



Appeal Decision

Site visit made on 8 February 2022

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 14 February 2022

Appeal Ref: APP/D3830/D/21/3283377

Netheroak, Stockcroft Road, Balcombe RH17 6LL

- 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 Martin Flint against the decision of Mid Sussex District Council.
 - The application Ref DM/21/2005, dated 21 May 2021, was refused by notice dated 16 July 2021.
 - The development proposed is rear extension on top of the current single-storey extension, with roof modifications, new windows, dormer and skylights.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Balcombe Conservation Area.

Reasons

3. The detached mainly 2 storey appeal dwelling is set back from the roughly west side of Stockcroft Road by its junction with Victoria Road on a long plot that rises gently to roughly west. Due to its siting and the rising ground, the appeal dwelling, including its gable end, tall stack, and good-sized porch, is prominent in westward views along Victoria Road. The dwelling includes a substantial mainly flat roofed single storey back extension that is wider than the dwelling, and which nearly fills the width of its plot. However, due to its height and the space above it, the extension has little visual impact from the public domain.
4. The Conservation Area, close by, is mainly characterised by large, detached dwellings of various ages and styles with spacious gardens, set in attractive tree and hedge lined roads with wide grass verges. Due to the lengthy gardens and topography on the roughly west side of Stockcroft Road, the trees within and beyond most nearby back gardens provide an important sylvan backdrop that can be seen above most dwellings and in the gaps between them. The verdant appearance and spacious character in the locality contribute positively to the significance of the Conservation Area as a historic rural settlement, and to the sense of place.
5. The proposal would be built over the back extension, so it would be set back from the front of the dwelling. However, due to its siting, at first floor level and above, its considerable depth and width, and as its bulky part flat part pitched roof form would be as tall as the existing ridge, the proposal would dominate

and overwhelm the existing dwelling. Because the proposal would intrude into the important open space over the present back extension, well beyond the back of the original dwelling, and because the horizontal emphasis in its back would contrast starkly with the vertical proportions in the original dwelling, it would look dominant and incongruous from the back gardens of the nearby dwellings. Moreover, due to its scale and siting, the proposal would erode the important sylvan backdrop in the direct and angled views from Stockcroft Road. Thus, the proposal would be an unacceptably discordant feature in the Stockcroft Road street scene, and harmfully at odds with its surroundings.

6. Apart from some plans and numerical data relating to other schemes permitted nearby, including extensions at Freshfield and Studlands and the replacement dwelling at Stumble Ridge, little information about them has been put to me. So, I have dealt with the proposal on its merits and in accordance with its site specific circumstances, my statutory duty and relevant local and national policy and guidance. The appellant's personal circumstances have also been considered, but as the proposal would be likely to endure long after they have ceased to be material, they do not outweigh the harm that the proposal would cause. The proposal would be smaller than the scheme before my colleague in his appeal decision APP/D3830/D/12/2185714, but this proposal would not be acceptable for the reasons given, and my findings are consistent with his.
7. In terms of the National Planning Policy Framework (Framework) the proposal would cause 'less than substantial harm' to the significance of the heritage asset. However, as the dwelling would stay in use as a dwelling, and as almost no public benefits have been put to me, they would not be enough to outweigh that less than substantial harm. Moreover, insufficient clear and convincing justification has been put to me to show that the proposal would be necessary to conserve the Conservation Area in a manner appropriate to its significance.
8. Therefore, I consider that the proposal would fail to preserve or enhance the character or appearance of the Conservation Area. It would be contrary to Policy DP26 of the Mid Sussex District Plan 2014-2031 (LP) and Policy 3 of the Balcombe Neighbourhood Plan which seek high quality design and respect for context, and LP Policy DP35 which reflects the thrust of the statutory duty in respect of conservation areas, guidance in the Mid Sussex Design Guide Supplementary Planning Document SPD, and the Framework, which aims for heritage assets to be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Conclusion

9. I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.
10. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR