



Appeal Decision

Site visit made on 20 November 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2024

Appeal Ref: APP/P1425/D/24/3350061

Fieldings, 18 Firle Road, Seaford, East Sussex, BN25 2HJ

- 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 Daniel Wood against the decision of Lewes District Council.
 - The application Ref is LW/23/0699.
 - The development proposed is the rebuilding of the front garden wall and relocation of driveway access.
-

Decision

1. The appeal is allowed and planning permission is granted for the rebuilding of the front garden wall and relocation of driveway access at Fieldings, 18 Firle Road, Seaford, East Sussex, BN25 2HJ in accordance with the terms of the application, Ref LW/23/0699, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Site Location Plan at Scale 1:1250 and Drg Nos 01 and 02A.
 - 3) Notwithstanding the approved plans, no development shall take place until the following has been submitted to and approved in writing by the local planning authority:
 - Details of the paving materials to be used within and upon the approach to the site;
 - Details of the proposed mortar mix to be used;
 - Details of any additional flint and bricks beyond what is to be reused from demolition of the existing wall (sample or photograph in context);
 - Details of the method employed to dismantle the existing wall and to retain existing materials for reuse.The development shall be carried out and thereafter maintained in accordance with the approved details/samples.
 - 4) Prior to first use of the development hereby permitted, details of soft landscape works shall have been submitted to and approved in writing by the local planning authority. The details shall include all proposed

planting, including numbers and species of plant, and details of size and planting method of any trees.

The landscaping works shall be carried out in accordance with the approved details in the first planting and seeding season following the completion of the development; any trees or plants which within a period of 5 years from the date of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority gives its written consent to any variation.

- 5) Prior to the construction of the new vehicular access, details of means to prevent the discharge of surface water onto neighbouring land and the public highway shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter maintained in accordance with the approved details.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the street scene, including the wider East Blatchington Conservation Area.

Reasons

3. The appeal relates to a detached dwelling with an existing flint wall to its front boundary that is set behind a roadside grass verge and which is broken by a vehicular driveway entrance, in an approximate central position, and a secondary pedestrian access via a timber gated entrance under a brickwork arch. The site lies within the East Blatchington Conservation Area (CA), a linear residential area with its main focus around the Parish Church of St Peter. The area's development pattern is informal, with predominantly large dwellings of various traditional materials on spacious mature landscaped plots and enclosed by flint and brick walls which are a distinctive feature of the area's character and appearance. The front boundary to No 18 is a typical example and, despite its poor condition in part, makes a positive contribution to the semi-rural character of the CA.
4. The proposal includes dismantling the wall and its reconstruction along the same alignment but with the vehicular and pedestrian access points repositioned.
5. I recognise the importance of the front boundary wall. However, I cannot agree with the Council's assertion that the proposal would reduce the length of continuous flint wall. The proposal is merely a reconfiguration of the same. The front boundary to No 18 would remain set behind the grass verge to the side of Firle Road and would be broken by both vehicular and pedestrian accesses. The wall would be reconstructed to the same height using recovered materials from the existing where possible, along with matching new materials, together with a replica brickwork arch for the gated entrance. There would be no change of any significance to the degree of enclosure to the front of No 18 or to its character and appearance.
6. The existing driveway entrance serves both No 18 and a bungalow (No 18a) to the rear, which was constructed following a grant of planning permission in 2019 (Ref LW/19/0451). The proposed position for the new vehicular access would be equally shared by both dwellings but would provide a straighter

alignment leading to No 18a. The rear dwelling sits deeply recessed behind Firle Road. Any sight of No 18a from the public domain along the proposed new entrance would be merely glimpsed and fleeting from distance, and in any event, of a dwelling that sits comfortable in its setting.

7. The proposal would involve removal of some trees and planting to accommodate the new entrance point. Landscaping is an important feature of the CA. Replacement planting is indicated on the application drawings. Details of this could be secured by condition in order to maintain the rural, landscaped character of the area.
8. Overall, by replicating the form, function, and appearance of the existing wall, I am satisfied that the proposal would cause no harm to the character or appearance of the street scene or to the wider CA. It follows that the CA's significance as a heritage asset would be unaffected. As such, there would be no conflict with Policy CP11 of the Lewes District Local Plan Part 1 – Joint Core Strategy 2010–2030 adopted 2016, or with Policies DM25 and DM33 of the Lewes District Local Plan Part 2 – Site Allocations and Development Management Policies adopted 2020 as far as between them they require development to display a high quality of design that contributes to local character and distinctiveness, and which conserves the significance of heritage assets.

Conditions

9. The Council's officer's report included a schedule of recommended conditions, including a pre-commencement condition relating to materials. I have considered these in light of advice within the Planning Practice Guidance and the National Planning Policy Framework. The appellant has agreed to their imposition in the event of the appeal succeeding.
10. A condition specifying the relevant plans is necessary as this provides certainty. In addition to the landscaping condition mentioned above, I agree that further details of materials and construction methods are required in order to safeguard the sensitive character and appearance of the CA. I also agree that details of means to prevent discharge of surface water onto neighbouring land from the new access is necessary in order to manage flood risk and in the interest of highway safety.
11. The proposal clearly shows the closure of the existing access as an integral part of the development. A condition specifically requiring this to be undertaken is therefore unnecessary.

Conclusion

12. For the reasons given, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR