



Appeal Decision

Site visit made on 26 June 2023

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 July 2023

Appeal Ref: APP/D3830/D/23/3318480

1A Pavilion Way, East Grinstead, West Sussex RH19 4SS

- 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 I Matusovic against the decision of Mid Sussex District Council.
 - The application Ref DM/22/3811, dated 14 December 2022, was refused by notice dated 8 February 2023.
 - The development proposed is single storey side extension with basement and separate garden room with storage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of No.1A Pavilion Way and the surrounding area.

Reasons

3. No.1A Pavilion Way is an end of terrace house with a gabled roof, broadly similar in design and form to the other houses in the terrace. This corner plot faces Pavilion Way, part of a residential cul-de-sac, and is side on to a row of houses opposite in West Street, a busier mainly residential road. The side and rear garden of No.1A is raised significantly above this junction, curving round it on top of a retaining wall at the back edge of the pavement. A tall, dense boundary hedgerow is a striking feature elevated in the streetscene. A flat roof outbuilding in a narrower nub of the rear garden faces West Street on one side. Despite what is shown in the 'as existing' appeal plans it is also behind the boundary hedgerow.
4. The shallow outward facing roof slope of the side extension would be similar in design and eave level to hipped roofs over a side bay and front porch of No.1A, though taller to ridge. An extensive floorplan would wrap-around and along the outside perimeter edge of the side garden, from a point forward of the main front elevation of the house. Although stepped in from the rear elevation of the house it would occupy virtually all the side garden space.
5. As a result, despite turning the corner with angled, segmented elevations and roof form, the side extension would have significant overall scale and massing. It would protrude a substantial distance to one side of the house giving a pronounced, unbalanced horizontal emphasis. Although 'sunken' behind the hipped roof, such a large extent of flat roof would be innately at

odds with the pitched roofs of the house. Although made of glass, narrow in upward projection and inset behind the vertical back edge of the roof slope, a balustrade for a roof terrace would have tangible presence. In a small, limited way it would add to the scale and massing of the side extension.

6. This part of the proposal would, therefore, be out of keeping with the overall design, form and layout of No.1A. Though No.1A is slightly stepped back in the terrace building line, it would also not be sympathetic to the design or layout of the houses in rest of the terrace, so undermine its cohesiveness, and be at odds with other dwellings in Pavilion Way and this part of West Street.
7. Though single storey, the notable practical height of the side extension above pavement level and a significant expanse of mainly blank elevation, combined with its close proximity to the pavement, would have a pronounced overbearing presence, unduly conspicuous in public views at one end of Pavilion Way and in both directions from West Street. Additionally, domestic use and activity in such a large roof terrace at an exposed, high level would appear incongruous.
8. The garden room would not be significantly larger in length, width and footprint than the outbuilding it would replace. While the pitched roof would give greater overall height and bulk, it would be a low ridge level and though more steeply pitched, the shallow roof of the asymmetric design would present least area and form facing West Street. However, the 'as proposed' plans show the garden room sited next to the inside edge of the boundary retaining wall with no intervening gap or hedgerow planting. Due to the position of part of this building below ground there would be no apparent space for such planting. Consequently, this elevation of the garden room would be overbearing and unduly conspicuous in public views in both directions from West Street.
9. The appeal plans show the existing hedge would be tight against the outside face of the side extension. Significant thinning of it would reduce its screening properties and a new hedgerow, if there was sufficient space, would take many years to give appreciable screening. There are no landscape details to demonstrate that the hedge can be retained, or re-planted, and thrive in the long-term considering the extensive excavation of most of the ground behind the wall. Additionally, the below ground part of this building would be very close to the edge of the site boundary, with little or no apparent space above for the/a hedgerow. Retaining or providing a hedge in this case is therefore relevant to an in-principle decision to grant planning permission so these details cannot reasonably be left to a condition.
10. Even if a hedge was viable this would not overcome the incompatibility of the side extension for the reasons set out earlier above. Nor that it would cause a significant loss of openness next to No.1A and give an overly tight arrangement of built form on this corner with the opposing corner of the junction and relative to the houses in West Street. Some nearby residential properties are close to road frontages but not on corners or are on level ground, so not directly comparable. The below ground floor level of both proposed buildings would otherwise not affect the character or appearance of No.1A or the surrounding area and above ground external materials would match No.1A.
11. Nevertheless, I find that the proposed side extension would result in harm to the character and appearance of No.1A Pavilion Way and to the surrounding area. Also, that the proposed garden room would cause harm to the character and appearance of the area. Consequently, the proposal is contrary to

Policy DP26 of the Mid Sussex District Plan, March 2018 and Policy EG3 of the East Grinstead Neighbourhood Plan, November 2016. These policies include that development should reflect the distinctive character, form and scale of surrounding buildings, provide or protect landscaping, respect topography, be in keeping with the site coverage of the surrounding area, not result in the loss of spaces important to the character of the area and contribute positively to the public realm.

Other matters

12. The proposal would not adversely affect the living conditions of the existing occupants of any nearby dwellings. The rear garden at No.1A would remain suitable in size and shape for use by the existing occupants. These are neutral factors in my decision.
13. The proposal would increase living accommodation at No.1A for the appellant and his family and be an efficient use of available space at the site. However, these would be private benefits for the duration of the appellant's occupation of the house, so carry limited weight, whereas the development would be permanent and needs also to be considered in the wider public interest.

Planning Balance and Conclusion

14. The proposal does not accord with the development plan taken as a whole. There are no other material considerations to indicate that the decision should not be made otherwise than in accordance with the development plan.
15. Consequently, for the reasons given above the proposal is unacceptable and the appeal does not therefore succeed.

Robin Buchanan

INSPECTOR