
Appeal Decision

Site visit made on 17 December 2019

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 8 January 2020

Appeal Ref: APP/C1435/D/19/3240810
101 Marshfoot Lane, Hailsham BN27 2RD

- 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 Neil Stone against the decision of Wealden District Council.
 - The application Ref WD/2019/1229/F, dated 5 June 2019, was refused by notice dated 4 October 2019.
 - The development proposed is replacement front porch, side extension with garage and rear extension with loft space conversion.
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Decision

1. I dismiss the appeal.

Main Issues

2. These are;
 - The effect of the proposal on the character and appearance of the area.
 - The effect of the proposal on the living conditions of neighbouring residential occupiers with particular regard to outlook.

Reasons

Character and Appearance

3. Saved Policy EN27 of the adopted Wealden Local Plan 1998 sets out design and layout criteria for development which is to respect the character of adjoining development and be to a high standard of design. The extension and alteration of existing dwellings within the development boundaries will be permitted under Policy HG10 where the scale, style, design and materials are appropriate and sympathetic in relation to the existing buildings. Policy BED1 of the submission Wealden Local Plan 2019 proposes similar requirements. The Council has also referred in the Reason for Refusal to the Wealden Design Guide 2008.
4. Paragraph 124 of the 2019 National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
5. Marshfoot Lane is a long *cul-de-sac* and in the vicinity of the appeal site has mixed residential development on the north side, backing onto open countryside, and playing fields on the south side. The mix of development

includes detached and semi-detached houses and detached bungalows such as the appeal property and its neighbour at 103. That neighbouring property has been subject to significant development not shown on the appeal Block Plan but referred to in the Council Report and clearly seen at the site inspection. Similarly, an extension in the course of construction at the other neighbouring dwelling, number 99, projects to the rear close to the mutual boundary.

6. The appellant is of the view that historically other bungalows along the road have been demolished and replaced with houses, and considering the age and style of many, that may well be the case, and would be an option here, subject to the Development Plan policies on such work and the effects. As it is, the two bungalows at the appeal site and number 103 share similarities, albeit the development next door has altered some features at the front and more particularly, to the rear with a large, full width extension. As pointed out by the appellant, there are numerous other rear extensions in the area.
7. The appeal proposal is in two parts and the replacement porch would appear to be similar to that in place at number 103 and having mind to the variety already in place along the front elevations on the road, this part would be acceptable. The other part would be an extension to the side and rear, having removed the existing garage and building a replacement in line with the front elevation of the bungalow, and projecting to the rear close to the boundary with number 99, to provide 2 floors of accommodation, the upper floor partly within the roof with a high eaves level to allow a reasonable useable floor area.
8. The existing front roof plane would be extended and incorporated into the new hip end, resulting in a high asymmetrical ridgeline above the present one, appearing out of balance with that of the small bungalow remaining on the east side of the front elevation. Whilst the eaves to the front would remain as at present, this would be raised along both sides, with an area of brickwork above the side garage window and those to a utility room and study on the more visible west side. This arrangement would appear poorly proportioned and unattractive. To the rear the extension would be terminated by a first-floor balcony and a slight overhang to the roof, said to prevent overlooking, and that was not a matter objected to in the Reason for Refusal.
9. It is appropriate to consider the completed extension at the neighbouring, and one-time similar, bungalow at number 103. In that case a sizeable addition has been successfully incorporated within the street-scene through controlling the height of the rear roof ridgeline and eaves, both appearing to be similar to that of the original bungalow.
10. To conclude on this issue, the high roof visible at the front and the high eaves line on the west side, which would remain visible albeit in more restricted views once the next door addition is completed, would appear out of scale and disruptive to the character and appearance of the street-scene, and would not reach the standard of design and layout sought in Policies EN27 and HG10, and proposed to be carried forward in emerging Policy BED1. The aims of the Design Guide and the Framework on good design would not be met.

Living Conditions

11. Development should not create an unacceptable adverse impact on the amenities of adjoining development by reason of scale, height and form, as set out in Policy EN27. Policy HG10 states that there should be no significant

adverse effect on the amenities of neighbours through the extension or alteration of a dwelling. Paragraph 127f of the Framework seeks a high standard of amenity for existing and future users.

12. As stated above, the side wall would be projected back close to the boundary with the house to the west, and the high eaves line and amount of brickwork above the windows would present a tall vertical face along this line, before the roof plane slopes away from the boundary. However, the neighbouring house is in the process of building an extension along a line close to that boundary, although extending less deep than is proposed here (Ref; WD/2017/0521/F). This means that what might have been open garden land or patio would now be covered with building, limiting the area of that neighbouring garden where the outlook would be affected.
13. Although the shortcomings in the design identified in the first main issue would be closely apparent over that part which would project beyond, the slight adverse impact would not be unacceptable, and having mind to the otherwise very open prospect over fields and the more immediate garden, would not be contrary to Policies EN27 and HG10.

Other Considerations and Conclusions

14. The appellant refers to the addition being able to allow a near relative with developing health and care needs to live here, and that would relieve pressure on public services. However, the proposal is for a permanent building and it would likely remain in place, as would the harm it causes, long after the need has ceased. In the balance, the harm caused to the character and appearance of the area and the failure to accord with Development Plan policies, guidance and national planning policy outweighs the more temporary benefits.
15. Although the proposal would not cause planning harm to the living conditions of neighbouring occupiers, the design does not reach the standard sought and for the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR