



Appeal Decision

Site visit made on 17 November 2022

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2022

Appeal Ref: APP/Y9507/D/22/3291920 67 North Way, Lewes, BN7 1DJ

- 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 Ben Riley against the decision of the South Downs National Park Authority.
 - The application Ref SDNP/21/02960/HOUS, dated 27 May 2021, was refused by notice dated 15 November 2021.
 - The development proposed is a hip to gable roof extension, rear dormer and front rooflights, the construction of front porch and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The works have been completed; that does not alter the way in which I assess the merits of this case.

Main Issues

3. The main issues are the effect of the proposal on a) the character and appearance of the host property and the locality, b) housing mix within the National Park and c) ecosystems.

Reasons

Character and appearance

4. The appeal property is a semi-detached extended two-storey house with a sizeable garden. It was previously of hipped form, like its neighbour and surrounding properties, but is now gable ended. It lies within an estate of established residential character which has a pleasing appearance and spacious air arising from the building designs, roof shapes and disposition; garden arrangements; and street pattern. It is within the settlement of Lewes in the South Downs National Park (SDNP). The proposal is as described above.
 5. The scheme incorporates a number of elements. The 'wrap around' extension had a separate permission (SDNP/17/02237/HOUS) and is in any event appropriate in my opinion. The porch is a useful element aiding disabled access and is visually benign to my mind as the relatively strident front gable, along with its match on the adjoining property, continues to be the main feature and set the rhythm for this part of the front elevation. Similarly the front rooflights do not detract from the qualities of the host properties or its surrounds. The driveway, access and landscape arrangements offer a practical
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solution to parking and disabled access, use good quality materials, and I consider that they have no adverse impact upon the streetscene.

6. Regrettably aesthetic problems arise with the hip to gable change and the rear dormer. There are virtually no gable arrangements on the local array of semi-detached homes and the scheme does look very alien alongside its neighbours and the wider scene. It stands out as being an unbalanced change which is very ill at ease, visually jarring, and alien in the scene. Additionally, and unfortunately, the rear dormer is simply too large creating a top-heavy box-shaped arrangement which unduly dominates the rear roofslope and elevation. I appreciate that this is not visible from the road but even at the rear of properties where there are only residents' views it is reasonable to apply control to a change which is detrimental to the qualities of an originally well-designed property and has adverse effects on wider character and appearance. The house looks awkwardly over-extended by reason of the scale and nature of the changes at side and rear main roof level.
7. The hip to gable change and the scale of the rear dormer represents poor inappropriate design in their immediate and wider context. I conclude that there would be conflict with South Downs Local Plan (LP) Policies SD5 and SD31. This is because, taken together and amongst other matters, they seek to secure high quality design suitable in scale, roof form and general appearance and respecting local distinctiveness and established character.

Housing Mix

8. LP Policy SD31 also seeks to prevent the floorspace of an existing dwelling increasing by more than approximately 30% unless there are exceptional circumstances. The Delegated Report states that "the main driver for this policy is to prevent the loss of small/medium size dwellings across the National Park through excessive extensions or replacement with larger dwellings" although clearly, as above, character and appearance issues play a part.
9. In respect of the mix of dwellings issue, the floor area statistics for this property are helpfully set out on page 6 of the Officer's Delegated Report. The Appellant takes no issue with these, and I have no reason to doubt their accuracy. The analysis indicates a very substantial increase over the original dwelling which did fall within the small and medium home category. However, a large part of that stemmed from a planning permission issued pre-adoption of LP Policy SD31. Bearing this in mind I feel it is reasonable to work on the basis that, in theory and reality, one is not and was not dealing with a small or medium sized home at the time of determination of the appeal proposal. Even without going into the personal family circumstances explained by the Appellant, I feel that it would be unduly harsh to be critical of the appeal scheme on the grounds that the 30% limit should apply to prevent the loss of a small or medium home. That boat had already sailed.
10. To this end there would not be adverse impact upon the range of properties available in the National Park and I conclude that there would not be unacceptable conflict with LP Policy SD31 in this regard.

Ecosystems

11. The Authority is concerned that the proposal provides for no rain water storage/ re-use, no new or additional planting, no additional habitats such as bird or bat boxes. There are also no details of sustainable materials to balance

the environmental impact of the works. The Authority does note however that the proposal has provided a semi-porous paving. In summary the Authority considers that the proposal does not adequately address the impact of the works on the environment or ecosystems in accordance with LP Policy SD02.

12. However, the Appellant sets out measures which have been undertaken and are inherent in the built scheme and I conclude that these would be adequate to satisfy LP Policy SD02 bearing in mind the nature of the appeal scheme, the planning history for the property, and the specific characteristics of this site.

Other matters

13. I have sympathy for the family circumstances which are explained by the Appellant and can understand the need to accommodate an elderly disabled relative and trust that this would continue within available floorspace. I also have sympathy for the Appellant having, for one reason or another, progressed with 'additional' works without planning permission. There has clearly been considerable expenditure on the project. Nevertheless, to be fair to all I have to determine matters as I would with a proposal which was not in situ and I would not be allowing an appeal for this work if I had been presented with plans-only rather than a built-reality. I have to be consistent and not favour those that have knowingly, or regrettably unknowingly, proceed without planning permission being in place first.
14. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to one of the main issues identified above.
15. I confirm that all relevant policies in the National Planning Policy Framework have been considered and the development plan policies which I cite mirror relevant objectives within that document.

Overall conclusion

16. For the reasons given above I conclude that the whilst the appeal proposal would have not undue adverse effects upon housing mix within the National Park or ecosystems there would be unacceptable impact on the character and appearance of the host property and the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR