

Appeal Decision

Site visit made on 7 February 2017

by H Lock BA(Hons) DipTP MRTPI

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

Decision date: 14 February 2017

Appeal Ref: APP/C3810/D/16/3164474

23 Manning Road, Wick, LITTLEHAMPTON, West Sussex, BN17 7HT

- 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 Mrs Sharon Vickery against the decision of Arun District Council.
 - The application Ref. LU/165/16/HH was refused by notice dated 23 September 2016.
 - The development proposed is described as 'porch added to the front of the property to store buggies/car seats in after taking on 2 grandchildren'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. The development the subject of this appeal has been constructed. However, question 3 of the planning application form states that the work has started but is not yet complete. There is no indication in the appeal submission of what work is outstanding, although the planning application form suggests that search for a paint colour closer to the brickwork of the house was on-going. The submitted plans do not include elevations of the porch, and for the avoidance of doubt I have determined this appeal on the basis of the structure as built.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the appeal property, the terrace of which it forms part and the wider street scene.

Reasons

5. The appeal property is a mid-terrace house within a residential area that comprises dwellings which share many characteristics in terms of design, detailing and materials. In particular, this form of terrace is a characteristic feature in the vicinity, and as such there is a degree of uniformity to the estate. The dwellings in this and other nearby terraces have flat roofed canopies over
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doorways. Elsewhere on the estate there are some pitched roof canopies, but there are few examples of individually-designed porches.

6. There is little screening to the front gardens at this point in Manning Road, and as a result the porch is highly visible in the street scene. Its size and materials, including the striking colour finish, do not aid its integration in the streetscene, and it appears incongruous relative to the simple and uniform façade of the remainder of the terrace. However, I am not convinced that a change in colour finish alone would mitigate the adverse visual impact of the porch on its setting. The porch does not display the high quality design sought by Policy GEN7 of the Arun District Local Plan 2003 (LP), and is not visually integrated with the existing building in terms of design, form, scale and materials, as required by LP Policy DEV19; its incongruous appearance means that it compromises the established pattern of the street in conflict with that policy.
7. The appellant advises that the addition was built in the belief that it did not require planning permission, but it exceeds by some margin the size of a porch which could be constructed as Permitted Development¹ (PD). I have considered the 'fallback' position of a PD development, which could be constructed in the same materials as the appeal development. However, as such a development would be materially smaller in size than the structure as built it would have less visual impact on the dwelling, the terrace and the wider streetscene, and as such it would not warrant approval of the appeal scheme.
8. I am mindful of the stated need for the extension, and note the appellant's suggestion that it is only needed for 2 or 3 years, and could be removed if the family were to leave the property. However, the application did not seek a temporary planning permission, and I do not consider that the imposition of a condition requiring removal of the porch would be appropriate, having regard to the National Planning Practice Guidance², that a condition requiring the demolition after a stated period of a building that is clearly intended to be permanent is unlikely to pass the test of reasonableness. Moreover, on the basis of the evidence in this appeal, I am not persuaded that the appellant's circumstances are so exceptional as to justify acceptance of the development, and would not outweigh the harm to the streetscene that has been identified.
9. I therefore conclude that the development adversely affects the character and appearance of the appeal property, the terrace of which it forms part and the wider street scene, and conflicts with the aims of LP Policies GEN7 and DEV19. Although these policies predate the publication of the National Planning Policy Framework (the Framework), they are broadly consistent with that document, and I therefore accord them appropriate weight. The Council has drawn attention to emerging policies of the Arun Local Plan 2011-2031 Publication Version 2014, but as there may be unresolved objections to its policies I have given them limited weight.

Conclusion

10. The Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting

¹ By virtue of Class D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

² Paragraph: 014 Reference ID: 21a-014-20140306

and enhancing the built environment. A core planning principle of the Framework is to always seek to secure high quality design, but for the reasons given above the proposal would not comply with this principle and would not be sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR