

Appeal Decision

Site visit made on 20 May 2022

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2022

Appeal Ref: APP/P1425/W/21/3282572

11A Nutley Avenue, Saltdean BN2 8ED

- 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 J Dawes against the decision of Lewes District Council.
 - The application, Ref. LW/21/0344, dated 7 May 2021, was refused by notice dated 2 August 2021.
 - The development proposed is demolition of the existing garage. Formation of new two storey, two bedroom detached house.
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Decision

1. The appeal is dismissed

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the Nutley Avenue street scene.

Reasons

3. The Council's objection to the appeal proposal essentially stems from the narrow width of the site, which at its front currently comprises a detached garage serving the adjacent dwelling No. 11B on land formerly a builder's yard and store. For the appellant it is argued that the proposed dwelling would have a well-designed appearance both proportionate to the site and in keeping with the wider surrounding area.
 4. I saw on my visit that the context of the proposed development is the section of Nutley Avenue that lies immediately to the east of its junction with Crowborough Road. On the south side of the Avenue is a row of bungalows set below the road level, but ending in the flank wall of a detached house fronting Walesbeech Road. On the north side from the junction eastwards is, in turn, a bungalow with a noticeably 'stretched out' front elevation; the appeal site's present garage; No. 11B comprising a large detached two storey dwelling with a twin gable frontage, and a chalet bungalow with its roof ridge set markedly lower than No. 11B.
 5. I acknowledge that this mixed character of the Avenue does not in itself impose a constraint on infill development in terms of the need to safeguard any existing particular symmetry or rhythm in the street scene. However, the narrow site has necessitated a proposed dwelling only 4.1m wide, with this in turn limiting its eaves and ridge heights to 4.8m and 6.9m respectively.
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6. The design of the proposed dwelling has been amended to reflect No. 11B but its very limited width would be in marked contrast with the elongated bungalow, whilst its modest height would be dwarfed by the dominant and significant bulk of No. 11B. These differences would only serve to give emphasis to just how small and cramped the dwelling would be perceived on its site in comparison to its immediate neighbours.
7. Whilst in some cases such variety might conceivably be visually interesting and acceptable, albeit in a somewhat 'quirky' way and in a more intensively developed urban setting, in this instance I consider that there would be a jarring effect on the street scene. This would draw the eye and the first impression of passers-by would inevitably be one of a harmfully contrived development with the house squeezed into far too small a gap.
8. My attention has been drawn to No. 17 Nutley Avenue as a similar development, but this site is of a size that can comfortably accommodate a dwelling with appropriate gaps to the flanks, thereby ensuring the dwelling does not look out of keeping in Nutley Avenue.
9. As in the case of the previous appeal dated 4 February 2021 on the site, I have taken into account the shortfall in housing supply as measured against Government targets. This is a benefit of the appeal scheme but in my view one far outweighed by the incongruous nature of the development and the harm that would be caused to the character and appearance of this part of Nutley Avenue.
10. Overall, I conclude that the proposed development would be in harmful conflict with Policy CP11 of the Lewes District Local Plan Part 1 Joint Core Strategy 2010-2030; Policy DM25 of the Lewes District Local Plan Part 2 Site Allocations and Development Management Policies 2020 and Government policy in Section 12: 'Achieving Well-Designed Places' of the National Planning Framework 2021.
11. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR