



Appeal Decision

Site visit made on 13 June 2017

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 7th July 2017

Appeal Ref: APP/D3830/W/17/3167347

Rear garden of 16 Clayton Avenue, Hassocks, West Sussex BN6 8HD

- 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 & Mrs Graham against the decision of Mid Sussex District Council.
 - The application Ref DM/16/3534, dated 11 August 2016, was refused by notice dated 14 November 2016.
 - The development proposed is the construction of a new 4 bedroom, one and a half storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Character and appearance

3. The proposal is for a large four bedroom detached house in the extensive rear garden of No 16, a two storey house on the southern side of Clayton Avenue. The appeal site comprises the furthest part of the garden, currently laid to grass with bushes along the side boundaries and trees to the rear.
4. The site is surrounded on all sides by residential properties or garden land. However, Clayton Avenue is characterised by frontage development comprising substantial detached houses and chalet bungalows lining both sides of the road in relatively wide plots. There are no nearby examples of tandem or backland development with properties behind the frontage houses accessed between them. Although the proposal would be situated in a substantial sized plot and screened from adjacent properties, it would nevertheless be out of character with the prevailing pattern of development in the area.
5. The proposed house would lie behind No 16 but would not have a separate driveway, having its parking in front of the existing garage of No 16 and being accessed by a pedestrian pathway some 33 m long alongside the garden retained for the existing property. This would minimise the visual impact of the proposal on Clayton Avenue, but represents an unusual and contrived proposal, poorly designed and inconvenient for its future occupiers.

6. To the east of the appeal site behind Nos 12 and 14 lies The Orchard, a cul-de-sac of single storey terraced and semi-detached units for the elderly. However, this relatively high density scheme is accessed off Downs View Road and is of a very different character to the appeal proposal and the low density detached properties along Clayton Avenue. The new single large house would not relate satisfactorily to this scheme and would appear incongruous next to it.
7. For these reasons the proposal would cause significant harm to the character and appearance of the area contrary to Policies B1 and H3 of the Mid Sussex Local Plan 2004. These require new housing to demonstrate a sensitive approach by respecting the character and form of the locality in which they take place, especially to neighbouring buildings and their townscape setting. These objectives accord with the policies of the National Planning Policy Framework and are accordingly not out of date.

Other matters

8. The Council accept that they cannot demonstrate a five year supply of deliverable housing sites. The proposal would deliver an attractive and much needed dwelling which would make a small but useful contribution to housing land requirements. It would also provide important social and economic benefits for the area which would be a significant benefit of the scheme. However, as explained above, it would conflict with Policies B1 and H3 of the Local Plan and because of these failings would not satisfy the environmental dimension of sustainable development. The adverse impacts of the proposal would therefore significantly and demonstrably outweigh the benefits in this case.
9. It is appreciated that the proposal would provide a very convenient housing solution for the appellants and their particular family needs, but these personal circumstances are not sufficient to outweigh the findings in relation to the main issue.

Conclusion

10. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR