
Appeal Decision

Site visit made on 21 March 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 10 April 2017

Appeal Ref: APP/C1435/W/16/3163493

2 The Firs, West End, Herstmonceux, East Sussex BN27 4NY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs C J Maddock against the decision of Wealden District Council.
 - The application Ref WD/2016/1806/O, dated 10 August 2015, was refused by notice dated 31 August 2016.
 - The development proposed is a single detached house with car parking spaces.
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Decision

1. The appeal is allowed and planning permission is granted for a single detached house with car parking spaces at 2 The Firs, West End, Herstmonceux, East Sussex BN27 4NY in accordance with the terms of the application, Ref WD/2016/1806/O, subject to the following conditions:
 - 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
 - 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plan: 79519/M/1.
 - 5) The details of the access forming part of the reserved matters application shall include full details of the new means of access to serve No 2 The Firs and details of parking and turning to serve that and the new dwelling. These details shall be provided in accordance with Conditions 1) and 2) above.

Preliminary Matters

2. The appeal relates to an outline application with all matters reserved for future approval.

Main Issue

3. The main issue in this appeal is the effects of the proposal on the character and appearance of the area.

Reasons

4. Planning permission already exists in outline form for a single house at the appeal site, with the indication that it would be attached to the flank wall of No 2 The Firs and so would form a short terrace of 3 houses. The current proposal indicates that a detached house would be erected on the site.
5. The Council considers that the prospect of a narrow gap between the proposed house and No 2 The Firs, would mean that the proposal would appear cramped and would have a poor relationship with No 2 and its attached neighbour.
6. At my site visit I noted that there is a considerable gap between No 2 and the detached property at Holly Lodge due partly to the appeal site and also to the space within the grounds of Holly Lodge. Elsewhere on this side of the road it is notable that within this section, the pairs of houses are separated by only small gaps and at the ground floor by very small gaps in some cases; at first floor the gaps are a little greater. In general, it is not a section of the road where there can be said to be a high degree of separation between dwellings and so I find the prospect of a narrow gap between No 2 and the proposal to be one which would not be out of character.
7. In addition, the area contains a mix of detached, semi-detached and terraced houses, mainly of 2 storey height. I consider that it would be likely that a suitable design could be achieved that would harmonise with the area and the fact that the house would be detached would not mean that it would be out of character. As a result of these findings, I conclude that there would be no conflict with Saved Policy EN27 of the Wealdon Local Plan, Spatial Planning Objective SPO13 and Policy WCS14 of the Wealdon Core Strategy.

Conditions

8. I have taken account of the advice in the national PPG in relation to the use of conditions in planning permissions. Apart from the standard conditions relating to outline permissions, I shall also include a condition which identifies the approved plan, for the sake of clarity. The plans also indicate that a revised access to the existing house at No 2 is necessary and shown on the plan; I shall include a condition which requires that the reserved matters application for access shall include a new access for the existing house also.
9. The Council has stated that a condition which removes permitted development rights is necessary due to the configuration of the site. The national PPG makes it clear that such conditions should only be used in exceptional circumstances; I see nothing exceptional about the context or the site and no such suggestion has been made by the Council or other party. Therefore, I shall not include such a condition. The Council has also suggested a condition relating to materials; however, I see this as relating to the external appearance

of the proposal which is a reserved matter and can be dealt with at that stage, if necessary.

Conclusion

10. For the reasons given above, the appeal is allowed.

S T Wood

INSPECTOR