



Appeal Decision

Site visit made on 9 May 2024

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20TH May 2024

Appeal Ref: APP/P1425/D/24/3341503

Bantams, Spithurst Road, Barcombe BN8 5EE

- 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 Marc Beney against the decision of Lewes District Council.
 - The application Ref LW/24/0003, dated 4 January 2024, was refused by notice dated 8 March 2024.
 - The development proposed is described on the planning application form as "Whilst the existing dwelling at Bantams is generous in size the applicant has a large family and there are no rooms which can provide the accommodation for a workspace/office. The intention is to also use the workspace/office as an overflow for family accommodation when needed".
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue in this appeal is the effect on the character and appearance of the locality.

Reasons

3. The appeal site contains a two storey detached dwelling where there is also a single storey outbuilding used as a garage and store. This is forward of the host property and closer to the carriageway in Spithurst Road. The proposed development involves the construction of a single storey building incorporating this existing structure. The Appellant indicates that the building would be used as a workspace/office and overflow accommodation when required by family members.
4. Bantams is a relatively large two storey dwelling. Nevertheless, the footprint of the proposed building would be a fairly significant proportion of that of the associated dwelling and appreciably larger than that of the existing outbuilding. The length of the south facing elevation, set in a single plane, would be greater than that of the main forward projecting two storey part of Bantams. It would also be broadly similar to its overall length, including the recessed two storey part. The number of windows and front door would also significantly contribute to the new building having the appearance of a dwelling in its own right, regardless of the actual use. The pitched and hipped roof form would further

- add to this impression, in contrast to the somewhat functional and utilitarian flat roof of the existing outbuilding which clearly reads as an ancillary structure.
5. Due to these factors and given its noticeably more prominent position to the front of the dwelling it would be an incongruous and overly dominant presence. It would, in these circumstances, unduly compete with the host dwelling and detract from its open setting. The Council points out that the site is located outside of any planning boundary and therefore in the countryside as defined in the development plan. Given its overtly domestic appearance, suggestive of a new dwelling, the proposal would intensify the existing sporadic residential development set in open countryside that is typically found in the vicinity. Moreover, these adverse effects would be readily apparent in views from the road through the access into the site.
 6. For the above reasons, it is concluded that the development would harm the character and appearance of the locality.
 7. Lewes District Local Plan Part 2 Site Allocations and Development Management Policies, 2020, contains relevant policies. The aims of Policy DM25 include that the scale, massing and proportions of development are compatible with existing buildings and siting responds sympathetically to the characteristics of the site. Policy DM29, as well as other things, intends that the size and design of ancillary buildings relates satisfactorily to the existing dwelling. In the above circumstances there would be conflict with these policies.
 8. Moreover, Policy DM29 also indicates that outside of the planning boundaries proposals should not be of a size or design capable of severance to form an additional dwelling. In this case the proposed layout drawing of the new building includes two bedrooms, a living room, kitchenette, WC and bathroom so that it could readily be used as a separate dwelling. The proposal would, therefore, in this regard also be contrary to this policy.
 9. The Appellant indicates that a workspace/office cannot be provided within the dwelling and that the accommodation is also necessary to provide overflow family accommodation when required. It is also stated that the building would be insulated in excess of Building Regulations requirements. Among other matters referred to are the likely installation of solar panels and an air source heat pump. It is claimed that the existing trees would be retained and indicated how drainage would be provided.
 10. Nevertheless, the above matters do not justify accepting a development that would cause harm in relation to a fundamental planning consideration resulting in conflict with the development plan. Taking account of all other matters raised, it is therefore determined that the appeal fails. In reaching this decision I have considered the photographs provided by the Appellant but they do not alter the above conclusion.

M Evans

INSPECTOR