
Appeal Decision

Site visit made on 26 January 2017

by R J Maile BSc FRICS

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

Decision date: 7th February 2017

Appeal Ref: APP/U1430/D/16/3162615

Penor, 1 Smeatons Lane, Winchelsea Beach, Winchelsea, East Sussex, TN36 4LW.

- 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 & Mrs C Nason against the decision of Rother District Council.
 - The application, ref: RR/2016/1947/P, dated 19 July 2016, was refused by notice dated 20 September 2016.
 - The development proposed is two storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for two storey rear extension at Penor, 1 Smeatons Lane, Winchelsea Beach, Winchelsea, East Sussex, TN36 4LW, in accordance with the terms of the application, ref: RR/2016/1947/P, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no. 5166/LBP:	Location Plan – scale 1:1250; Block Plan – scale 1:500.
Drawing no. 5166/EX:	Existing Floor Plans and Elevations – scales 1:50 and 1:100.
Drawing no. 5166/1/B:	Proposed Floor Plans and Elevations – scales 1:50 and 1:100.
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Main Issue

2. The main issue here is the effect of the proposed extension upon the character and appearance of the host building and that of the surrounding area.

Reasons

3. Penor comprises a detached, post-war chalet located within a run of five similar dwellings erected during the 1980's overlooking Rye Harbour Field Recreation Ground. To the rear is an unmade track (Old Harbour Farm Lane) which is set below the back garden of the subject property.
4. The scheme before me has been scaled down from a previous proposal and the rear elevation amended following discussions with Council Officers. Although the extension, with a depth of almost 4m, would create a bulky addition to this modest chalet bungalow its impact has been reduced by virtue of the two small gable end roofs with their barn-end format.
5. Subject to the use of matching materials, these amendments have enabled me to conclude that, on balance, the extension as now proposed would respect the character and appearance of the host building. In particular, its siting to the rear of Penor will ensure that the appearance of the front elevation, in this run of five similar properties, would remain intact.
6. The new extension would not be visible from Smeatons Lane or the recreation ground opposite. The lower level of Old Harbour Farm Lane to the rear and the solid fence to the rear boundary of the back garden will also ensure that views of the extension from the public domain would be very limited.
7. For all of these reasons I have found upon the main issue that development as proposed would not be harmful to the character and appearance of the host building or that of the surrounding area as required by national policy at Chapter 7 (Requiring good design) of the Framework¹, Policies EN3 and OSS4 of the Core Strategy² and "saved" Policy HG8 of the Local Plan³.

Conditions

8. The Council has suggested a total of three conditions should I be minded to allow the appeal. I have considered these against the tests of the Framework and advice provided by the Government's Planning Practice Guidance issued on 6 March 2014 and find all to be reasonable and necessary in the circumstances of this case. My reasons for the conditions are:
9. Condition 1 is the standard commencement condition imposed in accordance with section 91(1) (a) of the Town and Country Planning Act 1990. Condition 2 will ensure a satisfactory appearance to the completed development, in the interests of the visual amenities of the area.
10. Condition 3, which requires the development to be carried out in accordance with the approved plans, provides certainty.

¹ The National Planning Policy Framework.

² The Rother Local Plan Core Strategy (September 2014).

³ The Rother District Local Plan (July 2006).

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed.

R. J. Maile

INSPECTOR