
Appeal Decision

Site visit made on 30 July 2019

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th August 2019

Appeal Ref: APP/U1430/D/19/3225306

The Haven, Primrose Hill, Fairlight TN35 4DN

- 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 and Mrs B Crozier against the decision of Rother District Council.
 - The application Ref RR/2018/2947/P, dated 21 November 2018, was refused by notice dated 16 January 2019.
 - The development proposed is described as contemporary extensions and alterations to dwelling, including rear balcony.
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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

3. The appeal property is a hipped-roof dormer bungalow, with flat-roofed and rendered elements. As such it is broadly consistent with the character, appearance, scale and mass of the properties within the immediate area. It is within the context of these neighbouring properties that the appeal property is read, rather than the wider village, which I acknowledge has a mixture of styles and materials.
4. The existing dwelling is clearly visible from Primrose Hill along with its neighbours and in occasional views from Lower Waites Lane against a backdrop of trees and hedges. This adds to the relatively cohesive character and appearance of the immediate area.
5. I acknowledge that the proposed alterations would not significantly increase the overall height or width of the dwelling, and that the distances to the front and side boundaries would not change. I also note the intention to retain the current boundary screening to the site.

6. However, notwithstanding these factors, the proposed extensions would substantially increase the apparent scale and mass of the dwelling due to the height and width of the two-storey flat-roofed form proposed. This would be particularly evident in the increase in eaves height. The proposed materials would also be markedly different from both the existing dwelling and the neighbouring properties, adding to the contrast between them.
7. The increase in scale and mass, and the change to the external materials would also make the dwelling more visible from the public domain, particularly in longer views, further highlighting the differences between the appeal property and those surrounding it.
8. I conclude therefore that the proposal would not be in keeping with the character and appearance of the surrounding area and would not be sympathetic to it by virtue of its overall scale, mass and external appearance.
9. I consider that the proposal would be incongruous to such a degree that in this location it would cause unacceptable harm to the character and appearance of the area.
10. The appellant has drawn my attention to a number of other dwellings in the area which he considers offer support for the appeal proposal. Although I was not provided with the planning history or specific details of these, I did see them on my site visit.
11. The houses on Channel Way, Fairlight are on a single-sided road, facing the sea. The examples I was pointed to, whilst modern, are of a form which reduces their apparent scale, particularly in relation to neighbouring properties.
12. The dwelling on Commanders Walk, Fairlight is in a large, open plot, without the same close relationship to neighbouring properties as the appeal site. As such, the scale and mass are not so closely juxtaposed to neighbouring properties.
13. The new dwelling on Chick Hill, Pett is on a much steeper site and the surrounding area has a different, more mixed character to that of the appeal site.
14. Pett Level Road, Pett Level has a much more mixed character than the appeal site and those dwellings highlighted are already more prominent in the street-scene and public views.
15. These examples demonstrate that there are a variety of house sizes, types and styles in the wider area, and there are some similarities with the form and materials to the appeal proposal. However, I consider that the examples are sufficiently distinct in terms of context and character that they do not change my conclusions above, particularly with regard to the character and appearance of the immediate area around the appeal site.
16. I note the emerging policy position on contemporary design, and the content of the National Planning Policy Framework (the Framework) on the weight to be given to outstanding or innovative design.

17. However, in both, the positive approach to contemporary or innovative design is qualified by the need to ensure that proposals are still compatible with the character and appearance of the surrounding area, and I do not consider that the proposal would meet those requirements.
18. As I have found that the proposal would be harmful to the character and appearance of the area, it conflicts with saved Policy HG8 of the Rother District Local Plan (2006), adopted Policies OSS3, OSS4 and EN3 of the Rother Local Plan Core Strategy (2014), Policy DHG9 of the Development and Site Allocations Local Plan (Proposed Submission October 2018) and the Framework. These seek to ensure that development would be consistent with the local character particularly with regard to scale, mass and external appearance.

Conclusion

19. For the reasons given above, I conclude that the appeal should be dismissed.

S Dean

INSPECTOR