



Appeal Decision

Site visit made on 8 June 2021 by C Glaister BSc (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2021

Appeal Ref: APP/C1435/D/21/3268785

2 Fairfield Cottages, The Street, Selmeston BN26 6UD

- 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 Ms Brigitte Chandless against the decision of Wealden District Council.
 - The application Ref WD/2020/2280/F, dated 6 November 2020, was refused by notice dated 3 February 2021.
 - The development proposed is a conservatory.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Selmeston Conservation Area.

Reasons for the Recommendation

4. The appeal site is within the Selmeston Conservation Area (CA). No 2 Fairfield Cottages is the end dwelling of a short row of terraced properties, sited along a rural road. The area of land adjacent to the existing building, and between No 2 and the next house along, is wide and open, except for a single large tree. The opposite side of the road is occupied by hedgerows and other vegetation. The dwelling, along with those around it, is quaint and characterful, and is well placed within its agrestic setting. Individually, and as a cohesive group, these properties contribute positively to the CA.
5. The contemporary design of the conservatory, and the external materials inherent in its construction, would form an incongruous addition to the historically characterful appearance of the dwelling and those around it. Introducing a significant mass of standing seam zinc and glass adjacent to the dwelling would be unsympathetic to the brick, tile, and modest windows of the existing building. It would fail to preserve or enhance the existing character and appearance of the CA, and cause harm to its current defining aesthetic. The qualities of the site as they presently stand would permit views of the conservatory from the road, due to its position, and would also be visible to some extent from areas to the rear of the site.

6. It has been suggested that a tall hedge will be planted which would enclose the conservatory and obscure views of it from the road. A condition relating to the retention of the hedge would be temporally limited, and could not sufficiently secure this feature in perpetuity. This cannot therefore be relied upon to mitigate the harm which would arise. In any event, even if the development could be largely screened from the road, harm to the character and appearance of the building would still inherently result in a failure to preserve or enhance the character and appearance of the CA.
7. The development at No 6 does not bear similarities to the proposed conservatory. Its design and materials closely reflect that of the existing building, whilst also maintaining a degree of subservience. This development would not justify the proposal or mitigate its harm. The proposed development is in any case considered with regard to its own particular merits; the same applies with respect to whether or not there were contradictions in the comments made by the conservation officer, or any other individual acting on the Council's behalf. In addition, even if a dwelling previously existed in the area of the proposed development, and despite amendments being made to the size of the conservatory, harm would still arise.
8. Though the Conservation Area Appraisal for Selmeston is currently in the draft stage, and can only be given limited weight, the appeal site is nevertheless within the original CA. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Paragraph 193 of the National Planning Policy Framework (the Framework) states that great weight should be given to the conservation of designated heritage assets. The conservatory would be seen from a very small proportion of the CA and the extent of the harm to the heritage asset would therefore be less than substantial. However, no substantive public benefits have been put forward to weigh against this harm.
9. For these reasons, the proposed development would not preserve or enhance the character or appearance of the Selmeston Conservation Area. As such, it would be contrary to the conservation and design aims of Policies EN27 and DC19 of the Wealden Local Plan, and Policies WCS14, SPO2, and SPO13 of the Wealden District (incorporating Part of the South Downs National Park) Core Strategy Local Plan. The proposal would also fail to align with the Framework and its aim to conserve heritage assets.

Conclusion and Recommendation

10. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR