
Appeal Decision

Site visit made on 22 May 2017

by D M Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 22nd June 2017

Appeal Ref: APP/U1430/W/17/3167553

Land adj 33 Buckhurst Road, Bexhill, East Sussex.

- 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 Simon Parker (Spurdown Limited) against the decision of Rother District Council.
 - The application Ref RR/2016/2057/P, dated 29 July 2016, was refused by notice dated 23 September 2016.
 - The development proposed is a 2 storey detached house.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted in outline, with all matters reserved for future approval. I have dealt with the appeal on that basis, treating the block plan as illustrative.

Main Issues

3. The main issues are the effect of the development on, firstly, the character and appearance of the area, secondly, the living conditions of future occupiers with regards to outdoor amenity space provision and, thirdly, highway safety.

Reasons

Character and appearance

4. The appeal site is a roughly triangular plot of land between 33 Buckhurst Road and a modern flatted development known as The Point. The area is residential with a wide variety of building forms present. Nonetheless, buildings tend to address the road and are set back comfortably from it behind landscaped frontages. Gaps between buildings also make an important contribution to a spacious suburban character.
 5. Amongst other things, Policy OSS4 of the "*Rother Local Plan: Core Strategy 2014*" (the LP) seeks to ensure that development proposals respect and do not detract from the character and appearance of the locality and are of a density appropriate to its context.
 6. At present the appeal site appears in the street scene as an open area of incidental amenity space. The frontage is marked by a mature landscaping
-

whilst the remainder of the site is laid to grass. It is therefore a green and open space that contributes to the area's spacious character.

7. Due to the constraints of the site's size and shape, the proposed dwelling whatever its final form would have very little frontage area or rear garden. In particular, the building would fill almost all of the plot width between the footpath and the existing brick wall. The positioning of the dwelling and the inevitable removal of some of the frontage landscaping would increase its prominence particularly in those public views from Buckhurst Road. From here it would appear unduly cramped and unlike anything else in the vicinity thus detracting significantly from the character and appearance of the area.
8. Its incongruence would be further exacerbated by the proximity of the dwelling and associated boundary treatments to the footpath serving Whitworth House. This would significantly diminish the footpath's open aspect across the site and create an enclosing effect. For these reasons, I find that the proposal would cause unacceptable harm to the character and appearance of the area. It would thus conflict with Policy OSS4 of the LP.

Living conditions

9. LP Policy OSS4 (i) requires all development to meet the needs of future occupiers, including providing appropriate amenities. I accept that the layout of the development is not a matter for consideration as part of this appeal. Nonetheless, given the site's diminutive size, it is almost inevitable that once a 2 storey dwelling has been erected there would be little space left to provide a meaningful garden. As a consequence, the resultant living environment for future occupiers of what would be a 2 storey dwelling would be notably poor. I therefore conclude that the development would conflict with Policy OSS4 of the LP.

Highway Safety

10. For reasons that flow directly from the above, I share the Council's concerns in respect of highway safety particularly in view of the site's proximity to a primary school. When I conducted my site visit, I was able to see first-hand the problems that arise at school opening times. Even after the school traffic had dissipated, I observe that Buckhurst Road is a well trafficked route with significant levels of on-street parking.
11. The appellant has failed to demonstrate how the requisite amount of off-street parking could be provided within the site. 3.5 metres is well below the standard length of a parking space. In my view it would not be acceptable for such requirements to be accommodated in the highway at such a sensitive location where restrictions are already in place. I note the appellant's argument that the parking could be restricted to a single car but even if that were enforceable, the proposal would still fail to meet the Council's standards and is likely to result in parking being displaced onto the public highway.
12. Moreover, even if the layout could be configured to provide the parking, this would result in future occupiers reversing to or from the highway at a point where children are, at times, present in significant numbers. No evidence is before me to demonstrate that adequate visibility splays could be provided and therefore these concerns in themselves provide a compelling reason to dismiss the appeal.

13. Based on the foregoing I conclude that the development would conflict with Policy CO6 of the LP which seeks to avoid prejudice to road and/or pedestrian safety.

Conclusion

14. For the reasons given above and taking into account of all other matters raised, I conclude that the appeal should be dismissed.

D. M. Young

Inspector