



Appeal Decision

Site visit made on 13 March 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 05 April 2024.

Appeal Ref: APP/C1435/D/23/3332077

Berytus, 5 Morland Close, Ninfield TN33 9EF

- 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 Williamson against the decision of Wealden District Council.
 - The application Ref: WD/2023/0590/F dated 1 March 2023, was refused by notice dated 15 September 2023.
 - The development proposed is alteration and extension of a property to include a two storey side extension along with landscaping and level changes to the front garden to allow a revised parking layout.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I understand that revised plans were informally submitted to the Council during the application process but as the application was not formally amended, the Council's decision was based on the plans as originally submitted. The plans as determined by the Council are the plans that I am therefore required to consider.
3. The scheme proposals also related to landscaping and level changes to the front garden. The Council's reason for refusal is specific to the proposed extensions to the existing house. From all the information before me, as well as my site visit, I have no reason to take a different view.
4. The National Planning Policy Framework (Framework) was revised in December 2023. Although some of the paragraph numbering has changed, I do not consider that there are any material changes in the Framework, pertinent to this appeal proposal. It is not therefore necessary to seek the views of the Appellant or the Council on the revised Framework.

Main Issue

5. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing property and on the street scene.

Reasons

6. The appeal property is a detached chalet style residential property at the southern end of a short no-through road of 5 properties of similar scale and design style and set back from Lower Street (B2095) which runs through the

village of Ninfield. Because of its siting close to the junction with Lower Road, the appeal property is more generally visible in street scene views in comparison with the other properties further to the north along Morland Close. The properties within Morland Close sit on modest sized plots with Bexhill Road (A269) running to the rear.

7. The main extension would be at the southern end of the property whereby the existing garage and accommodation over would be replaced with a wider and higher two storey extension. The ridge line would be very marginally set down from the existing highest point of the roof but in street scene views it would be seen as a continuation of the existing ridge line.
8. As existing, the scale and proportions of the existing property are modified by the lower roof slopes on either side of the main hipped gable, which faces to the front and to the rear. In contrast, the new extension would become a very dominant part of the overall property, both in terms of the additional width added to the property and the height and bulky roofscape. It would markedly change the character and appearance of the property and would result in a much larger and bulkier dwelling than existing. I consider that the resultant property would appear overly large within the size of its plot and would harm its existing modest chalet style character and appearance.
9. Although set back from Lower Road, the property is very visible in general street scene views. Although there is a variety to the spacing of buildings around Ninfield, the properties in Morland Close and to the south are generally well spaced. The proposed extension would materially reduce the open spacing to the adjoining building to the south, New Morhouse, by bringing two storey development much closer to the boundary. In views from Lower Road, it would become overly dominant, particular the length and bulkiness of the scale of the extension and new roof addition and would appear overly close to the adjoining property.
10. I therefore conclude that the proposal would not respect the character and appearance of the existing property and would harm the street scene. This would conflict with Policies HG10 and EN27 of the Wealden Local Plan, Section 10 Part 5 of the Wealden Design Guide as well as the Framework, all of which, amongst other matters, seek a high quality of design which respects the local context.

Other Considerations

11. Although the proposal would come much closer to the adjoining property at New Morhouse, given the alignment of the properties, I am satisfied that there would be no material effect on outlook. Were no other matters of concern and planning permission were to be granted a condition could be imposed to ensure obscure glazing to the dressing room window. I am therefore satisfied that there would be no material harm to the living conditions of the immediate neighbours to the south. The Council also did not raise impact on the living conditions of the neighbours as a reason for refusal.
12. The appeal decision provided by the Appellant in respect of an extension to an existing property in Polegate (Appeal Ref: APP/C1435/D/21/3274362) refers to the Wealden Design Guide. I agree with the findings of that Inspector, and as stated in the Introduction to the Guide, that the Wealden Design Guide is intended to be a guide and not prescriptive. However, the Guide is intended to

ensure that new development retains and enhances the quality of the built environment. It is my conclusion that the proposal before me would not achieve these objectives.

13. I have sympathy with the personal reasons for seeking the extensions as proposed but these do not outweigh the harm I have concluded. There would be some limited economic benefits to the local economy but there is no compelling evidence to suggest that such benefits could only be achieved through this particular scheme. The absence of harm in respect of development management issues for example with reference to residential amenity, highways and sustainability do not add support in favour of the proposal; they are neutral factors in the overall planning balance. I am not persuaded that any of the benefits promoted would individually or taken together outweigh the harm I have concluded.
14. The Appellant has referenced that the Council is currently unable to demonstrate a five year housing land supply. Whilst I have no reason to question this statement, this proposal relates to the proposed extension of an existing house and would not have any effect on the housing land supply position.

Conclusion

15. The proposal would not accord with the development plan and there are no other material considerations to override this finding. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR