



Appeal Decision

Site visit made on 1 October 2019

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 15 October 2019

Appeal Ref: APP/Y9507/D/19/3232336

4 Warren Lane, Friston BN20 0HA

- 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 Greenwell against the decision of South Downs National Park Authority.
 - The application Ref SDNP/19/01205/HOUS, dated 11 March 2019, was refused by notice dated 15 May 2019.
 - The development proposed is described as a *'kitchen and driveway extension, with proposed driveway'*.
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Decision

1. The appeal is allowed and planning permission granted for a kitchen and garage extension, with driveway at 4 Warren Lane, Friston BN20 0HA in accordance with the terms of the application, Ref SDNP/19/01205/HOUS, dated 11 March 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 'Location and Block Plans' 284200-1 Revision A; 'Proposed Site Plan' 284200-5 Revision C; 'Proposed Ground Floor Plan' 284200-6 Revision C; 'Proposed Elevations' 284200-11 Revision A; and 'Proposed Elevations' 284200-12 Revision A.
 - 3) 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.
 - 4) Prior to the erection of any of the development hereby approved the detached wooden outbuilding immediately adjacent to the existing rear extension shall be removed from the site.
 - 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other Order revoking, further amending or re-enacting that Order) no development permitted by virtue of Class A, B, C, D or E of Part 1 of Schedule 2 to the Order shall be undertaken within the curtilage of the dwelling hereby approved, without the prior written permission of the Local Planning Authority.

Procedural Matters

2. Notwithstanding the description of development set out in the banner heading above, which is taken from the application form, it is clear from the Council's officer report and decision notice that the development proposed is a kitchen and garage extension, with driveway. This is also the description used by the appellant on the appeal form. I have therefore considered the appeal on this basis.
3. Since the application was determined the Authority has now adopted the South Downs Local Plan 2014-33 (2019) (SDLP). It is incumbent on me to take into account the most relevant and up-to-date information in reaching a decision and I have therefore dealt with the appeal on this basis.

Main Issue

4. The main issue is whether the proposal adheres to the Authority's strategy for the extension of existing dwellings in the South Downs National Park and whether or not the proposal would lead to the loss of a small to medium sized home in the National Park.

Reasons

5. The appeal property is a large detached dwelling set within a substantial plot at the corner of Warren Lane and Hillside within the South Downs National Park (SDNP). The surrounding area is characterised by large detached properties positioned within large landscaped gardens.
6. The proposal is to remove the existing detached wooden outbuilding adjacent to the existing rear extension and erect a kitchen and garage extension and form a new driveway from Warren Lane.
7. The supporting text to Policy SD31 of the SDLP explains that the purpose of the policy is two-fold. Firstly, to avoid the over-extension of existing dwellings and the adverse impact that this has on the character and appearance of both settlements and the countryside. Secondly, to maintain a mix of homes consistent with Policy SD27: 'Mix of Homes' of the SDLP which, amongst other things, seeks to protect the limited supply of small and medium sized homes in the National Park. The supporting text to Policy SD27 explains that the Authority's strategy has been informed by detailed modelling of housing market trends up until 2033, which concludes that the Authority should be explicitly focused on delivering smaller family housing for younger households.
8. With respect to the size of extensions and the provision of annexes and outbuildings, Policy SD31 advises that proposals should not increase the gross internal area (GIA) of the existing¹ dwelling by more than approximately 30% unless there are exceptional circumstances. The Policy does not explicitly define 'exceptional circumstances', however the supporting text states that a larger proposal may be permitted where it can be clearly demonstrated that there will be no harmful intrusive impact in the landscape and that there is an enhancement in the appearance of the host dwelling. Furthermore, the Wealden Design Guide 2008 (WDG) and the East Dean and Friston Village Design Statement Supplementary Planning Document (2016) (SPD) also

¹ The term 'existing dwelling' for the purposes of this policy refers to the residential unit that existed on 18 December 2002 or, if built after that date, as originally built.

indicate extensions should not increase the floorspace of the original dwelling by more than 30%.

9. The Authority points out that there has been a previous extension to the dwelling post December 2002. It has calculated that the proposed development when combined with the previous extension would mean the overall development post December 2002 would result in a floor space increase of significantly greater than 60%. Thus, in this regard, based on the evidence before me the proposal would technically be in conflict with part of Policy SD31 of the SDLP, and the WDG and SPD.
10. However, what gives pause for thought is the overarching purposes of Policy SD31. In regard to character and appearance the proposed development would replace the existing detached wooden outbuilding adjacent to the existing rear extension. By virtue of the topography of the site, existing planting along the site boundaries, and the position and scale of the proposed development, it would be well screened and therefore not readily visible in local views from the public domain or in long views across the landscape. In the context of the immediate area the dwelling would be no larger than most others in the surrounding area. Consequently, I consider the proposal would not have an adverse impact on the character and appearance of the area or the countryside. Thus, in this instance, the proposal would at least conserve the landscape and scenic beauty of the SDNP in accordance with the aims of the National Planning Policy Framework² (the Framework). Furthermore, I note that there is no dispute between the main parties that the proposal would not be harmful to the character and appearance of the area.
11. In regard to protecting the limited supply of small and medium-sized homes in the National Park, Policy SD31 of the SDLP does not explicitly define the term 'small and medium-sized' homes. However, Policy SD27 of the SDLP seeks to deliver a high proportion of two and three-bedroom dwellings as part of standard occupancy housing developments, to meet the identified need for smaller family housing for younger households.
12. The Authority's officer report identifies the appeal property as a four-bedroom dwelling. As a matter of fact and degree, I consider that the appeal dwelling is therefore a large home. Even if the dwelling is considered a medium-sized home, the proposal before me is for a kitchen and garage extension: no additional bedrooms are proposed as part of the development. Therefore, notwithstanding that the development when combined with the previous extension would mean the overall development post December 2002 would result in a floor space increase significantly greater than 60%, it would not, for the above reason, result in the loss of a small or medium sized home.
13. In conclusion, the development would not result in the loss of a small or medium sized home. There would be no harmful intrusive impact on the landscape as a result of the proposal. Subject to a condition requiring the removal from the site of the detached wooden outbuilding I consider that the sympathetic design of the kitchen and garage extension, which would be in keeping with the existing building, would enhance the appearance of the host dwelling. In this instance, I conclude that these are other material planning considerations that justify allowing the appeal and these are exceptional circumstances as permitted by Policy SD31. Consequently, the proposal would

² Paragraph 172 of the National Planning Policy Framework

accord with the Authority's strategy for the extension of existing dwellings, which aims to protect the limited supply of small and medium-sized homes within the SDNP by avoiding the over-extension of existing dwellings. Therefore, the proposed development would accord with Policies SD27 and SD31 of the SDLP, the English National Parks and the Broads: UK government vision and circular 2010, the WDG, the SPD and the Framework.

Other Matters

14. I have had regard to an objection raised by another interested party in relation to the proposal. However, the comments made do not alter my finding in regard to the main issue.

Conditions

15. Planning permission is granted subject to the standard three-year time limit condition. It is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have therefore imposed a condition to this effect.
16. In the interests of the character and appearance of the area it is necessary to impose a materials condition. Finally, in the interests of continuing to conserve the landscape and scenic beauty of the SDNP, and in order to ensure that the host property continues to be set within a spacious and verdant plot which is a distinctive and positive characteristic of the area, it is necessary to impose conditions requiring the removal of the existing detached wooden outbuilding and specified permitted development rights.

Conclusion

17. For the reasons set out above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Andrew Bremford

INSPECTOR