
Appeal Decision

Site visit made on 25 November 2019

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2019

Appeal Ref: APP/D3830/W/19/3233558

37 Edinburgh Way, East Grinstead RH19 4RT

- 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 Hollidge against the decision of Mid Sussex District Council.
 - The application Ref DM/19/0628, dated 13 February 2019, was refused by notice dated 12 April 2019.
 - The development proposed is demolition of existing garage and erection of new detached 2 bedroom dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's second reason for refusal relates to the potential impact of the proposed development upon the Ashdown Forest Special Protection Area. The appellant has completed a Planning Obligation to secure a financial contribution toward impact mitigation. On the basis of this the Council has confirmed that it withdraws refusal reason 2. I have therefore dealt with this appeal on the basis that refusal reason 2 is no longer before me.

Main Issue

3. The main issue raised by this appeal is the effect of the proposed development upon the character and appearance of the area.

Reasons

4. There is a general consistency to the size, design and external materials of the properties in Edinburgh Way. The dwellings clustered around the southerly end of Edinburgh Way are two-storey dwellings hosting detached garages and are of matching appearance. This part of development at Edinburgh Way has partly grass and landscaped areas that front onto the highway. These design features have collectively created a development with a distinct sense of place.
5. The ridge height and design of the proposed dwelling would not reflect that of the dwellings within this cluster at the terminus of Edinburgh Way, or that of other dwellings within this streetscene. The front gable would have a contrasting appearance to the pitched roof dormer window feature projecting through the eaves that is a distinctive frontage feature of this cluster of

dwelling. The design comprises a number of features that are not apparent in the existing dwellings, such as, the front parapet with flat roof. In addition, the proposed dwelling, would be positioned, in part, along the edge of the highway, which also would contrast with the development in the area. For these reasons, the proposed dwelling would have a visually contrasting appearance and would not harmoniously assimilate with the existing development within this streetscene. Consequently, the proposed development would be visually harmful.

6. The proposed dwelling would be constructed in close proximity to 37 Edinburgh Way and to the rear boundary of the site and would in part, as noted above, be positioned adjacent to the highway. Furthermore, it would not have a landscaped frontage. The proposed dwelling would have the appearance of being squeezed into the site. As a consequence, the proposed dwelling would appear as an overdeveloped site when compared to that of the other dwellinghouses that are set within landscaped grounds. This would be a further visual harm arising from the proposed development.
7. The parking arrangement proposed would replace an area of existing green open space at the highway terminus with parking provision for the new dwelling. However, the loss of this area as a green space, although a relatively small area, would, nonetheless, be a diminution of the open character of this development and would result in further visual harm to the distinctive character of this development. Although I note it is intended to use geotextile or grasscrete this area, the visual harm would be apparent when vehicles are parked within this area.
8. Taking these matters collectively, the proposed development would appear out of keeping within this established development and would be visually harmful for this reason. I acknowledge that the dwelling would be sited toward the end of Edinburgh Way. Nonetheless, the visual harm arising from the proposed development would be apparent in public views along Edinburgh Way and to those existing occupiers that reside close to the appeal site.
9. I have been directed to the existing hedge at the rear of the site. However, that hedge, being to the rear of the proposed dwelling, would not overcome any concerns with regard to the appearance of the development within this streetscene. I have also been directed to an appeal decision at Burgess Hill that, similarly to this case, related to development within the garden of a dwelling. That said, I have not been provided with the full details of that case. Although there may be a parallel in that this proposal relates to the side garden of an existing dwelling, the proposal before me can and should be considered on its own merits having regard to the context of the development in this area.
10. For the above reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would, therefore, conflict with Policy DP26 of the Mid Sussex District Plan and Policy EG3 of the East Grinstead Neighbourhood Plan. These policies seek, amongst other matters, development to be proportionate and in keeping with the scale, height, materials and site coverage of the surrounding area and to protect open spaces that contribute to the character of the area.

Other Matters

11. I note the appellant wishes to provide a new family home for his young family within the local area, one of whom has health issues. Whilst I sympathise with the personal circumstances of the appellant and his family, I am mindful that the harm identified would be permanent and this is not outweighed by the appellant's particular circumstances and/or the difficulty of his children in accessing the property market, which is not an uncommon situation for many people.
12. I note that the proposal is acceptable to the Council in respect of standard of accommodation, impact upon the living conditions of adjoining occupiers and highway matters, amongst other matters. Whilst this may be so, this does not overcome my above concerns or justify the proposed development.

Conclusion

13. For these reasons, I conclude that the appeal should be dismissed.

Nicola Davies
INSPECTOR