
Appeal Decision

Site visit made on 10 February 2020

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2020

Appeal Ref: APP/U1430/W/19/3239543

18 Coronation Cottages, Salehurst, Robertsbridge, East Sussex TN32 5PE

- 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 Andrew Lynch against the decision of Rother District Council.
 - The application Ref RR/2019/515/P, dated 12 February 2019, was refused by notice dated 24 April 2019.
 - The development proposed is for the erection of a 3-bedroomed dwelling with access and parking. Parking for No 18 is included.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the proposal on:
 - the character and appearance of the area,
 - the living conditions of future occupiers with reference to parking and turning, and;
 - highway safety.

Procedural Matters

3. The Council have confirmed that the Rother Development and Site Allocations Local Plan (DaSa) was adopted on 16 December 2019, and now forms part of the Rother District Local Plan Core Strategy 2014 (RDLP), including Policies; EN3 (i) and (ii), and OSS4 (i), (ii), (iii) and (v) which the council have relied upon in their statement of case. I have proceeded accordingly.
4. The appellant has asked for drawings 688/04 Rev B (Proposed Site Plan) and 688/03 Rev D (Proposed Block Plan), dated November 2018, to be considered as a second-choice option to the submitted drawings, 688/04 Rev A (Proposed Site Plan), also dated November 2018, in respect of the proposal before me.
5. However, as the additional drawings were submitted too late to be considered as part of the Council's decision-making process, I see no reason to accept them. I have proceeded accordingly with the submitted and timely evidence before me.

Reasons

Character and appearance

6. The appeal site is located in a residential area of Salehurst, which is typified by brick and tile dwellings that have spacious gardens and front setbacks which afford glimpses of the fields, trees and hedges beyond. On and off-street parking is available, and there are some lay-by parking spaces on Church Lane.
7. Coronation Cottages is laid out as an elevated 'hammerhead' of development that is accessed from Church Lane. The section of Coronation Cottages which faces down to Church Lane is arranged as a terrace of six dwellings. To either end of the terrace there is a separate pair of two storey, semi-detached dwellings, including 17 and 18 Coronation Cottages. No 18 is located to the right-hand side on a relatively generous corner plot that slopes towards the adjacent 19 Coronation Cottages. Fields that lead to the St Mary the Virgin Church can be seen to the rear of the appeal site.
8. The principle and style of the proposed development is accepted in this location within the AONB. The proposal is for a 3-bedroom dwelling with two parking spaces on the subdivided front garden of No 18. The development would be sited forward of the host dwelling, and adjacent to the rear garden of No 19. The living space of the proposed dwelling would face onto the new parking spaces, a landscaped area, and a gravelled turning area to the front of the plot. The existing parking spaces associated with No 18 would be retained, and close-boarded fencing with a brick retaining wall would be provided to separate the proposed property from the host dwelling.
9. The immediate vicinity adjacent to No 18 is typified by dwellings on relatively large plots with a range of separation gaps that help to retain a sense of spaciousness in the road. As such, the scale and mass of the proposal combined with the on-plot parking, and close proximity to Nos 17 & 19, would result in a visually cramped development to the front of this sloping and severed garden plot.
10. Therefore, the positioning, width and bulk of the proposal would be at odds with the prevailing street-scene. There may well be similarly sized dwellings and plots nearby, but nonetheless, in this particular location the proposal would be overly prominent and appear out of place in its immediate setting. I conclude therefore, that the proposal would be incongruous with the surrounding built environment.
11. Hence, the proposal is contrary to Policies EN3 and OSS4 of the Rother Local Plan Core Strategy 2014 (RLP), and Policy HO3 of the Salehurst and Robertsbridge Neighbourhood Development Plan 2018, which say amongst other things, that new development will contribute positively to the character of the site and surroundings, and be tailored to a thorough and empathetic understanding of the particular site and context.
12. For similar reasons the proposal conflicts with Paragraphs 122, 124 and 127 of the National Planning Policy Framework (the Framework), which require that development is sympathetic to local character and history, including the surrounding built environment and landscape setting.

Living Conditions of future occupiers

13. The proposed parking spaces would be located directly adjacent habitable rooms and the front amenity area that is associated with the proposed development. I acknowledge that future occupiers can exert a level of choice in relation to parking and amenity space when purchasing or renting a property.
14. Nonetheless, the close proximity of the parking spaces to the dwelling means that future occupiers would experience disturbance related to the parking and turning of cars. Disturbance might include, but is not limited to, engine noise, door closing, and other activity such as fumes, headlights and vehicle maintenance. I consider this to be materially harmful to the living conditions of future occupiers.
15. Moreover, the parking spaces would dominate and enclose the relatively small amenity space in this forward location. Indeed, notwithstanding the availability of a rear garden, the relationship between the parking spaces and the amenity area would render it an unpleasant place to sit out in, or to enjoy other outdoor type activities.
16. Therefore, the proposal is contrary to Policy OSS4 of the RLP 2014, which requires that new development will meet the needs of future occupiers, including providing appropriate amenities.
17. For similar reasons the proposal conflicts with Paragraph 127 of the Framework which aims include that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Highway safety

18. The submitted drawings show that the proposal would provide a shared turning area and two-parking spaces for both Nos 17 and 18 respectively. This provision is in accordance with the Council's expectations. However, both the East Sussex County Council 'Minor Planning Application' guidance, and the National Parking Standards guidance, require that parking spaces should meet a minimum length and width. The proposal does not meet the required minimum dimensions. Nonetheless, following my site inspection, I am satisfied that the dimensions of the parking spaces could be increased satisfactorily within the space available by the imposition of an appropriate condition.
19. I note that there is a desire from interested parties to improve parking arrangements in the area. However, from the submitted drawings and the availability of off-road parking in the nearby area, I am satisfied that in this respect the proposal is acceptable.
20. Therefore, the proposal accords with Policies CO6 and TR4 of the RLP which say, that planning permission will be granted for development where the provision for parking meets the residual needs of the development for off-street parking, and Paragraph 109 of the Framework which says that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.

Other Matters

21. I acknowledge that there is a time-expired permission for a 3-bedroom dwelling on the appeal site that included the addition of a strip of land associated with No 19. However, I do not have the details of that case before me, and besides, I have considered the proposal on the basis of its own planning merits.

Conclusions

22. Although I have found in favour of the appellant with regard to highway safety this does not overcome the harm to the character and appearance of the area, and the living conditions of future occupants in relation to parking.
23. Although the main parties agree that the council cannot demonstrate a five-year housing land supply, and as such, paragraph 11(d) of the Framework is engaged, in this case, I find the adverse impacts of the proposal significantly and demonstrably outweigh the benefits, which include the provision of one 3 bedroom dwelling.
24. For the reasons given above, I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR