
Appeal Decision

Site visit made on 17 December 2020

by P J Staddon BSc, Dip, MBA (Distinction), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2021

Appeal Ref: APP/P1425/W/20/3256832
23 Fairways Road, SEAFORD BN25 4EL

- 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 John Rigden against the decision of Lewes District Council.
 - The application Ref LW/20/0119, dated 26 February 2020, was refused by notice dated 6 July 2020.
 - The development proposed is 'demolition of existing detached garage and shed and erection of side extension to form self-contained dwelling'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The development description stated in the application form is 'construction of an attached two storey annexe, rear extension and garage to the side of the existing building with new access.' The appeal form contains similar wording, but includes the term 'self-contained annexe'. The Local Planning Authority (LPA) has employed the description contained in the banner heading above, and refers to a 'self-contained dwelling'.
3. Based on the submissions before me, it appears that there is a familial link between the occupants of the existing house and those who are intended to occupy the new floorspace. However, the plans show that the accommodation would comprise all of the facilities of a 2 bedroom house and there would be no shared facilities, no interconnectivity between the existing and proposed floorspace, and the new accommodation would have its own separate garden and parking arrangements, created by sub-dividing the existing plot.
4. Furthermore, the appellant's statement of case refers to 'the new dwelling'. For all of these reasons, the proposal would involve the creation of a new dwelling and therefore a separate Planning unit. I have therefore employed the description used by the LPA, which accurately records the development proposed. My assessment is made on this basis.
5. In the course of the appeal, a plan showing revised access and driveway arrangements was submitted. I have taken this into account.
6. On 19 January 2021, the Government published the 2020 Housing Delivery Test (HDT) results. The HDT results for Lewes District Council do not have a bearing on the operation of paragraph 11 of the National Planning Policy

Framework (the Framework) and I did not therefore consider it necessary to ask the appeal parties to comment on this matter.

Main Issue

7. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

8. The appeal property is a 2 storey detached house occupying a corner plot on the north side of Fairways Road adjacent to its junction with Lindfield Avenue. The house is positioned approximately in the middle of its frontage to Fairways Road, with a garden area on its east side enclosed by an evergreen hedge forming the boundary with Lindfield Avenue and, on the west side of the house, a garage which is connected to the house by single storey extensions.
9. The surrounding area is residential in land use and character, with an attractive suburban and spacious feel. To the west of the appeal property there are 2 storey detached houses, set back behind modest front gardens in a fairly uniform line and with spaces between the properties at first floor level. On the south side of this part of Fairways Road, there is a row of detached bungalows. To the north of the appeal site, and beyond its rear garden, is a 2 storey house on the west side of Lindfield Drive. To the east of the site, and across Lindfield Drive, there are bungalows.
10. The appeal proposal would introduce an attached 2 storey house on the west side of the existing property. This would entail the removal of the existing garage; a replacement attached garage, to serve No 23, is proposed on its east side. The new dwelling would include an open plan kitchen and living area on the ground floor and 2 bedrooms and a bathroom at the first floor level. There would also be a small dining room extension to the rear of No 23 (in place of the existing conservatory). The revised access plan shows that a new shared access would be created off Fairways Road and driveways / parking would be created in front of the existing and proposed dwellings.
11. Whilst the proposed new house appears to have been designed to give the impression of a large side extension to No 23, it would be a separate dwelling house and a new Planning unit would be created. This would be discernible as the house would sit within its own plot with a fenced rear garden; the house would have its own front door / porch; and its own dedicated parking at the front.
12. Due to its attached design and its much narrower and smaller plot than its neighbours, the proposed house would appear cramped and squeezed on to the site. This would be uncharacteristic of the area, where the pattern of dwellings and bungalows are predominantly detached and well separated, giving a spacious feel. As such, the proposal would be harmful to the character and appearance of the area and the dwelling would appear as an incongruous feature in the street scene, failing to fit comfortably on its restricted plot.
13. In making my assessment, I have taken into account the appellant's submissions regarding the relatively large size of the existing plot occupied by No 23, and the objective of resolving a family's accommodation needs. However, these matters do not outweigh the harm I have found to the character and appearance of the area. I have also noted the appellant's

submissions with regard to the proposed replacement garage for No 23 and I agree that this element alone is unobjectionable.

14. On the main issue, I find that the proposal would be harmful to the character and appearance of the area. As such, the proposal would conflict with policy DM25 of the Lewes Local Plan Part 2 (adopted February 2020) which requires new developments to be of a design that contributes towards local character and distinctiveness through, amongst other matters, responding sympathetically to its immediate surroundings and existing buildings. For similar reasons, it also conflicts with paragraph 127 of the Framework. I have noted the LPA's reference to conflict with policy DM28, but this policy relates specifically to residential extensions, rather than new homes, and is therefore not directly relevant.

Other matters

15. A number of third parties have raised concerns about parking issues. However, the LPA has no objection on this matter and there is no evidence before me to suggest that the proposal would result in parking difficulties that would justify withholding permission.

Conclusion

16. For the reasons stated above, the appeal is dismissed.

P. Staddon

INSPECTOR