



Appeal Decision

Site visit made on 6 January 2025

by J E Jolly BA (Hons) MA MSc MCIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 January 2025

Appeal Ref: APP/Y9507/D/24/3347435

18 South Street, Ditching, East Sussex BN6 8UQ

- 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 Justin Wallden against the decision of South Downs National Park Authority.
 - The application Ref is SDNP/24/00604/HOUS.
 - The development proposed is for the removal of existing carport and replacement with double garage, along with the creation of new site access through a section of the existing hedging and flint wall.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For certainty, I have used the description of development given on the Council's decision notice.
3. The National Planning Policy Framework (the Framework) was revised on 12th December 2024. However, I am satisfied that any changes to the Framework have not prejudiced any party in this case. Consequently, in reaching my decision I have therefore had regard to the new Framework published in December 2024, and any reference to Paragraph numbers are to this version.

Main Issues

4. The main issues in this appeal are:
 - whether the proposal would preserve or enhance the character and appearance of the Ditchling Conservation Area (CA); and
 - highway safety

Reasons

Character and appearance

5. The appeal site is located in the CA behind a footpath on the eastern side of South Street, Ditchling which is lined in part by traditional style flint walls and hedging.

6. The surrounding built form in the CA is typified by established residential dwellings that have been constructed using a range of predominantly traditional style materials. The host dwelling has a timber pergola to the front that is directly adjacent to the highway which has an access point to the north of the appeal site. The proposed double garage would replace the existing pergola. Access to the garage would be via a new opening in the flint wall to the south of the existing site entrance.

a) double garage

7. The garage would be constructed in copper, timber and aluminium materials which are likely to weather over time and blend with the host dwelling. Nevertheless, this more contemporary combination of materials would be at odds with the wider built form which, while eclectic, is mostly traditional in appearance.
8. Moreover, without prejudice, while mindful of the Council's previous objection¹ to the pergola and an extant planning permission² for a first-floor extension to the host dwelling, the fact remains even in isolation the proposal would be of some scale and mass in comparison to a simple parking space or the open style and relatively insubstantial structure of the existing pergola.
9. Indeed, notwithstanding the established landscaping, the development would be readily visible by pedestrians using the footway and from motor vehicles when approaching or queuing in either direction along the well-used, narrow road. Consequently, the bulky proposal would diminish the remaining feeling of spaciousness in this semi-rural location before it transitions into the more rural type areas beyond. Additional landscaping would not be adequate mitigation.

b) flint wall

10. A section of the existing hedging and flint wall would be removed to facilitate access to the proposed development. The vintage of the existing flint wall is acknowledged. However, to my mind the traditional type and linear qualities of the wall help to preserve and enhance the CA in this location. As such, the inclusion of a further break in its to accommodate an acceptable visibility splay would weaken its heritage type character. Indeed, the Council's Conservation Officer has stated that proposal would result in 'less than substantial harm' to the CA. I find this to be reasonable.
11. Overall, I conclude that the proposal would fail to preserve or enhance the CA and harm the character and appearance of the area.
12. Subsequently, the proposal would not meet the aims of Policies SD4, SD5, SD12 and SD15 of the South Downs Local Plan 2014-2031 (2019) (SDLP) and Policy CONS4 of the Ditchling Neighbourhood Plan (DNP) which say that development will only be permitted where it utilises architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night and day visibility, elevational and, where relevant, vernacular detailing.

¹ SDNP/12/00600/HOUS

² SDNP/23/04338/HOUS

Highway safety

13. I acknowledge that there has been a low level of collisions and serious accidents in this specific location. However, from the evidence before me I cannot be certain that the visibility splays would be sufficient to satisfy ESCC highways department requirements on this well used section of South Street.
14. Moreover, even if the visibility splays were to be secured by condition, while the reduced vehicle movements from the existing access is noted, the overall movements would still emerge from two rather than one location. As such, as the new entrance would be within walking distance of the shops and services of Ditchling, any multiple vehicular movements competing with the traffic on the main highway, including those entering or emerging from the existing access, would be likely to result in an increased potential for conflict between vehicles and pedestrians, or wheelchair users on the South Street footway, particularly those making their way to the bus stop on the other side of the road.
15. Therefore, taking a precautionary approach, I conclude that the proposal would harm highway safety. It follows then that, the proposal would not meet the requirement of Policies SD19, SD21 and SD22 of the SDLP which are clear that development proposals must demonstrate the continued safe and efficient operation of the strategic and local road networks.

Planning Balance

16. Paragraph 212 of the Framework states that great weight should be given to a heritage asset's conservation. I have found that the proposed development would fail to preserve or enhance the character and appearance of the area, including the CA. In accordance with the Framework, I am required to assess the extent of such harm. I found that the harm to the CA would be 'less than substantial'. Where a development proposal will lead to less than substantial harm to the significance of designated heritage assets, Paragraph 214 of the Framework is clear that this harm should be weighed against the public benefits of the proposal.
17. As such, the proposal would include local employment opportunities connected to the construction of the development. As these opportunities would be short-term, I can only attribute this limited weight. In addition, only minimal weight can be given to the environmental and social benefits associated with the provision of EV parking spaces/reduction in vehicle emissions and cycle storage. Therefore, even in combination, these benefits do not outweigh the harm I have found above.

Conclusions

18. The proposal would harm the character and appearance of the area, including the CA. As such, the proposed development conflicts with the development plan taken as a whole, and as there are no material considerations of sufficient weight to indicate that a decision should be made other than in accordance with the development plan and the Framework, I conclude that the appeal should be dismissed.

J E Jolly

INSPECTOR