



Appeal Decision

Site visit made on 15th November 2022

by Megan Thomas K.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 9 December 2022

Appeal Ref: APP/U1430/W/22/3294496

42 Ingrams Avenue, Bexhill TN39 5AT

- 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 David Smith & OX1 Group against the decision of Rother District Council.
 - The application Ref RR/2021/1830/P, dated 21 July 2021, was refused by notice dated 14 December 2021.
 - The development proposed is "1 x 1 bed room house extension".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the character and appearance of the original dwelling and its semi-detached pair and the wider area.

Reasons

3. The proposal is to demolish a single storey side extension and construct a two storey building attached to no.42 Ingrams Avenue and to use it as an independent single dwellinghouse.
4. The appeal site consists mainly of the side garden and single storey extension to no.42 Ingrams Avenue. No.42 is a two-storey semi-detached house on the eastern side of Ingrams Avenue. No.40 is the semi-detached pair to no.42 and has been extended to its south on its southern flank with a subservient two storey element which has an integrated garage at ground floor level. It has a dual pitched roof which reflects the dual pitch profile of the roofs on nos 40 and 42. The two houses face west onto Ingrams Avenue.
5. Ingrams Avenue is within the Bexhill-on-Sea development boundary.
6. The area is residential and the streetscene is made up predominantly of semi-detached properties many built to similar designs. The proposed development would result in a new dwelling with a ground floor comprising an open plan living, kitchen and dining area as well as a WC and at first floor level a double bedroom, a study and main bathroom.
7. The proposed building would be set back from the main front elevation of no.42 and would extend beyond the rear elevation on no.42. It would have a hipped

roof which would be slightly below the main roof ridge of nos 42 and 40. The proposed hipped roof would not sit comfortably in visual terms with the dual pitched roof profiles of nos 42 and 40 including the southern extension. Its eaves line would be below the eaves line of the two semi-detached properties. Whilst acknowledging that it could be built using materials which matched the materials used at nos 42 and 40, nevertheless it would appear tacked onto those properties rather than visually integrated with them. The design would be unsympathetic and incongruous.

8. Furthermore, when viewing the resulting three dwellings together there would be an unbalanced and jarring visual appearance. The result would be, in effect, a terrace of houses without the pleasing uniformity of terraced houses.
9. I have considered whether the 'corner' position of the appeal site and the presence of mature trees and a green space to the north would reduce the harm but I do not consider that they would in this particular case.
10. I conclude, therefore, that the proposal would result in unacceptable harm to the character and appearance of the host dwelling, its semi-pair and the wider streetscene. It would conflict with policies Policy OSS4 (iii) and EN3 of the Rother District Local Plan Core Strategy (adopted September 2014) and policy DHG9 of the Rother District Council Development and Site Allocations Local Plan (adopted December 2019).

Other Matters and the Planning Balance

11. The Council concedes that it does not have a deliverable 5 year housing land supply as required by the National Planning Policy Framework and the supply cited to me is 2.89 years. It is appropriate to apply the 'tilted balance' in this case from paragraph 11(d)(ii) of the NPPF.
12. There would be benefits from delivering a new dwelling to the area especially where the 5 year housing supply is at 2.89 years. It would also be a dwelling in the existing urban area which has good travel-related sustainability credentials, and it could be conditioned to incorporate water and energy efficiency measures, sustainable drainage, efficient construction techniques, landscaping, amenity and ecological benefits. It would also generate economic benefits through the construction period and once the property is occupied.
13. Nevertheless, in this case, having considered all the factors brought to my attention, the adverse impacts I have identified are not significantly and demonstrably outweighed by the benefits when assessed against the policies of the NPPF as a whole. I consider that the development would be in breach of the adopted development plan and material considerations do not indicate that permission should be granted.

Conclusion

14. Having taken into account all representations made, for the reasons given above, I dismiss the appeal.

Megan Thomas K.C.

INSPECTOR