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## Appeal Decision

Site visit made on 14 August 2017

by **S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI**

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

Decision date: 18<sup>th</sup> August 2017

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### **Appeal Ref: APP/Y9507/W/17/3170839** **5 Barnfield Gardens, Ditchling BN6 8UE**

- 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 Matthew Woods against the decision of South Downs National Park Authority.
  - The application Ref SDNP/16/04862/FUL, dated 25 September 2016, was refused by notice dated 20 December 2016.
  - The development proposed was originally described as a: "garden shed, made from wood, replaces a dilapidated shed in the same location. Design uses the same materials as the surrounding fences".
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### **Decision**

1. The appeal is allowed and planning permission is granted for the replacement of a garden shed at 5 Barnfield Gardens, Ditchling BN6 8UE, in accordance with the application Ref: SDNP/16/04862/FUL, dated 25 September 2016.

### **Procedural Matters**

2. The decision notice described the development as: "the replacement of a garden shed". It has already been erected and I have dealt with the appeal on the basis of this simplified description.

### **Main Issue**

3. The main issue is whether or not the shed preserves or enhances the character or appearance of the Ditchling Conservation Area.

### **Reasons**

4. The appeal property lies within Barnfield Gardens, a cul-de-sac to the east of East End Lane within the Ditchling Conservation Area. I therefore have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that Area. As heritage assets are irreplaceable, any harm or loss requires clear and convincing justification.
5. The cul-de-sac comprises two-storey dwellings dating from the 1930s that encircle a small communal green. Both the properties and the green contribute positively to the Conservation Area. No 5 is half of a pair of rendered dwellings with mock-tudor timber details that were originally symmetrical. This symmetry has been lost as result of alterations, including recent additions to the front, side and rear of No 5.

6. A fence has been erected to separate the driveway and garage from the rear garden. This fence extends along the shared boundary with No 4. As it is less than 2m high and not adjacent to a highway it did not require planning permission.
7. The replacement shed has been erected hard up against this new fence making use of it to form two of its external walls. Only its western elevation can be seen from the street, where the upper part and its partly flat/partly sloping roof protrudes above the fence. Regardless of its non-traditional style it appears ancillary and subservient to the host property. It is set back from the road within a corner site and partially screened by vegetation within the front garden of No 4 as well as the new fence. It is also seen against the backdrop of the mature trees to the rear of the garden. This combination of factors ensures that the shed is not prominent within the street scene.
8. The building line on the south side of Barnfield Gardens is defined by the garages that project from the front elevations of Nos 5 and 6. These are constructed of brick with tiled roofs. No 6 has a shed in front of this building line, the dual-pitched roof of which can be seen above the boundary hedge. The shed at No 5 is larger and has a different roof form. However, in the context of the houses and gardens that surround the central green, it does not appear out of character, or result in a harmful breach of the building line.
9. No details of the previous shed on the site were provided, so it has not been possible to make meaningful comparisons with its replacement. There do not appear to be any specific policy requirements that would prevent it being attached to the boundary fence.
10. Taking all these factors into account I conclude that the shed is not harmful to the character or appearance of the area. The Ditchling Conservation Area is therefore preserved and there is no conflict with Policy CP11 of the Lewes District Local Plan Part 1: Joint Core Strategy<sup>1</sup> or saved Policies H5, RES18 or ST3 of the Lewes District Local Plan. These policies, amongst other things, require ancillary buildings not to dominate the street scene, especially in areas protected for their historic interest.

### **Other Matters**

11. The Parish Council and local residents also expressed concern about land ownership and covenants. As these are not planning matters, they cannot be addressed in the context of a S78 appeal but will need to be resolved by the affected parties.

### **Conclusions**

12. For the reasons given, I conclude that the appeal should be allowed. As the shed has already been erected no conditions are necessary.

*S Holden*

INSPECTOR

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<sup>1</sup> Prepared and adopted by Lewes District Council and the South Downs National Park Authority