehicular access is from Sandy Lane, an un-made and un-adopted single track road. A brick built single garage currently occupies part of the site. Immediately adjacent to the site's northern boundary is a corrugated outbuilding in separate ownership. The surrounding area is residential in character with a variety of dwellings set in well-proportioned plots. The presence of mature vegetation and hedges give the area a spacious and semi-rural appearance.
4. There has been a series of applications seeking permission to erect a dwelling on the site, including two appeals¹, both of which were dismissed. However, in November 2014 a scheme for a single story, one-bedroom contemporary-style dwelling was approved, Ref: WD/2014/1247/F, subject to a number of conditions.
5. The current proposal seeks permission for a revised scheme with the addition of a side extension and an upper floor. The footprint of the building would increase from 59sqm to 83sqm. This would represent a significant enlargement over and above the extant scheme, even though it would only occupy just over 27% of the site as a whole. With the proposed extension the

¹ APP/C1435/A/07/2048847 and APP/C1435/A/10/2136658

building would occupy almost the full length of the western side of the site. This would restrict the amount of space around it and leave awkwardly shaped residual areas of land available for parking and the creation of a usable amenity space. In my view this would give rise to the site as a whole appearing cramped. As the approved scheme includes a condition removing permitted development rights, I do not consider suggestions that the site coverage could be as much as 50% are relevant to this case.

6. The approved scheme is a small scale proposal that has been positioned and designed so that it would be unobtrusive and proportionate in size to the site. Its low profile would ensure that it would barely be visible from Sandy Lane. By contrast, the addition of the second storey would increase the bulk of the building, even though it would only be 1.18m taller than the extant scheme. This increased bulk and box-like shape, combined with large areas of glazing, would significantly increase the visibility of the dwelling from Sandy Lane. From the street it would appear incongruous and out-of-keeping with the surrounding development, which is more traditional in its style and design. It would also fail to harmonise with the semi-rural character of this part of Mayfield.
7. I therefore conclude that the proposal would be harmful to the character and appearance of the area, contrary to Policy SPO13 of the Core Strategy² and saved Policies EN6 and EN27 of the Wealden Local Plan. These policies require new development to be high quality design that respects its setting. In addition, it would fail to comply with advice set out in the Council's adopted Supplementary Planning Document: *Wealden Design Guide* (SPD). The SPD advises, amongst other things, that the scale and massing of new development should not result in over-dominant buildings on infill sites. Policy SPO1 is also referred to in the Council's decision notice. However, as this policy is primarily concerned with the management of countryside resources, I am not persuaded that it is relevant to this case.
8. In coming to my conclusion I have had regard to other schemes that have been brought to my attention and where development has been permitted that occupies a higher proportion of the site than would be the case here. However, from what I saw on site, and from the limited details that were presented to me, it would appear that these proposals were assessed taking account of the particular circumstances of the sites and their surroundings. None of those schemes was therefore directly comparable with the appeal proposal, which I have determined on its individual planning merits.
9. I appreciate that the enlarged dwelling would provide accommodation that would make it more attractive to a larger pool of potential future occupants and that the Parish Council did not object to the scheme. However, these factors are not a justification for setting aside the harm that I have identified to the character and appearance of the area.
10. For the reasons set out above, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR

² Wealden District (Incorporating part of the South Downs National Park) Core Strategy Local Plan