
Appeal Decision

Site visit made on 17 August 2016

by Jane Miles BA (Hons) DipTP MRTPI

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

Decision date: 23 September 2016

Appeal Ref: APP/C3810/W/16/3151935

Byway House, 1 The Byway, Middleton-on-Sea, West Sussex PO22 6DR

- 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 Christopher Smyth against the decision of Arun District Council.
 - The application ref: M/123/15/PL, dated 1 December 2015, was refused by notice dated 24 February 2016.
 - The development proposed is 'extension of care home at ground and first floor level on south elevation to provide additional lounge space, ancillary office and additional bedroom'.
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Decision

1. The appeal is allowed and planning permission is granted for extension of care home at ground and first floor level on south elevation to provide additional lounge space, ancillary office and additional bedroom at Byway House, 1 The Byway, Middleton-on-Sea, West Sussex PO22 6DR, in accordance with the terms of the application ref: M/123/15/PL, dated 1 December 2015, 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) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 site location plan and drawing nos. 2015/26/01a, 2015/26/04a & 2015/26/05a.
 - 3) The materials and finishes to be used in the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Procedural Matter

2. During the application process the depth of the ground floor extension was reduced slightly and its shape was altered at one corner. The Council's refusal relates to the revised plans, as does this appeal decision.

Reasons

3. The **main issue** in this appeal is the effect of the proposals on the character and appearance of the surrounding area.

4. The existing 16-bed care home is a substantial building on a corner plot at the junction of The Byway with Middleton Road. The locality generally is characterised by detached and semi-detached dwellings of varying heights and designs on generous plots featuring deep frontages and long rear gardens. The designation of the locality as an Area of Special Character in the Arun District Local Plan (LP) (2003) stems in large part from these features and from mature garden planting.
5. As a result of previous extensions Byway House is atypical in that it is a larger building than nearby dwellings and projects further towards Middleton Road than is characteristic. Part of the forward projection is a single storey element with a flat roof which currently detracts from the character and appearance of the existing building. Even so, and not least because of the enclosed and well vegetated front garden area, the flat-roofed element has little impact on the street scenes or on the characteristic sense of spaciousness.
6. The proposed first floor addition would not project any further forwards than the existing single storey element and its ridgeline would be slightly lower than that of the adjacent roof. It would mirror the existing building in terms of design and roof form and matching materials could be required by condition. Thus, even though this extension would be visible in the street scenes, it would be a harmonious addition to the existing building.
7. The ground floor extension would project some 3m further into the front garden area. However, given the overall size and varied form of the existing building, the extension would not appear disproportionate. Moreover the pitched roof feature around the edges of the entire ground floor element would be a positive improvement in visual terms. The size of the front garden area would be reduced somewhat but an attractive and useable area would remain.
8. In particular, given the nature of the boundary treatments and landscape screening around the frontage, this additional built form at ground floor level would have relatively little visual impact on views along Middleton Road or across the appeal site. It would have less, if any, impact on the character of The Byway (a private road) beyond the care home. I find therefore that this element of the appeal proposals would not detract from the character and appearance of the street scenes or the surrounding area to any significant degree.
9. On the main issue therefore I conclude the appeal proposals would neither unacceptably harm the character and appearance of the surrounding area nor amount to a harmful overdevelopment of the site. I find no material conflict either with development plan policy which seeks to ensure high quality design and layout and development that respects local character and distinctiveness (saved Policies GEN7 and AREA1 of the Arun District Local Plan (2003)) or with additional guidance in the Village Design Statement for Middleton on Sea. Nor would the proposals conflict with those elements of policies in the emerging Arun Local Plan 2011-2031 that are consistent with the *National Planning Policy Framework*.
10. With regard to other matters I note the concerns of many local residents about continuing growth of the care home in terms of increased activity, parking and vehicle movements. However, as the appeal proposals would add only one additional bedroom, I find insufficient grounds to conclude they would result in any material harm in these respects. Given the orientation and position of

Byway House relative to its neighbours to the west and east, the appeal proposals would not result in loss of privacy, light to or outlook from those properties. Neither these nor any other matters raised are sufficient to alter or outweigh my conclusions on the main issue. These indicate the appeal should succeed and planning permission should be granted subject to conditions.

11. A condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of proper planning. As already mentioned, a condition requiring matching materials should be imposed, in the interests of visual amenity. However, in the absence of any detailed explanation of the need for a complex surface water drainage condition of the kind suggested by the Council, for relatively small scale additions to an existing building in an established residential area, I find no justification for such a condition.

Jane Miles

INSPECTOR