



Appeal Decision

Site visit made on 13 March 2017

by S J Buckingham BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 22nd May 2017

Appeal Ref: APP/D3830/W/16/3165525

75 High Street, East Grinstead, RH19 3DD

- 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 Greg Hedges against the decision of Mid Sussex District Council.
 - The application Ref DM/16/3355, dated 8 August 2016, was refused by notice dated 10 November 2016.
 - The development proposed is A1 (shop) unit at part ground and lower ground floors fronting the High Street with three new dwellings with associated stair access at the rear and the replacement of one dormer window and one roof window with two dormers on the front elevation and installation of two rear dormer windows with a recessed connection.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used a different description of the development proposed from that given in the application form; for clarity, I have removed references to retention of the shop unit, and resubmission of application DM/15/2798, as these do not constitute development.
3. Although the Council's Submission District Plan 2014 – 2031 was submitted for examination in August 2016, this process is ongoing, and the policies may therefore be subject to change. As this reduces the weight which I can give them I have relied on the policies contained in the Mid-Sussex Local Plan 2004 and the East Grinstead Neighbourhood Plan in determining this appeal.

Main Issue

4. The main issue in this case is the effect of the proposal on the character and appearance of the conservation area.

Reasons

5. No. 75 East Grinstead High Street sits in the centre of a short terrace of three nineteenth century retail premises on the outskirts of the High Street. They are of three storeys in height with attics and basements, and with pitched and gabled roofs.
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6. The appeal proposal includes a pair of dormers on the front roof slope, and a large dormer on the rear roof slope which features a central recess intended to create the impression of two smaller dormers. These roof extensions have already been constructed. The principle of the conversion of the property to three self-contained flats, with a retail unit on the ground floor is otherwise accepted by the Council, and was granted planning permission as the result of a previous application, ref. DM/15/2798.
7. Although no assessment of the special architectural and historic interest of the conservation area has been put before me, East Grinstead High Street is evidently of some age, and having developed over time contains buildings in a variety of ages, styles, and materials. However, the use of traditional and vernacular materials and detailing are predominant.
8. Despite having undergone different treatments over time, particularly in the form of their painted brickwork, the terrace of Nos. 73 – 77 retains a consistency of style in terms of the important details such as the fenestration pattern and detailing of the individual buildings. Nos. 73 and 77 each have a single small dormer, centrally placed in their front roof slope. As traditionally detailed buildings retaining important elements of their original design, prominent within that part of the High Street, it appears to me that they make a positive contribution to the character and appearance of the conservation area.
9. Although No. 75 sits in the centre of the group, and the appeal proposal has therefore maintained its symmetry as a whole, the pair of dormers take up a much larger proportion of the width of the roof than their neighbours, and are closely spaced, therefore giving rise to a more cramped appearance than is evident in the roofscapes of the adjoining buildings. In that respect they disrupt the harmonious design of the group.
10. Evidence has been put before me to demonstrate that previously No. 75 had only a very small dormer, centrally located, subsequently replaced by a rooflight. It appears to me that while neither of these structures would have been entirely consistent with the slightly larger dormers on the roofs of the adjoining buildings, they were self-effacing in appearance, and would not as a result have had a particularly disruptive effect on the symmetry of the group as a whole.
11. While traditional materials have been used, the wide dormer cheeks help to create a heavy frame in which the windows appear to float. The pitch of the roofs is also relatively shallow, in contrast to the pitch of the dormers immediately adjacent and to the often steep pitch of dormers seen within the vicinity. In the combination of these factors, therefore, the design of the appeal dormers does not relate successfully to or complement the traditional detailing seen in the conservation area.
12. The recessed joining element on the rear dormer is a non-traditional detail, and, although on the rear of the building, is visible from Church Lane. The recess is relatively shallow, and the dormer gables closely spaced. This detailing is not therefore entirely successful in disguising the fact that it is a single structure, which is as a result bulky in relation to other dormer structures in the area.
13. In these respects the dormers to front and back form an anomalous element within the terrace, disrupting its consistent detailing and harming its character and appearance. The appeal dormers would therefore, due to their

uncomfortable design, and the bulk of the rear dormer structure, and through their effect on the group of buildings in which they sit, have a harmful effect on the character and appearance of the conservation area.

14. I note that dormer windows within the area are both aligned and not aligned with windows on the floors below and in either eventuality are able to maintain the symmetry of the building on which they are situated. Thus it appears to me that an aligned pair of dormers has no particularly beneficial effect in design terms.
15. The proposal would, as a result, conflict with the provisions of Policy B12 of the LP and Policy EG4 of the East Grinstead Neighbourhood Plan in respect of the protection of designated heritage assets.
16. It would also fail to meet the expectation of Paragraph 132 of the Framework that great weight should be given to the conservation of designated heritage assets. However, I would quantify the extent of the harm as being less than substantial when considered in the context of Paragraphs 133 and 134 of the Framework. Paragraph 134 is clear that less than substantial harm should be balanced against any public benefits the development might bring, and I turn to consider this matter below.

Planning Balance

17. The appellant has made financial contributions in respect of the previous application, DM/15/2798, to mitigate any effects of the additional residential development on the Ashdown Forest SPA. These contributions have been agreed between the parties to be equally applied to and to satisfy the mitigation requirements generated by this application. As, however, these are necessary to make the residential elements of the development acceptable in planning terms, they cannot be considered a benefit.
18. The Council has indicated that the provision of three dwellings would be a public benefit in meeting the shortfall in housing in the area, and would attract a New Homes Bonus payment, which is a material planning consideration. The dwellings and the shop unit would also contribute to the viability and vitality of the town centre, which would be a benefit. However, a planning permission for the conversion of the building exists which would secure these benefits without harm to the conservation area, and no evidence has been put before me to demonstrate that this could not be implemented. This therefore leads me to accord them limited weight.

Conclusion

19. Although, therefore, some public benefits could arise from the proposal, I consider that they would not offset the harm I have identified, to which I attach considerable importance and weight. For these reasons therefore, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

S J Buckingham

INSPECTOR