
Appeal Decision

Site visit 11 May 2020

by S M Holden BSc MSc CEng MICE CTPP FCIHT MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 May 2020

Appeal Ref: APP/D3830/W/20/3245631
29b, Keymer Road, Hassocks BN6 8AB

- 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 Richard Warner against the decision of Mid Sussex District Council.
 - The application Ref DM/19/4175, dated 4 October 2019, was refused by notice dated 20 December 2019.
 - The development proposed is a change of use from B8 storage to C3 residential; proposed front, rear and side windows and 2 side dormers.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's decision notice gave the address as 29a. However, although the site can be identified as land/property to the rear of 29a, the appellant has confirmed that the correct address is 29b and I have determined the appeal on that basis.
3. The scheme submitted with the application showed the kitchen and bedroom on the ground floor and the living room within the roof space. An amended internal layout was presented with the appeal showing an open plan living/kitchen area on the ground floor and a bedroom on the first floor. I do not consider that this represents a significant change to the proposal and the Council has had an opportunity to comment on the revised layout. I am therefore satisfied that no party would be prejudiced by my acceptance of the amended plan. I have determined the appeal accordingly.
4. Since this application was determined the Hassocks Neighbourhood Plan was formally made on 5 March 2020. It is therefore part of the development plan and its policies carry full weight in my assessment of the scheme.

Main Issues

5. The main issues are:
 - a) The effect of the conversion on the character and appearance of the area;
 - b) Whether or not the conversion would provide adequate living conditions for future occupants, having regard to outlook, enclosure and provision of amenity space.

Reasons

Character and appearance

6. The appeal building is a garage with a steeply pitched roof which has joint personal and commercial use. It has a room within the roof space served by two roof lights and a small window in the front elevation. It is sited immediately to the rear of a row of commercial properties on Keymer Road at its junction with Grand Avenue. These properties have the appearance of a three-storey building due to the bulk of the roof and the dormers in the front and rear roof slopes that serve the residential uses above the shops. The building is both taller and bulkier than the two storey semi-detached dwellings that characterise the western side of Grand Avenue.
7. The garage fills much of the gap between the taller commercial building in Keymer Road and the dwellings in Grand Avenue. Although the garage faces Grand Avenue, its width, height and the similarity of the materials used in its construction mean that it reads as a subsidiary building to the commercial buildings in Keymer Road. Its form and design are significantly different from the adjacent pairs of dwellings which have shallow hipped roofs, bay windows and rendered elevations.
8. The plot on which the garage is sited is considerably smaller than that of any of the houses or bungalows in Grand Avenue, which are characterised by modest sized front and rear gardens. By contrast the garage is hard up against the site's northern and western boundaries. There is only a narrow path to the side entrance and a small area of hard surfacing at the front. There is no space or provision for landscaping which could otherwise compensate for the lack of a front garden. In these respects, the building's conversion into residential use would be out of keeping with the pattern of development that characterises Grand Avenue.
9. In addition, the appearance of the building would be altered by the insertion of dormers into both roof slopes. The Council has not objected to these or the windows that would replace the existing garage door. However, the lack of a front door means that the dwelling would not present an active frontage to the street and the addition of the dormers would add significantly to the bulk and apparent width of the building. In these respects, the conversion would introduce incongruous features that would fail to respect the surrounding street scene.
10. For these reasons, I conclude that the conversion would be harmful to the character and appearance of the area. It would conflict with Policy DP26 of the Mid Sussex District Plan, adopted March 2018, (MSDP) and Policy 9 of the Hassocks Neighbourhood Plan (HNP). These policies, amongst other things, require development to be high quality design with appropriate landscaping and active frontages, thereby creating a sense of place that respects the scale of surrounding buildings.

Living conditions

11. The conversion would comply with the floorspace requirements set out in National Space Standards. However, in order to provide satisfactory living conditions, it must also be of an adequate quality.
12. The rooflights and dormer windows would provide the bedroom with adequate light. However, it is proposed that both dormers would be obscurely glazed. This would be necessary in order to prevent harmful loss of privacy for occupants of the flats above the commercial properties in Keymer Road and prevent overlooking of the garden of 1 Grand Avenue. However, even the window looking towards No 1 had clear glass, the outlook from it would be significantly restricted by the proximity of the flank wall of No 1. In my view the restricted outlook from the

small window in the front elevation of the building would be inadequate to serve the room as a whole. As a consequence, the bedroom would feel enclosed, adversely affecting the living conditions of the occupants.

13. The ground floor would have an open plan living/kitchen area. Two windows in the front elevation would provide a reasonable outlook onto the street from the living area. However, the window serving the kitchen would require obscure glazing to prevent unacceptable loss of privacy for adjoining occupiers. This would make this important part of the room feel enclosed.
14. The conversion would not have any private amenity space. The only external space is required for car parking and there would be nowhere that occupants could use to sit outside. Usable external space is an important contribution to residents' quality of life, even in the absence of a specific policy requirement for its provision. The complete lack of amenity space is therefore a serious shortcoming with the proposal as a whole.
15. This combination of factors leads me to conclude that the conversion would fail to provide adequate living conditions for future occupants, arising from inadequate outlook, a sense of enclosure and lack of amenity space. It would conflict with Policy DP26 of the MSDP and Policy 9 of the HNP, which require development to provide a high quality environment for future occupants taking account of privacy and outlook. However, as the amount of floorspace would be adequate, I find no conflict with Policy 27 of the MSDP.

Other Matter

16. My attention has been drawn to the conversion of a former fire station at the junction of Dale Avenue and Lodge Lane. However, that building relates differently to its surroundings which are entirely residential. Furthermore, with the exception of the kitchen, all the rooms appear to be served by good sized windows and there is a small amount of external amenity within an enclosed front garden. That scheme is therefore not directly comparable with the appeal proposal, which I have determined on its individual merits.

Conclusion

17. The government is seeking to significantly boost the supply of housing. I acknowledge that there is no objection in principle to the loss of the existing storage use, the scheme would comply with parking standards, would not harm the living conditions of neighbours and future residents would not experience unacceptable noise or disturbance.
18. However, I have found the conversion would harm the character and appearance of the area and fail to provide satisfactory living conditions for future occupants. The benefits arising from the provision of a 1-bedroom dwelling would not outweigh the harms I have identified.
19. I therefore conclude that the scheme conflicts with the development plan and there are no other considerations that outweigh that conflict. For this reason, the appeal is dismissed.

Sheila Holden

INSPECTOR