



Appeal Decision

Site visit made on 13 September 2006

by **Katie Peerless Dip Arch RIBA**

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquires@planning-
inspectorate.gsi.gov.uk

Date: 3 October 2006

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The application Ref WD/2005/3251/F, dated 25 November 2005, was refused by notice dated 23 January 2006.
- The development proposed is the demolition of dilapidated garage and storage building and the erection of two detached houses, five parking bays and storage for refuse, bicycles and recycling bins

Decision

1. I allow the appeal, and grant planning permission for the demolition of dilapidated garage and storage building and the erection of two detached houses, five parking bays and storage for refuse, bicycles and recycling bins at land to the rear of High Street, Uckfield, East Sussex in accordance with the terms of the application, Ref WD/2005/3251/F, dated 25 November 2005, and the plans submitted therewith, subject to the following conditions:
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.
 - 2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall only be carried out in accordance with the approved details.
 - 3) No dwelling shall be occupied until space has been laid out within the site for vehicle parking in accordance with the approved drawings and the space shall thereafter be retained for this use.
 - 4) No development shall take place until details of the access onto the site have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme before the dwellings hereby approved are first occupied.
 - 5) The developer shall give seven days notice of commencement of work to the local planning authority and thereafter afford access at all reasonable times during the construction period to any archaeologist nominated by the local planning authority, and shall allow that person to observe the excavations and record items of interest and finds.
 - 6) No development shall take place until full details of both hard and soft landscape works and boundary treatments have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved in the first planting season following the occupation of the dwellings.

Appeal Decision APP/C1435/A/06/2017974

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additions or alterations within Classes A-H of Part 1 of Schedule 2 of the Order shall be carried out without the prior written approval of the local planning authority.

Reasons

2. The appeal site, although lying within the Uckfield Town Centre Conservation Area, is not, in my opinion, making a positive contribution to it. Despite affording views of the rear of some of the listed buildings in the High Street, in particular the former 'Ye Maidens Head' hotel, the site is an undistinguished car park and the wide gap that contains the access to it contrasts somewhat unfavourably with the attractive urban grain of the other buildings in this part of the conservation area. There is much variety in the size, type and age of development in Uckfield and it is the clustered juxtaposition of many of the buildings that have created the interesting and historic character of the area. In my view, there should be no objection to the introduction of sympathetic additions into this context, provided that they respect the scale and detailing of the other properties nearby.
3. The two proposed houses would use traditional materials and are of a scale and design that, in my view, would sit comfortably in this location. They would clearly be modern, but of a modest scale and attractive detailing that would help them to be quickly assimilated into the townscape. I consider that the proposed house A, adjacent to No 14 Church Street, would help to close the unsightly gap noted above and improve the appearance of the street scene. Similarly the proposed house B, to the rear of the site, would help to reinforce the courtyard layout of the group of buildings, without being overly prominent in any important views that contribute to the appearance of the conservation area.
4. The existing views of the rear of 91 High Street and the 'Just So' bar would remain and although the character of the former service yard to the rear of the High Street buildings would necessarily be altered, the function of some of the surrounding buildings has also changed and the appeal scheme would reflect this continuing adaptation. Consequently, I consider that the proposal would enhance the character and appearance of the conservation area and accord with Development Plan policies aimed at protecting such areas.
5. Turning to the issue of highway safety and parking, I consider that the proposed use of the site is not likely to increase traffic using the access point, and consequently there would be no impact on levels of highway safety. There seems to be some conflict between the requirements of the Highway Authority and the aspirations of the local planning authority over the future width of the access. However, this could be resolved by the imposition of a condition attached to any planning permission requiring details to be approved before the commencement of development. There is sufficient space to allow for a widening the access if this is thought to be appropriate, without affecting the position of house A and vehicular access to the rear of the High Street properties would be maintained.
6. I note that a previous planning application requires two parking spaces to be provided for the existing houses adjacent to the entrance to the site and that these would not be retained as dedicated spaces if the appeal proposal went ahead. However, the scheme provides for a total of five parking spaces, three of which are allocated as visitor spaces and the appellant indicates that two of these would be available to the existing residents. The remaining three spaces equate to an average of 1.5 spaces per dwelling, which is in line with the latest Government guidance.

2

7. There is a public car park adjacent to the appeal site, others are a short walking distance away and the Council has not suggested that the site needs to be retained to serve the parking needs of the other buildings. The Council has powers to take action against unauthorised parking on the public highway and the possibility of this occurring on private land in the ownership of the appellant is not a matter that I consider should weigh against this scheme.
8. In addition to the standard commencement requirement, I have imposed conditions regarding the submission of details of the external materials, a landscaping scheme and boundary treatments to ensure the satisfactory appearance of the site. I have required the parking areas to be provided and retained and details of the access point to be agreed with the local planning authority, in the interests of highway safety. As the site lies within a conservation area, I consider that access for an archaeological inspection is required. For the same reason I consider that any alterations or additions to the new dwellings should be approved by the local planning authority and I have therefore imposed a condition removing some permitted development rights.
9. Subject to these conditions, for the reasons given above and having regard to all other matters raised, I conclude that there would be no conflict with the relevant Development Plan policies and the appeal should consequently be allowed.

Katie Peerless

Inspector