



Appeal Decision

Site visit made on 5 January 2022

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th January 2022

Appeal Ref: APP/C1435/D/21/3278984

18 The Cloisters, Willingdon BN22 0JW

- 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 Simon Emberley, against the decision of Wealden District Council.
 - The application Ref WD/2021/0184/F, dated 25 January 2021, was refused by notice dated 23 April 2021.
 - The development proposed is described on the planning application form as: 'Proposed porch to front with single storey side and rear extensions and roof conversion. Removal of central garage pier and provision of single wide garage door. New retaining wall to front and side'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect on the character and appearance of the host dwelling and locality.

Reasons

3. The appeal concerns a detached bungalow that is characterised by a pitched roof form and 'L' shaped footprint. The Appellants suggest that the two proposed gable ends would reflect features found in the existing dwelling with the new flat roof being set back 500mm from their ends. However, the flat roof would be an overly dominant, disharmonious and incongruous feature in the host dwelling, given its form, extent and height. The fairly modest set back and gable ends would not prevent this adverse impact, especially given that the flat top would be at about the same height as the adjacent roof ridges, linking space between them.
4. The flat roof and vertically rising wall between the gable ends would result in an unduly bulky and top-heavy appearance in the south-west facing elevation. This would be exacerbated by the windows serving the Juliet balconies, strongly emphasising the presence of a first floor out of keeping with the single storey bungalow character of the dwelling, rather than a more sympathetic loft conversion set in a roofspace. The overly complex and contrived nature of the enlarged dwelling and flat roof at the height proposed would be unduly at odds with the generally simple pitched roof character of the host dwelling, as well as other bungalows and two storey dwellings in the vicinity.

5. The flat roof element would, at most, only be glimpsed above the garages between the dwellings in Winchester Way. These views would be sufficiently limited and distant to prevent any adverse impact on the streetscene. Nevertheless, for the above reasons, it is concluded that the character and appearance of the host dwelling and locality would be harmed.
6. The proposed development would therefore conflict with Wealden Local Plan, Adopted December 1998, Policies HG10 and EN27, which, among other things, are concerned with the style and design of extensions being appropriate and sympathetic in relation to existing buildings and the form and design of development respecting the character of adjoining development and the design being of an appropriate high standard. There would be conflict with the Council's Supplementary Planning Document, Wealden Design Guide, November 2008, where it is advised that extensions should not dominate the existing building. The development would also be at odds with the National Planning Policy Framework. This indicates that decisions should ensure that developments add to the overall quality of the area, are visually attractive and sympathetic to local character.
7. The Appellants express concern that the Council could have addressed the reason for refusal by means of negotiation. Nevertheless, I must consider this appeal strictly on its planning merits. I see no reason to disagree with the Council that the amended drawings and the oblique views from the proposed Juliet balconies mean that there would be no adverse effects on the privacy of adjacent occupiers from overlooking.
8. The Appellants refer to planning permissions for the enlargement of other houses that the Council has granted. However, I have not been provided with the full details and background to these cases so that no meaningful comparison can be made with the current scheme and it has not been shown that the Council's decision making has been unreasonably inconsistent. I note that none of these cases are in The Cloisters or immediately adjacent Winchester Way and there is nothing to show that these form part of the immediate context within which I have considered the appeal proposal.
9. The Appellants suggest that a scheme built using permitted development rights would have a far greater impact on matters such as the streetscene, existing building and neighbours. Nevertheless, I have not been provided with any drawings showing this and am therefore unable to compare the effect with the current scheme. I also note the indication that it is still desired to pursue the Appeal, which suggests to me that there is some doubt over the willingness of the Appellants to implement any alternative scheme anyway.
10. In these circumstances, I can only afford the above matters fairly minimal weight in favour of the appeal. In this case the improved accommodation and living conditions of the occupiers of the host dwelling would be achieved at the unacceptable expense of the quality of the built environment. I conclude that none of the above, or any other considerations raised, are sufficient to justify accepting the development given the harmful effect that would arise. It is therefore determined that the appeal fails.

M Evans

INSPECTOR