
Appeal Decision

Site visit made on 25 October 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th November 2022

Appeal Ref: APP/U1430/D/22/3290529
Torpin, Station Road, Northiam TN31 6QL

- 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 E Hatcher & Ms K Russell against the decision of Rother District Council.
 - The application Ref RR/2021/2467/P, dated 7 October 2021, was refused by notice dated 21 December 2021.
 - The proposed development is for a new outbuilding to provide ancillary accommodation/annexe for a disabled relative (retrospective).
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. At my site visit, I saw that the development has been completed and I note that the application has been submitted retrospectively.

Main Issue

3. The main issue is the effect of the development on the character of the dwelling and the surrounding area, including the High Weald Area of Outstanding Natural Beauty (AONB).

Reasons

4. The appeal site relates to a detached bungalow located near the junction between Station Road and Donsmead Drive, with an access and off-street parking to the front. The surrounding area is predominantly residential in nature with no prevailing architectural style.
5. The appeal scheme relates to a flat roof single storey building in the front garden of the property and is clearly evident from the public domain. Although it has been clad with timber and has white UPVC windows and front door, the proposal appears as a transient element, unkempt and at odds with the more established buildings in the locale.
6. To my mind, the design and finishing of the element does not integrate with the pitched roof and materials of the main dwelling. As such, the outbuilding is incongruous within its setting and results in detriment to the character and appearance of the area, including its location in the AONB.

7. I appreciate that the development could be screened with hedging, however any such planting would need to be of a height, extent and density that of itself would look unusual or out of place within the context of this pleasant residential street. I also note that there have been no objections from neighbours, however this does not outweigh the harm I have identified above.
8. I am aware of the provisions of the Caravan Sites Act 1968. Nonetheless, whilst the appellant is entitled to rely upon other mechanisms outside the planning system, I consider that such legislation does not justify development that fails to harmonise with the host property and the local area.
9. The Planning Practice Guidance states that planning permission usually runs with the land and it is rarely appropriate to provide otherwise. As such, the use of a condition to grant planning permission solely on the grounds of an individual's personal circumstance will scarcely ever be justified. It would not therefore be appropriate to grant a temporary or personal permission. While I sympathise with the appellant's situation, there is insufficient evidence before me to suggest that the development is the only reasonable option available. As such, taking all relevant matters into account, I have given only limited weight to the personal circumstances identified by the appellant.
10. I conclude that the scheme causes harm to the character and appearance of the dwelling and the surrounding area, including the AONB. It contravenes Policies DHG9 and DHG10 of the Rother District Council Development and Site Allocations Local Plan (2019), Policies OSS4 and RA1 of the Rother Local Plan Core Strategy (2014) and objectives S2 and S3 of the High Weald AONB Management Plan 2019-2024. Collectively these seek to secure new development of acceptable scale and appearance that conserves the character of the landscape. It would also be inconsistent with the advice in the National Planning Policy Framework, which states that good design is a key aspect of sustainable development.

Conclusion

11. Based on the above and all matters advanced, the appeal is dismissed.

C Hall

INSPECTOR