

Appeal Decision

Site visit made on 5 December 2016

by C Jack BSc(Hons) MA MA(TP) MRTPI

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

Decision date: 19TH December 2016

Appeal Ref: APP/L3815/D/16/3160340

Alkerton House, 58 James Street, Selsey PO20 0JG

- 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 Tony Gradden against the decision of Chichester District Council.
 - The application Ref SY/16/02420/DOM, dated 19 July 2016, was refused by notice dated 14 September 2016.
 - The development proposed is a first floor extension over the side extension of the permitted planning application (Ref 15/02712/DOM).
-

Decision

1. The appeal is allowed and planning permission is granted for a first floor extension over the side extension of the permitted planning application (Ref 15/02712/DOM) at Alkerton House, 58 James Street, Selsey PO20 0JG in accordance with the terms of the application, Ref SY/16/02420/DOM, dated 19 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: BD542 LP01; BD542 BP01; PE01-1,2,3,4 (Proposed Elevations); and PP01-1,2,3 (Proposed Plans).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Preliminary Matters

2. The Council has previously approved various extensions and alterations to the appeal property including the use of grey slate roof tiles, Refs 15/02712/DOM and 16/01975/DOM, construction works associated with which were underway at the time of my visit. Matters related to previous approvals, including consistency of works with the approved plans and the discharging of any conditions in relation to materials or otherwise, are outside the scope of the appeal before me, which relates to the proposed additional first floor side extension only.

Main Issues

3. The main issues are the effect of the proposed development on i) the character and appearance of the area and ii) the living conditions of neighbouring occupiers.
-

Reasons

4. 58 James Street is a substantial detached house in a small close of varied detached properties, situated off James Street. The house faces Selsey East Beach at the rear.
5. It is proposed to add a first floor extension above the previously approved and part-constructed single-storey side extension to the south-west elevation. The proposed extension would provide additional living space on the first floor, where the main living area and kitchen will be, as previously approved. The ground floor of the house will provide the main sleeping area. The proposed extension would essentially mirror that which has been constructed on the north-east side of the house, being set back a little from the main front elevation and featuring a triangular roof window and Juliet balcony at the rear.

Character and appearance

6. No 58 is set in a corner position, where the south-west elevation is well tucked-away at the end of the close. As a result, the proposed extension would be largely hidden behind the main house when viewed from the close and would be almost entirely screened when viewed from St James Street itself, from where 54 St James Street and 60 St James Street feature more significantly in the streetscene. The design, scale, height and increased width and massing of the proposed extension would be consistent with the previously approved extensions and alterations to the property. The effect on the character and appearance of the streetscene would therefore not be significant.
7. The south-west elevation is open to clear view from the beach and from the grassed strip along the back of the beach. However, in these views the proposed addition would be seen against the backdrop of the main house and the other residential properties behind. It would be set back from the main rear elevation and set down from the main ridge height and so would appear subservient to the host property. In these views it would also provide some symmetry with the existing extension on the north-east side. However, this is only a minor consideration as the single-storey side extension as approved would not result in a significantly unbalanced appearance to No 58, given the context of mixed house styles where single-storey extensions are a part of the general character and appearance of the area. Notwithstanding, the proposed extension would appear reasonably subservient to the main house and would not be out of character or unduly prominent in views from the beach area.
8. For these reasons, I conclude that the proposed development would not harm the character and appearance of the area. I therefore find no conflict with Policy 1 of the adopted Chichester Local Plan: Key Policies 2014-2029 (CLP), which sets out the presumption in favour of sustainable development, or with Policy 33 of the CLP, which relates principally to the design of new and replacement homes. The proposed residential extension would nonetheless respect the character of the surrounding area and site, and its setting in terms of its proportion, form, massing, siting, layout, density, height, size, scale, and detailed design. I also find no conflict with Paragraphs 14 and 17 of the National Planning Policy Framework, which set out the presumption in favour of sustainable development and the core planning principles, or with Paragraphs 56, 58, 61 and 64, which relate to aspects of good design.

Living conditions

9. The flank wall of the proposed extension would face the side of 47 Beacon Drive. There would be reasonable separation between the flank wall and the common boundary and the closest element of No 47 to the proposal would be the existing detached double garage.
10. The proposed extension would have no windows in the side elevation, whereas the previously approved side elevation showed kitchen and living room windows in the side elevation at first floor level, facing No 47. In this respect, the proposed extension would represent a benefit in terms of privacy in relation to No 47, particularly with regard to the side garden area. The rear garden of No 47 is sufficiently separated from No 58 such that the effect of any overlooking arising would not be inconsistent with that to be reasonably expected in an established residential area of this nature, even when taking account of the main living accommodation being at first floor level at No 58.
11. There would be full height windows in the rear elevation of the proposed extension, with a Juliet balcony, which would not allow for standing out. A conventional balcony has been previously approved across almost the full width of the main rear elevation, and this is under construction. This would allow for some overlooking of the front garden area of No 47, particularly the lawned area between the garage and the beach. The proposed extension therefore would not worsen the existing situation in respect of the front garden area, which is anyway open to public views from the beach area. Furthermore, balconies, including Juliet balconies, are a fairly common feature in the vicinity, particularly on seaward elevations.
12. The proposed extension would be located further from No 54 than the main house, and set back behind the main front elevation. The separation distance would be consistent with that to be reasonably expected in this area. As a result, the extension would have no significant effect on the level of privacy experienced at that property, including in the rear garden.
13. The proposed extension would be oriented to the north-east of No 47 and taken together with the degree of separation would therefore not result in any significant effect in relation to daylight or sunlight received at the neighbouring property. Furthermore, when viewed from No 47, the extension would be seen against the backdrop of the main house and so would not be significantly prominent, obtrusive or overbearing to No 47.
14. For these reasons, I conclude that the proposed development would not harm the living conditions of neighbouring occupiers. Accordingly I find no conflict with Policy 1 of the CLP, which sets out the presumption in favour of sustainable development, or with Policy 33 of the CLP, which relates principally to the design of new and replacement homes. The proposed residential extension would nonetheless respect neighbouring and public amenity. I also find no conflict with Paragraphs 14 and 17 of the National Planning Policy Framework, which set out the presumption in favour of sustainable development and the core planning principles, including securing a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

15. I have considered the various other matters raised by interested parties, including in relation to piecemeal overdevelopment and on-going noise and disturbance during construction. I note that there have been previous applications relating to the various extensions and alterations to No 58 and I have considered the appeal proposal on its merits and in the context of the recent planning permissions. For the reasons given above, I have found the proposal to be acceptable in terms of character and appearance and the living conditions of neighbouring occupiers and accordingly I consider that while there may have been several iterations of the redevelopment of the property, the proposed development before me would not result in overdevelopment. The construction works associated with the proposed development may result in some noise and disturbance to nearby residents. However, this would be temporary and there is no significant evidence before me that construction on site is not being appropriately managed or is being undertaken at particularly antisocial times. These various other matters therefore do not attract sufficient weight to outweigh my findings in relation to the main issues above.

Conditions

16. In addition to the standard three year time limit for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans, as this provides certainty. I have also imposed a condition relating to external materials as this is necessary to ensure the satisfactory appearance of the development.

Conclusion

17. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

Catherine Jack

INSPECTOR