



Appeal Decision

Site visit made on 20 May 2024

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 28 May 2024

Appeal Ref: APP/D3830/D/23/3332452

15 Oldlands Avenue, Balcombe, West Sussex RH17 6LY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Gary Kingsland against the decision of Mid Sussex District Council.
 - The application Ref is DM/23/1709.
 - The development proposed is New porch.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect that the proposed development would have on the character and appearance of the surrounding area, part of which is within the Balcombe Conservation Area.

Reasons

3. The appeal site is situated on the roughly south side of the largely verge edged and tree lined Oldlands Avenue opposite its junction with Deanland Road. The semidetached appeal dwelling is part of a group of 4 similar early C20 style dwellings, and most of the nearby dwellings beyond them in both directions have a comparable character and appearance. The openness and leafiness in most nearby front gardens on the south side of the road, and within the street, are important to the street scene in Oldlands Avenue, and to the sense of place
4. Whilst the appeal dwelling and its attached neighbour at 16 Oldlands Avenue have been extended at the back, the fronts of the hipped roofed pair, with their barn-hipped and gabled front outshoots, are mirrored by the pair at 13 and 14 Oldlands Avenue, which also have broadly unaltered fronts. So, these 4 dwellings form a group, which makes a positive contribution to the street scene in Oldlands Avenue and harmonises with the simple traditional forms and set back siting of most other nearby dwellings on the south side of the road.
5. The proposal would include a single storey barn-hipped roofed roughly L-plan front extension, which would wrap around much of the existing front outshoot. Due to its scale and siting, the proposal would be squeezed-in by the front facing ground and first floor windows in the outshoot and uncomfortably close to the ground floor (study) window in the main part of the dwelling. Moreover, due to its bulk, scale and height, the proposal would erode the important openness and greenery in the front garden, detract from the dwelling's simple

form, unbalance the semidetached pair, and disrupt the important symmetry in the group, and so, the proposal would be incongruous in the Oldlands Avenue street scene. As the bulky and discordant proposal would be seen in views in both directions from the nearby parts of Oldlands Avenue, and in southward views along the nearby part of Deanland Road, it would harm the character and appearance of the locality.

6. The site is outside the Balcombe Conservation Area, but the nearby parts of Oldlands Avenue including the verges and trees in front of the nearby dwellings on the south side of the road are within the Conservation Area, as is much of Deanland Road. The Conservation Area is mainly characterised by large detached dwellings of various ages and styles with spacious gardens, set in tree and hedge lined roads with wide grass verges. The verdant appearance and spacious character within the Conservation Area contribute positively to its significance as a historic rural settlement.
7. Due to their consistent character, form and age, the group of dwellings at 13 to 16 inclusive Oldlands Avenue makes a positive contribution to the setting of the Conservation Area. As the proposal's bulky form would damage the character and appearance of the appeal dwelling and the group, and it would erode the verdant spaciousness in front of the appeal dwelling, it would detract from the views from the nearby parts of the nearby roads, and from the nearby dwellings and their grounds, within the Conservation Area.
8. In the terms of the National Planning Policy Framework (Framework), the proposal would cause 'less than substantial harm' to the significance of the Conservation Area, and as almost no public benefits have been put to me, they would not outweigh that harm. Moreover, insufficient clear and convincing justification has been put to me to explain why the proposal would be necessary to conserve or enhance the significance of the heritage asset.
9. Little information has been put to me about the other developments referred to by the appellant, but as Appletree and Sloe Cottages are several miles away, Little Meadows is set further back from another road, and the detached garages at Oak View and Cobo are not front extensions to dwellings, their circumstances differ from those of the proposal. So, I have dealt with the scheme before me on its merits and in accordance with its site specific circumstances and relevant local and national policy and guidance.
10. Therefore, I consider that the proposed development would harm the character and appearance of the surrounding area, and that it would fail to conserve the setting of the Conservation Area. It would be contrary to LP Policy DP26 of the Mid Sussex District Plan 2014-2031 (LP) which seeks high quality design and respect for context, LP Policy DP35 which aims to protect the settings of conservation areas, Policy 3 of the Balcombe Parish Neighbourhood Plan 2016-2031 which aims for proposals to reflect the architectural and historic character and scale of the surrounding buildings, and guidance in the Mid Sussex Design Guide Supplementary Planning Document. It would also be contrary to the Framework which aims to achieve well-designed and beautiful buildings and places, and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Conclusion

11. I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.
12. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR