
Appeal Decision

Site visit made on 10 October 2017

by David Cliff BA Hons MSc MRTPI

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

Decision date: 17th November 2017

Appeal Ref: APP/L3815/W/17/3180521

37 Marine Drive West, West Wittering, Chichester PO20 8HQ

- 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 and Mrs S Shaw against the decision of Chichester District Council.
 - The application Ref WW/17/00533/FUL, dated 17 February 2017, was refused by notice dated 5 May 2017.
 - The development proposed is demolition of existing property and construction of replacement dwelling.
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Decision

1. The appeal is dismissed and planning permission is refused in so far as it relates to the proposed detached garage.
2. The appeal is allowed and planning permission is granted in so far as it relates to the construction of a replacement dwelling (not including the detached garage) at 37 Marine Drive West, West Wittering, Chichester PO20 8HQ in accordance with the terms of the application, Ref. WW/17/00533/FULL, dated 17 February 2017, and the plans submitted with it, so far as relevant to the development hereby permitted and 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: DWG 001 E, DWG 002 C, DWG 003 E, DWG 004 E, DWG 005 E, DWG 006 C, DWG 007 C, DWG 008 C.
 - 3) No development shall take place (other than demolition) until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
 - 4) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Construction Method Statement shall be adhered to throughout the demolition and construction period for the development. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;

- iii. storage of plant and materials used in constructing the development;
- iv. measures to control the emission of dust, dirt and noise during construction and demolition.

Preliminary Matter

- 3. Although the planning application form states the site address to be on Marine Drive, it is clear from the other documents, including the Council's decision notice and notification letters that the appeal site is on Marine Drive West. This is confirmed by the appellant and I have therefore used this road name in the site address above.

Main Issue

- 4. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

- 5. The proposed replacement dwelling would have a larger front print and would be higher, though only to a limited degree, than the existing dwelling. It would also contain second floor roof accommodation within the roof space which would be provided through the use of front and rear dormer windows and gables.
- 6. I have had regard to the West Wittering Village Design Statement including the requirement that new development should maintain the spaces between buildings and reflect the height of adjacent properties. In this case the spacing to the side boundaries would be similar to the existing dwelling and the height, whilst greater than the existing, would not be dissimilar to the heights of other properties in the immediate vicinity of the site.
- 7. The depth of the proposed dwelling would be considerably greater than that of the existing. Nevertheless, the siting of both the front elevation and the rear elevation facing West Beach Road would generally be in accordance with the building line created by other neighbouring properties. Although the resulting building would be amongst the largest in the road, given the mixed form of buildings in the streetscene and the factors set out above, I do not consider that any significant harm would result from its overall size and form upon the streetscene and surrounding area.
- 8. The design would incorporate large glazed areas, rear balcony and gables. In addition, the roof would incorporate a crowned area of flat roof. However, taking into account the considerable variety in the design, facing materials and roofs of dwellings in the vicinity, I do not consider that the overall design including the area of flat roof would be harmful in the context of the existing streetscene. The steep pitched roof slopes would add to the overall bulk of the dwelling, but not in my view to an unacceptably degree. The pitched ends of the roof in comparison to the gable ends of the existing dwelling would also serve to limit its overall bulk in comparison to the existing in views from the front and rear of the site.

9. I have considered the appeal decision¹ referred to by the Council at 27 Coney Six. However, from the limited details available of that proposal, whilst the schemes appear to have some similarities, I am not convinced the context is the same. I have considered the current appeal on its own merits and circumstances and the findings of the Inspector at 27 Coney Six do not alter my conclusions.
10. The proposed garage would be located adjacent to the front of the site. It would be closer to the road than the existing garage which is set back from the frontage, thereby limiting its prominence in the streetscene. The proposed garage would also incorporate a front gable directly facing the front of the site, increasing its dominance along this frontage. In comparison the roof slope of the existing garage slopes away from the road frontage.
11. I acknowledge that there are other garages in the road, some of considerable size, to the front of properties. However, in this particular part of the road, the garages tend to be set back from the front boundary and generally are not excessively prominent. Although the character of the road changes further to east in this respect with more intrusive garages evident, the road frontage in the vicinity of the appeal site is generally more open.
12. Due to its size, positioning and design, the proposed garage would be visually intrusive and incongruous within this part of the streetscene, to the detriment of the character and appearance of the area. For this reason the proposal would be contrary to the relevant design aims of policy 33 of the Chichester Local Plan Key Policies 2014-2029 and the National Planning Policy Framework.
13. As set out above, notwithstanding my findings regarding the proposed garage, I have found that no significant harm would arise from the proposed replacement dwelling which would accord with policy 33. As the two separate elements are clearly severable, I have proceeded to make a split decision.

Conclusion and Conditions

14. For the reasons given above and taking all other matters into account, I conclude that the appeal should be allowed in part and dismissed in part.
15. I have imposed a condition specifying the relevant drawings as this provides certainty. A condition requiring samples of external materials to be approved is necessary in order to safeguard the character and appearance of the area. A condition requiring a Construction Method Statement is necessary to safeguard the amenity of the area during demolition and construction. I have limited the issues needing to be addressed in it to reflect the form and scale of development in this case. The method statement condition requires approval prior to commencement as it addresses impacts during construction.
16. I have not attached the Council's suggested condition restricting permitted development rights as no exceptional circumstances have been advanced for its inclusion by the Council. The Planning Practice Guidance advised that such conditions will rarely pass the test of necessity.

David Cliff

INSPECTOR

¹ APP/L3815/W/17/3173113