
Appeal Decision

Site visit made on 3 May 2017

by Nick Fagan BSc (Hons) DipTP MRTPI

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

Decision date: 11th May 2017

Appeal Ref: APP/Y9507/D/17/3172641

18 Hamsey Crescent, Lewes, East Sussex BN7 1NP

- 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 Richard Docwra against the decision of South Downs National Park Authority.
 - The application Ref SDNP/17/00414/HOUS, dated 26 January 2017, was refused by notice dated 22 March 2017.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the character and appearance of the area.

Reasons

3. Hamsey Crescent is one of a number of suburban twentieth century residential roads in the Nevill area, which rise up onto the Downs on this western edge of the town. The properties in this area comprise two storey semi-detached red brick houses with pitched and hipped roofs of similar design. No 18, which is paired with No 20, has an existing front and side ground floor extension built hard up to No 16's boundary.
4. The Local Planning Authority (LPA) has no objection to the amount the extension is inset from the front building line of the house. But it argues that the failure to inset the extension from the side boundary would lead to an unacceptable terracing effect, which Policy RES13 of the adopted Lewes District Local Plan (LP) seeks to usually preclude.
5. Permission was recently granted for a similar first floor extension, but which importantly in the LPA's view inset the side wall 200mm from No 16's boundary¹. A very similar extension also inset by this amount has been constructed at No 12².
6. The appellant considers that such a setback is somewhat meaningless, visually awkward and difficult to build. Whilst it may be more difficult to build than an extension flush with the ground floor extension it is clearly possible, as the one

¹ Ref SDNP/16/05989/HOUS approved 24 January 2017

² Ref SDNP/12/01549

- at No 12 demonstrates. I disagree that the example at No 12 is visually awkward. Whilst it may be visually more pleasing if it was setback by more than 200mm this would have severely constrained the width of the new habitable room created, a situation mirrored in the appeal proposal. Hence I consider that the LPA has struck a reasonable balance in allowing a new bedroom of reasonable width whilst seeking to prevent the terracing of Nos 16 and 18, which would occur if No 16 was to build a similar two storey extension.
7. The semi-detached pattern of the houses in Hamsey Crescent and the adjoining roads is a strong and visually important characteristic of the area, which I agree should be preserved. The fact that some two storey side extensions have been built tight up to the common boundary is not a good reason to continue doing so. Clearly some of these extensions were built some time ago, probably under a different policy framework.
 8. I note that the proposal was amended to incorporate a 'secret' gutter detail along the side boundary to avoid overhanging No 16's land. But that would not prevent a terraced appearance in this part of the street scene if No 16 were to build right up to the boundary in a similar fashion, and the LPA would find it difficult to justify refusing such a proposal if it had been allowed at No 18. This in turn could lead to a cumulative terracing effect in the street because it would be very difficult to resist similar extensions on other houses, resulting in the loss of the strong rhythm of the pairs of semi-detached dwellings.
 9. Setting back side extensions from the front wall of these houses helps to reduce the appearance of terracing when looking obliquely down the street. But it does not prevent it when standing opposite and hence I agree with the LPA that there should also be an inset from the side boundary.
 10. In conclusion, I consider that the proposed extension, which contrary to the recent LPA approved application would not be inset from the side boundary, would significantly harm the character and appearance of the area by creating a potential terracing effect at odds with the rhythm of the pairs of semi-detached dwellings in the street and other streets in the area.
 11. I have already indicated above why the proposal would not comply with LP Policy RES13. It would also fail to meet the requirements of LP Policy ST3, namely that development should respect amongst other things the rhythm and layout of neighbouring buildings and the local area generally.
 12. For the reasons given above I conclude that the appeal should be dismissed.

Nick Fagan

INSPECTOR