

---

## Appeal Decision

Site visit made on 12 December 2017

**by Louise Phillips MA (Cantab) MSc MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 15 December 2017**

---

**Appeal Ref: APP/T1410/D/17/3188664**

**2 Tamarack Close, Hampden Park, Eastbourne, East Sussex BN22 0TR**

- 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 Neil Rowsell against the decision of Eastbourne Borough Council.
  - The application Ref PC/170788, dated 8 June 2017, was refused by notice dated 15 August 2017.
  - The development proposed is an extension to the side to enlarge the lounge and form a third bedroom with en-suite.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The proposal includes a 1.8m close-boarded fence which is not referred to in the description of development above. It is clear from the Council's report that the fence is relevant to the reason for refusal and so I have had regard to it in my decision accordingly.

### Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area.

### Reasons

4. The site forms part of what is described as an "open-plan" estate and Maywood Avenue, to which the appeal property presents a side wall, is indeed characterised by grassy verges and dwellings with largely open and grassy front gardens. The width of the open spaces between the buildings and the road is fairly consistent along the relevant stretch of Maywood Avenue and this gives regularity to the building line.
5. The proposed development is a single storey side extension to a bungalow which flanks Maywood Avenue and fronts Magnolia Walk, a pedestrian footpath. The extension would be substantial relative to the host dwelling, but it would neither unbalance it nor be detrimental to its appearance.
6. However, by virtue of its width and mass, it would represent a significant encroachment into the open grassy verge adjoining Maywood Avenue. Whilst a 2.0m gap would be retained between the structure and the pavement's edge,

this would be quite narrow in the setting described. Moreover, the fence proposed to enclose the land to the rear of the extension would be incongruous in this area where the majority of flank boundary treatments are brick-built. The few examples of fencing I observed are generally set further back from the highway. Overall, both the extension and the fence would interrupt the typically spacious feel of the road frontage.

7. A block of flats has been constructed upon a once grassy area within view of the appeal site but some distance to the east. This certainly contrasts with the single-storey and two-storey dwellings which prevail along much of Maywood Avenue, but it is opposite several other blocks of flats. Thus the context for this existing development is different and it does not alter my findings in the case before me. Further, none of the other developments presented photographically appear to be sufficiently similar to the appeal scheme to lead me to a different decision.
8. Consequently, I conclude that the proposed development would be harmful to the character and appearance of the area. It would therefore conflict with Policies UHT1 and UHT4 of Eastbourne Borough Plan (2001 – 2011) and Policy D10A of Core Strategy (2013), all of which seek development which will protect the character and appearance of the area, visual amenity and local distinctiveness.

#### Other Matters

9. I understand that the land upon which the development would be constructed was previously overgrown and has been cleared by the appellant. This has undoubtedly improved the appearance of the site and exposed the full extent of the open area adjacent to the property. However, this does not alter the harmful effect that the development would have.
10. There have been no objections to the scheme by neighbouring residents and the additional space that the extension would provide would benefit the appellant and his family. Nevertheless, these factors do not offset the harm that I have found.

#### **Conclusion**

11. For the reasons given above, the proposed development would conflict with the development plan and the other material considerations to which I have had regard neither outweigh nor alter that conflict. Thus the development would conflict with the development plan taken as a whole and I therefore conclude that the appeal should be dismissed.

*Louise Phillips*

INSPECTOR