



Appeal Decision

Site visit made on 14 November 2017

by Richard Aston BSc (Hons) DipTP MRTPI

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

Decision date: 1st December 2017

Appeal Ref: APP/B1415/W/17/3180530
77 The Ridge, Hastings, TN34 2AB

- 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 Mike Pearce against the decision of Hastings Borough Council.
 - The application Ref HS/FA/17/00075, dated 6 February 2017, was refused by notice dated 26 May 2016.
 - The development proposed is new semi-detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and highway safety.

Reasons

Character and appearance

3. The host property is a 2 storey end of terrace dwelling in a row of 5 similar properties. It lies in a mixed residential and commercial area on the junction with Frederick Road. The existing side garden contains trees and soft landscaping which positively contributes to what is a streetscene that is otherwise dominated by hard elements such as buildings, walls and hard surfacing.
4. The combination of the prominence of the site and the scale, form and height of the proposal, in such close proximity to the side boundary, would represent an over intensive form of development. On this constrained site it would appear unduly dominant and overly prominent within the streetscene. Whilst a small access gap would be retained to the side of the dwelling this would not be sufficient to mitigate this harm and there would be little opportunity for any replacement landscaping.
5. Although I accept that No. 79 The Ridge has its flank wall very close to the boundary, it is also set forward of the appeal property. Consequently, the proposal would substantially diminish the perception of space on this side of the street and the contribution that the appeal site makes to the character and appearance of the area.

6. Despite replicating the form and general appearance of the host property, the proposal would also be clearly perceived as being narrower than the host property on the approach past the appeal site. The large glazed openings in the side and rear elevations are an attempt to add variety to an otherwise blank facade. Nonetheless, the irregular pattern and shape of windows in the side elevation would not entirely reflect the more uniform arrangement and appearance of fenestration on the host property.
7. Overall and in such a context the proposal would not represent a good standard of design and would cause harm to the character and appearance of area. It would conflict with Policy DM1 of the Hastings Development Management Plan 2015 ('DMP') and Policy SC1 of the Hastings Planning Strategy which require high quality distinctive architecture and a good standard of design that and protect and enhance local character.

Highway safety

8. Space would be retained in the same location as the existing parking arrangements and 2 additional spaces would be provided to the rear of the appeal site. I observed that visibility from this area is restricted by the bend in Frederick Road close to the junction and by the presence of a close boarded fence along the side boundary of the appeal property, abutting the carriageway.
9. Vehicles would have to be travelling up Fredrick Road to safely pull over and park. Alternatively if vehicles were to access the site from The Ridge, they would need to pull over and reverse into the site from the junction or turn into the spaces, which would result in vehicles crossing the middle of the carriageway. I observed that not all vehicle speeds were low and to my mind, such manoeuvres in proximity to the junction would give rise to potential conflicts between all users of the highway. Given my observations at the site visit I do not find the lack of evidence regarding accidents to be determinative,
10. I also accept that these arrangements would partially reflect the current situation for the host property and the appellant indicates additional parking would be provided. However, even if there was anything substantive before me to suggest further parking could be secured to the front of No. 77¹, space would still be available to park to the rear. In this particular case the proposed parking provision would therefore harm highway safety. Consequently, it would conflict with Policy DM4 of the DMP which requires safe access into and within a development.

Other Matters

11. I acknowledge that the scheme is a resubmission and that amendments have been made by the appellant in an attempt to address the Council's concerns. However, having determined the appeal on its own planning merits, as I am required to do, such matters do not outweigh the harm that I have identified or alter my findings in relation to the main issues.
12. The appellant contends that the proposal should be considered in the context of the presumption in favour of sustainable development set out in the National Planning Policy Framework ('the Framework'). However, the conflict with the policies is such that it should be considered to be in conflict with an up to date

¹ The area is shown as being outside the application site on the Location Plan.

development plan, when read as a whole. As such, the presumption in favour of sustainable development as set out in Paragraph 14 does not apply and permission should be refused unless other material considerations indicate otherwise². The proposal would also fail to fulfil the social and environmental dimensions of sustainable development as set out in the Framework.

13. The minimal economic and social benefits from the provision of one additional dwelling, even in an accessible location would not outweigh the harm to the character and appearance of the area, highway safety and the subsequent conflict with the development plan policies that I have identified.

Conclusion

14. For the reasons set out above, the proposal would conflict with the development plan, when read as a whole. Material considerations do not indicate that a decision should be made other than in accordance with the development plan.
15. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR

² Paragraph 12 of the Framework.