
Appeal Decision

Site visit made on 17 May 2017

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 23 May 2017

Appeal Ref: APP/U1430/D/17/3168712

41 Fair Meadow, Rye TN31 7NL

- 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 Nixon against the decision of Rother District Council.
 - The application Ref RR/2016/2445/P, dated 15 September 2016, was refused by notice dated 17 November 2016.
 - The development proposed is the erection of a two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: the effect of the proposal on the character and appearance of the host dwelling and the immediate locality, and on the living conditions of the occupiers of neighbouring residential properties.

Reasons

3. The appeal site comprises a detached bungalow located on the southern side of Fair Meadow which is a cul-de-sac. There are similar bungalows to either side and along the southern side of the road, but elsewhere there are detached two storey houses of differing designs. The character is thus mixed from an architectural point of view.
4. I acknowledge that the proposed extension would not be prominent from the road, albeit both flank walls would still be apparent. However, notwithstanding mature vegetation to either side boundary at the rear, it would be clearly visible from both adjoining neighbours. From those perspectives, I do not agree that the extension would be subservient to the existing bungalow. On the contrary, and despite the limited increase in footprint, it would appear effectively as a large box like two storey flat roof extension, breaking through the eaves line and having little regard to the more modest proportions and hipped roof nature of the existing bungalow. It would be an incongruous addition, at odds with the character and appearance of both the host dwelling and that of its neighbours and would cause visual harm as a result.
5. I acknowledge that there are other flat roof extensions in the vicinity, including a single storey extension next door at No 39. However whilst I did not observe any of the same scale and proportion which have resulted in the concerns

identified above, it is not a good reason in any case, to allow an extension which would cause further individual harm. Similarly, the lack of local objection to the proposal does not necessarily make it acceptable having regard to Development Plan policy.

6. The appellant refers to examples of extensions which apparently could be constructed under permitted development. However, whilst such options are not before me, in my view both would retain the essential character of the existing dwelling, particularly by respecting the existing eaves line.
7. Turning to the impact upon living conditions of neighbouring properties, I acknowledge that the substantial boundary vegetation would limit the extent of overlooking. However, the full height nature of four glazed windows/doors which would span the greater width of the extension, would create a strong perception of overlooking even if it was not an actual one. Although not decisive in its own right, particularly having regard to an existing dormer at No 39 which overlooks adjacent rear gardens, it adds to my overall concerns about the proposal.
8. Although the appellant considers that the wording of Policy H8 of the Council's local Plan 2006 (LP) is somewhat vague, its objectives are consistent with guidance within the National Planning Policy Framework and particularly paragraph 56 which refers to the importance of design of the built environment, which is a key aspect of sustainable development. Reference is also made to emerging policy in the Council's Development and Sites Allocation Local Plan, but I attach little weight to that given that it is at an early stage of consultation.
9. For the above reasons, the proposal would be contrary to Policies OSS4 (ii) and OSS4(iii) of the Council's Core Strategy 2014, and Policy HG8 of the LP, in that it would not be in keeping with the character of the existing dwelling, would detract from the locality and would harm the amenities of adjacent properties.
10. Accordingly, the appeal is dismissed.

Kim Bennett

INSPECTOR