The Planning Inspectorate

Appeal Decision

Site visit made on 14 June 2022

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

an Inspector appointed by the Secretary of State

Decision date: 21 June 2022

Appeal Ref: APP/P1425/D/21/3289715
53D Sutton Drove, Seaford BN25 3NQ

- 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 Mrs Amanda Hornsby against the decision of Lewes District Council.
- The application Ref LW/21/0703, dated 27 August 2021, was refused by notice dated 9 December 2021.
- The development proposed is "We are proposing to erect a wooden shed like structure to be utilised as a home office to the front of our property which is on a secluded part of our property and therefore not affecting other residents outlook or passers-by. There is a TPO on nearby trees at the property for which we have undertaken a Tree Survey & Arboricultural Impact Assessment (attached). Due to the result of this survey the base of the outbuilding will use mini screw pile foundations which will allow the construction to take place within the Root Protection Area without causing damage to roots, or soil compactions and will allow rain and air to reach the soil beneath the building. Also all documents regarding the size of the building accompany this application".

Decision

1. The appeal is dismissed.

Reasons

2. The main issue is the effect that the proposed development would have on the character and appearance of the surrounding area.

3. The appeal site is situated on the roughly north side of Sutton Drove, close to its junction with the south end of The Byeways. Close by, the mainly residential development includes dwellings in a range of types and styles. The detached chalet style appeal dwelling is set well back from Sutton Drove in its front garden and drive. Because the local landform slopes down from roughly south east to north west, the dwelling is lower than the nearby part of Sutton Drove and most of its front garden. Due to the angled siting of the dwellings at 53A and 53D and the depth of their front gardens, the greenery and openness within them makes a positive contribution to the street scenes in The Byeways and Sutton Drove, and to the character and appearance of the locality.

4. The proposed outbuilding would be sited fairly close to the appeal dwelling and the wall by its boundary with 55, on a part of the front garden that is partly bounded by a retaining wall, so its floor level would be higher than the ground floor of the dwelling. Whilst the outbuilding would be under part of the canopy, and within part of the root protection area, of one of the trees near the boundary with 55, the Council has not raised concerns about trees. Subject to the imposition of suitable planning conditions if the proposal were to be

otherwise acceptable, I agree. However, due to its scale, form, and siting, the proposal would harmfully intrude into the important openness in the front garden to the detriment of the sense of place.

5. Whilst the proposal would be subordinate to the dwelling and set well back from Sutton Drove, because its character and appearance would be similar to the outbuildings more typically found in back gardens, it would look unacceptably out of place from the 2 nearby roads. Soft landscaping on the trellis by its roughly south west and north west sides could partly screen the proposal initially. However, as that planting could not reasonably be controlled by condition for more than a few years, it could not be relied upon to partly screen the proposal in the long term.

6. The terraced dwellings opposite are reached from Milldown Road, so the nearby shed would appear to be related to one of their back gardens. The roadside garages further west on the south side of Sutton Drove are well below the level of the dwellings they serve, and little information about the planning circumstances of the shed and store at 9 East Albany Road and the shed at 1 The Byeways has been put to me. Chyngton Road and Southdown Road are in another part of the town, where the character differs. So, these other schemes provide little support for the proposal.

7. Therefore, I consider that the proposed development would harm the character and appearance of the surrounding area. It would be contrary to Policy DM25 of the Lewes District Local Plan Part 2 Site Allocations and Development Management Policies (LP) and Policy SE2 of the Seaford Neighbourhood Plan 2017-2030 which seek high quality design and respect for context, and LP Policy DM29 which aims to permit ancillary buildings where the size, scale, siting and design relates satisfactorily to the existing dwelling, the street scene, and the character of the locality, as well as the National Planning Policy Framework (Framework) which aims to achieve well-designed places.

Conclusion

8. 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.

9. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR