



Appeal Decision

Site visit made on 30 July 2019

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2019

Appeal Ref: APP/D3830/W/19/3228694

1 Sawyers Close, Burgess Hill RH15 0QB

- 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 Ryan Humphrey against the decision of Mid Sussex District Council.
 - The application Ref DM/18/4712, dated 21 November 2018, was refused by notice dated 16 January 2019.
 - The development proposed is single storey rear extension to existing dwelling, and a 2 storey side extension to form a 3 bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development shown on the appellant's appeal form and the Council's decision notice has changed from the original description shown on the planning application form. The change in description is not significant therefore I have used the original description in the banner heading and determined the appeal on this basis.
3. In the decision notice, the Council has referred to "ineffective parking and access". Based on the officer's report and appeal statement I have interpreted that the Council's concern is in relation to the issue of the character and appearance of the area rather than highway safety.

Main Issues

4. The main issues are:
 - The effect of the proposed development on the character and appearance of the area.
 - The effect of the proposed development on the living conditions of future occupiers, with particular regard to internal space and outdoor amenity space.

Reasons

Character and appearance of the area

5. The appeal site consists of a 2 storey semi-detached dwelling, which is located within the built up area of Burgess Hill. The property is located on a corner plot

- adjacent to the junction of Sawyers Close and Burdocks Drive. The area predominantly consists of semi-detached houses that are of a similar design and form. The street scene in the vicinity of the appeal site has a spacious feel due to the sizeable gaps between buildings and the set back of the dwellings from the highway. The side elevation of No 1 Sawyers Close is set back from the boundary with Burdocks Drive, which allows views above the boundary wall around the road junction and contributes to the spacious character of the area.
6. The proposed dwelling would be positioned in close proximity to the boundary with Burdocks Drive, which would erode the openness around the road junction. Furthermore, whilst the siting of the nearby houses in Burdocks Drive is stepped, the proposed dwelling would not respect the set-back of the neighbouring houses from Burdocks Drive. The proposed dwelling would project a significant distance forward of No 18 Burdocks Drive and would appear prominent in the street scene, particularly in views from the east and west along Burdocks Drive. I note that there is a grass verge in Burdocks Drive adjacent to the appeal site, however this would not mitigate the visual impact of the proposed dwelling in the street scene.
 7. The appellant has referred to neighbouring two storey extensions at No 18 Wheelwright Lane and No 1 Barnside Avenue. However, the appeal site is not viewed in context of these neighbouring extensions, which are located some distance away. Furthermore, the proposed development would be bulkier than the neighbouring extensions and would appear more prominent in the street scene.
 8. The Council is also concerned that the proposed development would form a terrace and would therefore be out of keeping with the established built form of the area. Whilst the area predominantly consists of semi-detached houses, there are examples of short terraces and so the formation of a terrace would be compatible with the surrounding built form. Furthermore, the size of the rear gardens; the arrangement of the front parking area; and the position of the vehicular access would not be harmful to the character and appearance of the area.
 9. For the reasons given above, I find that the proposed development would appear prominent in the street scene, which would be harmful to the character and appearance of the area. The proposal is therefore contrary to Policy DP26 of the Mid Sussex District Plan 2014-2031 ('District Plan'), which, amongst other things, seeks to ensure that development is of high quality design and layout.

Living conditions

10. Policy DP27 of the District Plan states that minimum nationally described space standards (NDSS) for internal floor space and storage space will be applied to all new residential development. The Council states that the area of the single bedroom falls below the minimum standard of 7.5sqm and the storage space is less than the minimum standard of 2.5sqm. However, the overall gross internal area of the proposed dwelling and the size of the 2 larger bedrooms accord with the NDSS. The shortfall in storage space is 1.4sqm and additional storage space could be comfortably accommodated if this were required by future occupants. The habitable rooms would also be served by good levels of light and outlook. For these reasons, I find that the proposed development would provide acceptable internal space for future occupants. Furthermore, the

Council has referred to a lack of private outdoor amenity space, however the development plan contains no size standards in relation to gardens. The size and shape of the rear garden of the proposed dwelling would be similar to other properties in the area and would provide a usable outdoor space for future occupiers.

11. As such, I conclude that the proposed development would provide acceptable living conditions for future occupiers. The proposal therefore meets the aims of Policies DP26 and DP27 of the District Plan, which, amongst other things, seek to ensure that development does not cause significant harm to the amenities of future occupants of new dwellings.

Other matters

12. The Council has cited Policy H2 of the Burgess Hill Neighbourhood Plan 2015-2031 in the reason for refusal. However, this policy relates to back garden development. The supporting text states "*back garden development is considered to be 'development of landlocked sites' behind the existing buildings, such as rear gardens...such sites often have no street frontages*". The proposed development would not be located behind existing buildings and it would have a street frontage. As such, I find that this policy is not applicable to the appeal scheme.
13. I have had regard to the concerns raised by interested parties, which, in addition to the above matters, relate to insufficient parking; busy road junction; impact on neighbouring properties; works require re-location of a lamppost; and development would set a precedent. However, as I find the proposed development unacceptable for other reasons, these considerations would not alter my decision.

Conclusion

14. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

C Osgathorp

INSPECTOR