

## Appeal Decision

Site visit made on 2 March 2023

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22<sup>nd</sup> March 2023

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**Appeal Ref: APP/D3830/D/22/3313425**

**Courtyard House, London Road, Cuckfield, RH17 5BY**

- 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 Edward King against the decision of Mid Sussex District Council.
  - The application Ref DM/22/2117, dated 3 June 2022, was refused by notice dated 19 October 2022.
  - The development proposed is a proposed single storey carer's annex extension to the north of existing house.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the locality.

### Reasons

#### *Character and appearance*

3. The appeal property is a detached bungalow of interesting design on the west side of London Road; it has an enclosed car court area to its south side and an open amenity space to its north. This northern space abuts a semi-detached property (1 Woodcroft Villa) also fronting London Road with the shared boundary forming the edge of the Whitemans Green Conservation Area running northwards on both sides of the main road. The locality is of established residential character, with some sense of space, and a visually agreeable mix of Victorian and Edwardian houses of varied size and design with some added infill development.
  4. The proposal is as described above and would be sited on part of the garden space to the north of the principal bungalow. It would include an open plan living/kitchen area, bathroom and bedroom and its own front entrance along with a connection to the main home. The new accommodation would be within a single storey hipped roof structure and its flat roof link.
  5. The streetscene is varied but in my opinion the garden gap between 1 Woodcroft Villa in the Conservation Area and the more recent bungalow on the appeal site is an important one visually. It creates a meaningful break
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between the properties of differing eras and offers a 'green relief' to the built form of the street generally. This is added to by the clear views available of the substantial vegetation to the rear.

6. In this context I would deem it important to retain this space. Unfortunately, the scheme would not only visually, and in practice, reduce the meaningful amount of the open area and its backdrop and appear cramped but would also markedly step forward of the villas to the north. Notwithstanding attempts at subtlety via single storey and hipped and flat roofs the result of this extension in this position would be an unduly prominent and incongruous feature in the streetscene. It would impinge upon the character and appearance of the area and, through alien form and prominence in views in and out, would intrude upon the setting of the Conservation Area at this point.
7. Policies DP26 and DP35 of the Mid Sussex District Plan and Policies CNP1 and CNP10 of the Cuckfield Neighbourhood Plan are relevant. Taken together and amongst other matters they seek to ensure new development, including extensions, would protect the valued character of the built environment and townscape; be unobtrusive in the streetscene; embody suitable siting and design whilst respecting spacing between buildings; and protect the setting of Conservation Areas. For the reasons given above I conclude that the appeal scheme would conflict with these policies. It would also run contrary to the parallel objectives of the Mid Sussex Design Guide SPD albeit that document could not be expected to cover in detail every eventuality.

#### *Other matters*

8. I sympathise with the Appellant's wish to provide carer's accommodation and more generally future proof the home. I appreciate that the Appellant proposed this design as a reduction and amendment to a previously dismissed appeal scheme (APP/D3830/D/15/304933). However, to my mind, regrettably the current proposal is not acceptable in its own right for the reasons I have given.
9. I have carefully considered all the points raised by the Appellant and any public benefits but these matters do not outweigh the concerns which I have in relation to the harms from the main issue identified above. Similarly, matters raised by neighbours and other third parties do not persuade me otherwise on the main issue nor add to the agenda of concerns that I have with the appeal scheme.
10. I confirm that policies in the National Planning Policy Framework have been considered and the development plan policies which I cite mirror relevant objectives within that document.
11. Finally, I would add that I am aware that there appears to be a small number inconsistencies in the submitted drawings. These plans were used by the Council to determine the planning application. Any inconsistencies are in my opinion of a minor nature in the context of the bigger picture assessed and as determined above; they do not need to be reviewed in any greater detail given the outcome of this case.

*Overall conclusion*

12. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the locality. Accordingly, the appeal is dismissed.

*D Cramond*

INSPECTOR