



Appeal Decision

Site visit made on 17 October 2024

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2024

Appeal Ref: APP/C1435/W/23/3333594

51 Stone Cross Road, Crowborough, East Sussex TN6 3DB

- 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 Peter Gotts against the decision of Wealden District Council.
 - The application Ref is WD/2023/1012/F.
 - The development proposed is an attached one bed bungalow.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. A draft National Planning Policy Framework was published in July 2024. The proposed changes would not materially affect the main issues in this case, so the parties were not invited to make further comments. As the feedback from the recent consultation on the draft document is currently being analysed, it carries very little weight.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site comprises the side garden of a semi-detached bungalow on the corner of Stone Cross Road and Aldervale Cottages in a predominantly residential area. The properties immediately east and north of the site have a uniform design and building line fronting onto both roads. They have small front gardens enclosed by hedgerows and there is a high hedge around the roadside boundaries of the site. Although there is a more varied pattern of development and dwelling types in the wider area, the building line and form and roadside landscaping give this part of Stone Cross Road and Aldervale Cottages a homogenous and verdant character.
5. The proposal is for an additional dwelling attached to the side of the bungalow at 51 Stone Cross Road. It would have a similar height and form to the existing single storey houses. However, the proposed scheme would extend built development significantly forward of the bungalows on Aldervale Cottages, with its flank wall abutting and at a slightly higher level than the adjacent footway. This would be substantially at odds with the existing consistent building line along this part of Aldervale Cottages and the

development pattern of bungalows set back from the street, resulting in a dominant and discordant addition evident in close range views from the road.

6. I acknowledge that there is limited control over the hedge, and it has become overgrown as the appellant struggles to maintain it. I also note that the tree screen along the northern boundary would be retained. Nevertheless, as the proposed building would adjoin the footway on Aldervale Cottages and involve removing much of the side boundary hedge, the scheme would harmfully erode the verdant, landscaped character of this part of the street.
7. The appellant is willing to accept a condition requiring the texture and colour of the facing brickwork to match the existing concrete panelled walls. However, this would not overcome the adverse impact of the proposal on the pattern of development.
8. Consequently, I conclude that the proposal would harm the character and appearance of the area. This would be contrary to saved Policies EN14 and EN27 of the Wealden Local Plan 1998 (LP) and Policy WCS14 and Spatial Planning Objective SPO13 of the Wealden District Core Strategy Local Plan 2013 (CS). Together, these require proposals to provide high quality environments and respect the character of adjoining developments through appropriate site coverage, design and landscaping, amongst other things.

Other Matters

9. The Council did not find harm or development plan conflict in relation to several other matters, including internal and external space, highways, parking, energy and water efficiency, security, fire safety and neighbouring living conditions. However, even if I were to agree with the Council on these points, the absence of harm would be a neutral matter which would not carry weight in favour of the proposal.
10. The proposed development would be likely to have a significant effect, either alone or in combination, on a European habitats site due to its location within 7km of the Ashdown Forest Special Protection Area. However, notwithstanding the appellant's willingness to contribute towards mitigation measures, there is no need to consider the implications of the proposal on the protected site because the scheme is unacceptable for other reasons.
11. I note that there were no objections from local residents, but this does not alter my overall conclusion on the main issue.

Planning Balance and Conclusion

12. The Council accepts that it cannot currently demonstrate a five year housing land supply required by the National Planning Policy Framework 2023 (the Framework). The Council's current position is that it has a 3.92 year housing land supply, 1,556 homes short of the required 7,272 dwellings. This represents a significant shortfall and therefore paragraph 11(d) of the Framework is engaged.
13. Paragraph 11(d)(ii) of the Framework confirms that in such circumstances, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

14. The Framework seeks to boost housing supply and highlights the important contribution small and medium sized sites can make, whilst supporting development which makes efficient use of land. The proposal would make a modest contribution of one additional small dwelling to the supply of housing, making better use of land in an urban settlement with access to public transport and a full range of local services and facilities. It would contribute towards Wealden's housing supply, making a modest difference to addressing the shortfall, and therefore I attribute modest weight to this benefit.
15. In contrast, the proposal would harm the character and appearance of the area. The Framework requires development to be sympathetic to local character and visually attractive. I have concluded that the proposal would conflict with saved Policies EN14 and EN27 of the LP and Policy WCS14 and Spatial Planning Objective SPO13 of the CS. This matter carries significant weight against the scheme.
16. Consequently, the adverse impact I have identified would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. It therefore follows that the proposal does not benefit from the presumption in favour of sustainable development.
17. For the reasons given above, the proposal would conflict with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

A Wright

INSPECTOR