



Appeal Decisions

Site visits made on 21 February 2022 and 29 March 2022

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2022

Appeal A Ref: APP/P1425/D/21/3284565

3 Homefield Road, Seaford BN25 3DG

- 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 Joseph Palmer against the decision of Lewes District Council.
 - The application Ref LW/21/0278, dated 14 April 2021, was refused by notice dated 10 September 2021.
 - The development proposed is lower ground floor, ground floor and first floor extension and demolition of existing garage and boundary wall and construction of new garage and boundary wall.
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Appeal B Ref: APP/P1425/D/22/3290793

3 Homefield Road, Seaford BN25 3DG

- 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 J Palmer against the decision of Lewes District Council.
 - The application Ref LW/21/0712, dated 3 September 2021, was refused by notice dated 6 January 2022.
 - The development proposed is lower ground floor, ground floor and first floor extension including internal first floor alterations.
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Decisions

1. Both Appeal A and Appeal B are dismissed.

Procedural Matters

2. The proposals for Appeal A were amended a number of times during the course of the application. The Council made its decision against the final incarnation of the plans and the relevant drawings are listed on the decision notice. My determination of this appeal is made on the same basis.
3. Appeal B relates to an alternative design of extension. There are common issues for consideration and therefore I have dealt with the cases together.
4. Following my initial site inspection, and after written requests were received from neighbours, I made an additional visit to view the site from 5 Homefield Road and The Star House.

Applications for costs

5. Applications for costs were submitted by Mr Palmer against Lewes District Council in relation to both appeals. These are the subject of a separate decision.

Main Issue

6. The main issue common to both cases is the effect of the proposals on the character and appearance of the area and the settings of nearby heritage assets, namely the East Blatchington Conservation Area and The Star House which is Grade II listed.

Reasons

7. The appeal property, known as Easemore House, is a substantial detached Edwardian villa set within spacious grounds at the western end of Homefield Road, not far from its junction with Blatchington Hill. The site lies immediately outside of the East Blatchington Conservation Area, the boundary for which follows the western edge of the plot and part of its road frontage. Adjacent to the site, and falling within the Conservation Area, is The Star House, a large, elongated dwelling which dates from 1730 and was formerly a public house.
8. Easemore House is one of the largest and most characterful houses in the street. The property has an L-shaped plan, with a two-storey wing with hipped roof projecting towards the road. Although set back from the front boundary, this wing lies forward of the prevailing building line set by properties to the east. The scale and position of this part of the building makes it a prominent feature in the street scene of Homefield Road. The western part of the building is set further back into the site, characterised by its faceted period bay and substantial chimney stacks.

Appeal A

Proposed extensions

9. The proposed extensions would take the form of a pair of two-storey additions to the eastern side of the property, one at the front and the other towards the back, linked by a single-storey extension with a leaded flat roof. There would be a basement stretching beneath the extensions and under a new rear terrace, with bifold doors opening onto the garden.
10. The two-storey extensions would be significant aspects of the scheme in terms of their height and mass. Both would be publicly visible. However, by far the most prominent would be the one nearest the street. This extension would be lower than the host building and its front wall would be set back from the existing dwelling by half a metre. The gap to the side plot boundary would exceed the one metre minimum distance set out in Policy DM28 (3) of the Lewes District Local Plan Part 2¹ (LP). These are positive aspects of the design, but they do not adequately mitigate for the fact that the extension would be wider than the projecting wing to which it would be attached. The extension would read as a disproportionate addition relative to the host dwelling and its scale and bulk would be unduly dominant in the street scene of Homefield Road.
11. I acknowledge that the proposal would involve the insertion of windows into the blank wall on the end of the projecting wing. This would improve the relationship of Easemore House to the street, but would not justify the excessive scale of the front two-storey extension. The scheme lacks the subservience necessary to comply with Policy SEA2 of the Seaford Neighbourhood Plan (2020) (NP) and the accompanying General Design Guidelines for Seaford.

¹ Site Allocations and Development Management Policies (2020)

12. The proposed extensions would be on the opposite side of the dwelling from The Star House and the Conservation Area, and whilst there would be some intervisibility in the street scene, they would have little or no impact on the significance of these heritage assets. Nevertheless, I conclude that the extensions would detract from the character and appearance of the area and this would bring the scheme into conflict with LP Policies DM25 and DM28 and NP Policy SEA2. These policies are consistent with the National Planning Policy Framework in seeking high quality design which is sympathetic to local character and history, including the surrounding built environment.

Proposed boundary wall

13. Easemore House sits at the interface of two distinct character zones. To the west lies the East Blatchington Conservation Area which contains a variety of traditional flint walls in differing heights, some at the back edge of the pavement and others with a grass verge in front. To the east along Homefield Road the character is softer and more suburban, with residential property frontages defined by a mix of low walls and extensive vegetation.
14. The front boundary of Easemore House does not fit comfortably into either character zone. It comprises a formal arrangement of black railings atop a low brick wall, punctuated with tall brick piers with stone cappings. Mature hedging is visible behind the railings. The boundary is relatively new (circa 2010) and it replaced, so I am told, a flint wall of unconfirmed height and appearance.
15. The proposal is to reinstate a traditional flint wall on the roadside boundary. The new wall would be constructed using randomly laid field flint with brick dressings and a half round brick capping. Brick piers would be located to either side of the gated driveway entrance, with one further pier at the western end of the frontage adjacent The Star House. Two pedestrian gates would be framed with segmental brick arches and these would project above the top of the wall.
16. The Council's Design and Conservation Officer gave their advice on the basis that the wall would reach halfway up the gable to the garage for The Star House. This was factually incorrect. The plans clearly show that the wall would measure 1.9 m in height and its coping would align with the eaves of the garage. The wall would be lower at its eastern end due to the rise in the ground levels of Homefield Road.
17. It is contended that the wall would be out of keeping with its surroundings and that it would dilute the character of the Conservation Area. I disagree. The structure would abut a section of flint wall belonging to The Star House and it would be directly opposite a similar wall belonging to 2 Homefield Road. The latter sits at the back edge of the pavement whereas the wall being proposed would be set behind a grass verge. This would help to preserve the open character of the street and soften the appearance of the structure.
18. In my judgement, the proposed wall would be an attractive replacement for the existing boundary treatment which itself is rather alien in this setting. The design, height and materials would be compatible with other walls in the locality and this would ensure that there is no harm to the setting of the Conservation Area or The Star House. There would be compliance with LP Policies DM25 and DM33 and NP Policy SEA2 in relation to design and heritage assets. The verdant character of Homefield Road to the east of the site would be preserved.

Proposed garage

19. The proposed garage would be located in the north-western corner of the site, behind the new boundary wall. An existing garage belonging to Easemore House, which sits deeper into the site, would be demolished. The replacement structure would occupy a square footprint of 6.5 m by 6.5 m and it would be 3.48 m high with 2.15 m eaves. The roof would have pitched sections around the edges with an area of leaded flat roof in the middle.
20. It is not typical for garages within Homefield Road to be set forward of the dwelling. However, in this case the proposed garage would be adjacent to an existing garage belonging to The Star House. The building would be partially screened by the new wall and existing hedging but its roof would be visible above these boundary treatments. The crown roof design would jar with the pitched roofs of the Star House, particularly where the lead sheeting is dressed over the roof tiles. The use of plain tile on the sloping sections would not disguise the non-traditional form and massing which would appear visually incongruous in the street scene. Due to its proximity to The Star House, the garage would cause a degree of harm to the setting of this listed building.
21. Policy DM29 of the LP is directly relevant to this part of the proposal. It states that garages will be permitted where the size, scale, siting and design relates satisfactorily to the existing dwelling and its curtilage, the established street scene, and the character of the locality; and where the use of materials is sympathetic to the character and appearance of the existing dwelling. The design of the proposed garage would lead to conflict with this policy as the structure would not relate satisfactorily to the established street scene or the character of the locality.
22. Furthermore, the proposal would be contrary to LP Policy DM25 (2) which seeks to ensure that the scale, form, height, massing, and proportions of development is compatible with existing buildings, building lines, roofscapes and skylines. There would also be conflict with LP Policy DM33 which seeks, amongst other things, to prevent harm to the settings of heritage assets.

Appeal B

23. The extensions being proposed under Appeal B are similar in footprint to those in Appeal A, except insofar as they include turrets on the north-east and south-east corners of the building. Such features are not out of keeping on Edwardian houses, and the appellant highlights properties in Sutton Avenue to illustrate this point. The turrets on Easemore House would echo the faceted pitched roof element which adjoins the main entrance of the property. However, the turrets would alter the morphology of the building and emphasise the excessive scale of the extensions. The front turret in particular would dominate views along the street as a result of it being set forward of the properties to the east. In this regard, the design fails to respect or respond positively to the wider street scene and it would be contrary to LP Policy DM28 (2).
24. The computer generated visuals submitted by the appellant give an accurate representation of the likely appearance of the extensions, but do not show them in a wider setting. The turrets would appear overly assertive, particularly in relation to the modest house adjacent at 5 Homefield Road. The effects on heritage assets would be limited, but the proposal would conflict with the

overarching objective of LP Policies DM25 and DM28 and NP Policy SEA2 that the design of new development should respect its context.

Other Matters

25. I have taken account of the fact that Easemore House sits within a large plot. However, this in itself does not justify an extension, the design and scale of which would harm the street scene. The acceptability of the appeal schemes does not turn on plot size alone.
26. Permission has been granted under reference LW/21/0705 for an alternative design of extension in the same general position on the building. I am aware that complaints have been made to the Council in relation to its handling of that application. It is not for me to comment on these. The existence of a fallback position is a material consideration to which I have had regard, but the extensions in the current appeals would be materially larger in scale, and their resultant impact in the street scene would be greater. I have dealt with the cases on their merits, as I am required to do in any event.
27. Objections are raised in relation to the effect of the proposed extensions on the living conditions of the occupiers of 5 Homefield Road. During my second visit I was able to make an assessment from the rear garden of No 5. The extensions in both appeal cases would extend beyond the rear wall of the adjoining property, whilst at the same time bringing two-storey built form closer to the boundary. The developments would be visible from the neighbouring garden, but in my assessment they would not have an unacceptable impact on outlook, daylight, sunlight or privacy. Any overlooking would be oblique or capable of being mitigated using obscured glazing. Existing planting on the boundary, most of it within the control of No 5, would continue to provide screening but a condition could be used to require additional landscaping, should this be considered necessary. The effect on the living conditions of adjoining occupiers would not be reason to dismiss either appeal.
28. Concerns have been raised over a range of other issues, including traffic and noise at the construction stage, Japanese knotweed, loss of trees and the impacts of basement construction. I have also noted the comments relating to the maintenance of flint walling on the boundary with The Star House. Based on the information before me, none of these matters would justify dismissal of the appeals and they do not alter my overall conclusions.

Conclusion

29. Although I have found the proposed boundary wall to be acceptable, the extensions and garage proposed under Appeal A would combine to harm the character and appearance of the area and the setting of the adjacent listed building. The proposed extension under Appeal B would harm the street scene of Homefield Road. Both schemes would conflict with the development plan taken as a whole. There are no material considerations to justify a decision otherwise than in accordance with the development plan in either case.
30. For the reasons given above I conclude that the appeals should be dismissed.

Robert Parker

INSPECTOR