



Appeal Decision

Site visit made on 13 June 2023

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2023

Appeal Ref: APP/C1435/W/23/3316350

Sea View Cottages, Amberstone, Hailsham, East Sussex BN27 1PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Scott Standen against the decision of Wealden District Council.
 - The application Ref WD/2022/0501/0, dated 22 February 2022, was refused by notice dated 15 November 2022.
 - The development proposed is described as a bungalow set down within area to the rear of 6 Sea View Cottages.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted in outline form with access, layout, and scale for consideration. Matters relating to appearance and landscaping are reserved for future determination.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area and the living conditions of neighbouring and future occupants.

Reasons

4. The appeal site comprises a narrow plot located within a spacious gap between the rear of a row of Cottages facing Hawkswood Road and a row of dwellings facing Conquest Drive. The appeal site would be accessed through a car parking area from Saxon Close.
5. The proposed development would be sited very close to the appeal plot's side boundaries and would extend a significant distance along its depth terminating close to the rear boundary.
6. Considering both the separation from the plot boundaries and its integration into the existing street scene, the proposed development would lack space around it particularly to its side and rear boundaries.
7. This would create a cramped and contrived appearance with a sense of enclosure when viewed in the context of the more spacious pattern of existing development.

8. The amenity area to the rear of the appeal site would be modest in size. However, the Council have not suggested that it fails any defined standards within the Development Plan or elsewhere.
9. Notwithstanding my findings insofar as the impact on the character and appearance of the area, I note the relative size of the proposed dwelling and I consider the amenity space to the rear, while modest, would provide commensurate space for future occupiers regarding passive recreational demands.
10. Given the separation distance and proposed soffit and ridge heights, the development would also not appear overbearing to any neighbouring occupants. The siting of proposed windows would also be a matter for future consideration as part of any reserved matters application.
11. The proposed development while acceptable regarding its effect on living conditions of neighbouring and future occupants would, however, fail to integrate into the existing character and appearance of the area generating unacceptable harm.
12. Accordingly, the proposed development would conflict with the relevant provisions of Policy EN27 of the Wealden Local Plan 1998, Policies SPO13, SPO14 and WCS14 of the Wealden Core Strategy 2013, Policy SD2 of the Hailsham Neighbourhood Plan 2021, Chapter 7 of the Wealden Design Guide 2007 and the National Planning Policy Framework (the Framework). These, amongst other things, seek to promote high quality design which responds to local distinctiveness.

Other Matters

13. The Council is unable to demonstrate a five-year supply of deliverable housing sites. In regard to the specifics of the appeal scheme and its situation, this would take me to paragraph 11 d) ii) of the Framework and where the most important policies would be out of date. I am then required to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
14. I have found unacceptable harm arises from the proposed development's impact upon the character and appearance of the area. The harms would be significant and long lasting. I therefore attach significant weight to the proposal's conflict with the development plan and the Framework when read as a whole.
15. The proposal would be an efficient use of land and would add a dwelling to housing stock. However, these benefits would be modest given the proposal would be for one dwelling.
16. I have not been provided with robust evidence to indicate there is an unmet need for bungalow accommodation. In the absence of such evidence any benefits arising in this regard have not been shown to outweigh the harm I have identified above.
17. I also acknowledge the proposed development provides its own parking area and I found no harm regarding the rear amenity space. However, the absence of harm is a neutral matter neither weighing for nor against the proposal.

18. With the above in mind, it is sufficiently clear that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The appeal scheme would not, therefore, benefit from the presumption in favour of sustainable development.

Conclusion

19. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

N Praine

INSPECTOR