



Appeal Decision

Site visit made on 21 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: 29 June 2021

Appeal Ref: APP/P1425/Z/21/3272668

149 South Coast Road, Peacehaven BN10 8NN

- 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 James Rich (of Best Fish and Chips) against the decision of Lewes District Council.
 - The application Ref LW/20/0878, dated 17 December 2020, was refused by notice dated 26 February 2021.
 - The development proposed is the erection of a 3m depth canopy to the front of the property.
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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 the effect of the development on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal property is a two-storey detached building which has a white painted brick exterior and mock Tudor beams featured at the top of its gabled façade. It is set back from the pavement and the building adjacent to the right, and the space to the front of the property is occupied by a seating area. Between the appeal site and the row of commercial buildings opposite to it, is a busy two-way road. There is no development in the immediate vicinity which resembles that which is proposed. Across the street from the appeal site is a newsagent's shop which maintains a small extendable fabric awning.
5. Particularly in the use of uPVC for the side panelling and roof cover, the materials and design of the proposed canopy would have a temporary appearance which would not sympathise with the understated character of the existing building and its painted brick walls. It would detract from the pleasant aesthetic of the building's existing external appearance, and would fail to represent high quality design or use materials appropriate to the character of the area.

6. Even if the sides of the canopy were not in situ for a significant amount of the time, the remainder of the structure would result in harm to the character of the area. The development would be larger and more substantial than the awning at the newsagent's shop and so this existing structure does not indicate that the appeal scheme would be acceptable.
7. The Council has addressed the comments made by the Town Council and found the proposal to be in accordance with Policy CP13 of the Lewes District Local Plan Part 1 Joint Core Strategy 2010-2030 (LDLP1) and DM23 of the Lewes District Local Plan Part 2 Site Allocations and Development Management Policies (LDLP2). There is no reason to disagree with the Council with regard to these matters, but these are neutral matters in the overall consideration of the appeal.
8. The proposal could serve to reduce the number of people inside the shop and mitigate concerns surrounding social distancing, as well as discourage parking to the front of the shop. However, these factors hold minimal weight, and this would not outweigh the harm which would arise.
9. For these reasons, the development would cause harm to the character and appearance of the area and fail to accord with Policy CP11 of the LDLP1 and Policy DM25 of the LDLP2 which together seek to ensure development is of a high quality and responds sympathetically to the characteristics of the site and its surroundings. It would also fail to accord with the National Planning Policy Framework which seeks to avoid development of poor design.

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