

Appeal Decision

Site visit made on 3 September 2024

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2024

Appeal Ref: APP/D3830/D/24/3343993

79 Janes Lane, Burgess Hill RH15 0QP

- 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 Noel Banfield against the decision of Mid Sussex District Council.
 - The application is Ref. DM/24/0555.
 - The development proposed is a single storey and two storey rear extension. Conversion of existing attached garage to habitable accommodation. First floor front hipped roof extension (* see paragraph 2 below).
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Decision

1. The appeal is allowed and planning permission is granted for a single storey and two storey rear extension. Conversion of existing attached garage to habitable accommodation. First floor front hipped roof extension, at 79 Janes Lane, Burgess Hill RH15 0QP in accordance with the terms of the application, Ref. DM/24/0555, dated 29 February 2024 and subject to the following conditions:
 - 1) The development to which this permission relates shall begin not later than the expiration of three years beginning with the date of this Decision;
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building;
 - 3) The development shall be carried out in accordance with the following approved plans: Drawing No. Series 2122: Plan Nos. 041; 042; 043; 044; 045; 046; 047.

Preliminary Matter

2. *The application is a revision to previously approved application Ref. DM24/0189 and it is proposed to add the first-floor front hipped roof extension to the development in that application.

Main Issue

3. The main issue is the effect of the proposed front extension on the character and appearance of the host dwelling and its surroundings.
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Reasons

4. I saw on my visit that appeal property at No. 79 is positioned on a straight stretch of Janes Lane between two bends in the road – in effect an elongated ‘S-bend’ – with detached dwellings of varied designs and set back from the road. However, whilst houses on the southwest side are closer together with more open frontages and for the most part mock Tudor front elevations, the dwellings opposite, including No. 79, are on larger plots in a more verdant setting. As such, they are more discreetly sited and not all of the front elevation of the appeal dwelling can be clearly seen from the entrance. And unlike the houses opposite there is no clear ‘read across’ with neighbouring properties to either side.
5. To the extent that closer examination does reveal any consistency of character and appearance on the northeast side of Janes Lane, it is more one of a large scale than merit of appearance, the houses having been significantly extended with more modern designs. And in this regard I have no doubts as to the credibility of the appellant’s appeal statement, which includes an accurate overall description of the origins and evolution of the 1930’s chalet design properties on the northeast side of Janes Lane.
6. The statement identifies the key features of the original building, including matching monopitch sloping dormers within the pitched roof on either side of the main entrance and an attached single storey garage with its sloping roof abutting the main house gable. It further explains that for most of these houses the garage has been demolished to add a substantial two-storey extension and a third dormer, with the result that *‘the balance and scale of the original house has changed considerably’*.
7. I also agree that even with the proposed first floor front extension the appeal scheme would retain more of the scale and massing of the original dwelling, including the attached albeit converted garage, than is the case with the other altered and extended 1930’s chalet design dwellings including No. 81 next door. The grounds of appeal additionally draw attention to No. 65, which although not one of the original chalet style houses has had a large gabled front extension to replace two of three smaller dormers.
8. Overall, whilst the front extension and already approved rear extension will noticeably change the appearance of the original chalet style dwelling at No. 79, I consider that the alterations and additions in this appeal would maintain more of the original design, scale and massing in keeping with the principles of the Mid Sussex Design Guide SPD 2020 than other updated and extended houses in Janes Road as previously approved by the Council.
9. Accordingly, with its position also set well back in a large and verdant plot, I do not consider the Notice of Refusal to be correct in its assertion that the appeal scheme would be unsympathetic to the existing house or that it would result in a *‘visually dominant and incongruous addition within the street scene that detracts from the appearance and character of the area’*.
10. On the contrary, the extended dwelling would result in a modestly sized building that in my view would make a positive contribution to the locality, including the ‘street scene’ of Janes Lane. And with its bespoke style the dwelling would

qualitatively add to the mix of house types rather more than the larger and formulaic Tudor pastiche houses on the southwest side of the road.

11. Accordingly, there would be no conflict with Policy DP26 of the Mid Sussex District Plan 2014-2031 adopted 2018; Principles DG49 & DG50 of the Mid Sussex Design Guide SPD 2020, or with Government policy in Section 12: 'Achieving Well-Designed and Beautiful Places' of the National Planning Policy Framework December 2023.
12. I shall therefore allow the appeal. A condition requiring external materials to match the existing will ensure a harmonious form of development, whilst a condition requiring the development to be carried out in accordance with the approved plans is needed for certainty and is in the interests of proper planning.

Martin Andrews

INSPECTOR