



Appeal Decision

Site visit made on 19 June 2024

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2024

Appeal Ref: APP/U1430/W/23/3331327

Land at Grenada Close, Bexhill-on-Sea TN39 3TN

- 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 S Eldridge against the decision of Rother District Council.
 - The application Ref is RR/2023/1371/P.
 - The development proposed is the conversion of garage to one bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on a) the character and appearance of the area; and b) the living conditions of future occupiers.

Reasons

3. The area is characterised by bungalows and 'chalet' bungalows that generally sit within well sized plots. The buildings are set back from their site frontages and have open front gardens. Whilst spaces between the buildings varies, the area has a pleasant and spacious character.
4. The appeal building sits within its own, small plot and is completely enclosed by close boarded fencing, which distinguishes it from other sites in the area. Nonetheless, the building's appearance, size, height and position mean that it is largely read within the street scene as a smaller, ancillary building.
5. Removing the boundary fencing along the site frontage would help the site to better reflect the prevailing context. Nevertheless, taken as a whole, the proposed changes would mean that the building would very clearly be read as a separate unit, with a separate curtilage and entrance.
6. Not only is the building at odds with the scale of the surrounding dwellings but in combination with its smaller plot and proximity to the adjacent building, when seen as a separate dwelling it would appear cramped and somewhat squeezed in. Any existing incongruity the site has within the established street scene would be exacerbated.
7. I therefore find that the proposal would unacceptably harm the character and appearance of the area. Accordingly, the proposal conflicts with Policies OSS4(iii) and EN3 of the Rother Local Plan Core Strategy 2014 which, amongst other things, require developments to be of a high quality that respect and contribute positively to the character and appearance of the locality.

8. The proposal would also be contrary to Paragraph 135(c) of the National Planning Policy Framework (the Framework) which requires developments to be sympathetic to local character.

Living Conditions

9. Policy DHG7 of the Rother Development and Site Allocations Local Plan 2019 (DaSA) requires that appropriate and proportionate levels of private usable external space will be expected. For dwellings, rear gardens will normally be required to be at least 10 metres in length.
10. The scheme proposes a one person dwelling with small courtyard to the rear and private garden area to the front/side of the proposed dwelling. They would clearly be less than the 10m length sought by the Council and so contrary to Policy DHG7.
11. The courtyard to the rear is limited in size and shape but might be able to accommodate a small table and chairs. However, it's narrowness means that it would be enclosed and overshadowed by fencing and buildings for large parts of the day. It would also be overlooked by the neighbour's side window. It would not therefore be a particularly attractive environment and unlikely to be a space where a resident would wish to spend much time.
12. The garden to the front/side of the building would be a modest area, but a more usable size and shape than the courtyard. Users of this outdoor area would in all probability need to sit, play or garden in proximity to parked vehicles and the bin store. Furthermore, in the short term, the picket fence and hedgerow may not provide much privacy to the garden. In the longer term a taller hedge and side fencing would overshadow much of the area.
13. Although Granada Close may not be a through road, I saw on my site visit that there were people and cars regularly passing the site, even on a weekday morning. Whilst this is only a snapshot, having the dwelling's main garden area to the front of the site, would reduce the levels of privacy future occupiers could enjoy. Overall, the amenity area as provided would not meet normal expectations for outdoor space.
14. I appreciate that one person may not require a large garden of 10m in length and that future occupiers can choose where they live. I have also been presented with details of schemes elsewhere that have been approved with shorter gardens. However, I do not consider that any of those factors overcome the harm I have identified.
15. Consequently, I conclude that the proposed dwelling would not provide future occupants with acceptable living conditions. For this reason, the scheme would conflict with Policy DHG7 of the DaSA which requires, amongst other things, that developments provide appropriate private external space.

Other Matters

16. The proposal is said to meet the requirements of the Nationally Described Space Standards. However, having sufficient internal space would be expected for such a development and represents an absence of harm rather than being a matter which weighs positively in favour of the scheme.

17. The site is close to local services and facilities. However, this is not a matter in dispute and does not alter the harm I have identified above.
18. The appellant points to the lack of harm to neighbours and the local support for the proposed development. However, this in itself does not mean that the current scheme is acceptable and does not in any event absolve me from making an assessment as to its effects in regard to the main issues of the case.

Planning Balance

19. The Council is unable to demonstrate a 5-year supply of deliverable housing land. The balance in paragraph 11 d) of the Framework is therefore engaged.
20. The proposal would make a small numerical contribution to reducing the housing supply deficit but would nevertheless accord with the objective outlined within the Framework to boost the supply of homes from a variety of sites. Given the current under-provision of housing, this attracts considerable positive weight. However, the extent of the benefit would be very modest given the small scale of the development.
21. There would be direct and indirect social and economic benefits of the development, both short-term during construction and longer-term on occupation. However, when associated with a single, one person dwelling these benefits would be limited, and collectively I therefore give them only a small amount of positive weight.
22. Conversely, the support in the Framework for new housing is not at the expense of ensuring that it is sympathetic to the prevailing character of an area or that the amenity of future users is compromised. Indeed, the need to protect these matters is perennial and in direct compliance with the Framework. They are matters which consequently attract significant weight.
23. Therefore, when assessed against the policies in the Framework taken as a whole, the adverse impacts of the new dwelling would significantly and demonstrably outweigh the benefits. The scheme would not therefore be sustainable development.

Conclusion

24. Whilst there would be some beneficial aspects of a new dwelling, considered overall such development would cause harms which would conflict with the development plan when taken as a whole. There are no other material considerations, including the Framework, which lead me to determine the appeal other than in accordance with the development plan.
25. Therefore, I conclude that the appeal should not succeed.

Stewart Glassar

INSPECTOR