
Appeal Decision

Site visit made on 22 May 2020

by Christopher Miell MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th July 2020

Appeal Ref: APP/L3815/D/19/3242929

Chislehurst, 53 Marine Drive, West Wittering 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 Charles Sharpe against the decision of Chichester District Council.
 - The application Ref WW/19/02302/DOM, dated 8 September 2019, was refused by notice dated 8 November 2019.
 - The development proposed is a rear extension, loft conversion and new staircase enclosure pod.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's decision notice refers to Policy BE13 of the West Wittering Village Design Statement (the 'VDS'). Appendix 3 of the VDS states that Policy BE13 is taken from the Chichester Local Plan First Review 1999 (the 'LPFR'). However, the Council have confirmed that the LPFR has been replaced by the Adopted Chichester Local Plan: Key Policies 2014-2019 (the 'LP'). 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

3. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

4. The appeal property is a two-storey detached dwelling located on the southern side of Marine Drive. The building has a pitched roof form and features a wrap-around first floor balcony, which overlooks the beach to the rear of the site.
5. It is proposed to alter and extend the existing dwelling to provide three floors of accommodation. The works would comprise of a rear extension, loft conversion with external works and a front extension, which is described as a 'staircase enclosure' by the appellant and the 'sugar cube element' by the Council. For the avoidance of doubt, I use the latter term in my Decision. Externally, the appeal property would have a contemporary flat roof appearance with a white render and timber clad exterior under a zinc roof.

6. The surrounding area has a suburban residential character and there are a wide range of property types from a mix of architectural periods present along Marine Drive. On the seaward facing side of the street, the properties are predominately two-storey dwellings or chalet bungalows with pitched roof forms. However, the two neighbouring properties to the eastern side of the appeal property, Nos 49 and 51 Marine Drive, have flat roof forms.
7. The current proposal follows a previous planning application for alterations and extensions to the appeal property, which was refused planning permission¹ by the Council and subsequently dismissed at appeal². The previous proposal sought planning permission for extensions to the front and rear of the property and roof extensions with the conversion of the existing loft space to habitable accommodation under a flat roof. In determining the appeal, the Inspector concluded that the proposal would be an incongruous form of development with regards to its scale and design and thus he concluded that the proposal would have a harmful effect on the character and appearance of Marine Drive.
8. The current proposal retains three floors of accommodation under a flat roof form, but the extent of the proposed extensions has been reduced and the second-floor level is now proposed to be stepped in from the first-floor level below. The sugar cube element remains to the front of the dwelling, but the previously proposed front extension no longer forms part of the works. In addition, the material palette has been simplified. Whilst it is an important planning principle that like cases should be determined in a like manner, this appeal needs to be determined on its own merits.
9. Despite the proposed reductions, which represent an improvement when compared to the previous proposal, the overall footprint and scale of the proposed extensions and loft conversion would be significant and excessive in the context of the proportions of the existing dwelling and the neighbouring properties. In particular, the bulk and mass of the proposed second floor level with its flat roof form, extensive glazing and incongruous zinc roof covering would be unduly prominent in the context of the surrounding properties on the seaward side of Marine Drive. The incongruous nature of the proposed second floor would be particularly prominent when viewed from the beach.
10. In addition, the forward projection of the proposed sugar cube element to the front of the dwelling and its vertical design would emphasise the excessive massing of the proposed development when viewed from the street. Consequently, the proposed development would cause significant harm to the character and appearance of the area.
11. I recognise that the proposal would have a similar ridge height to the existing dwelling. However, the existing dwelling has a sloping roof form with no second-floor accommodation, which limits the overall mass of the existing building. Similarly, I acknowledge that the proposal would have a comparable ridge height to No 51. However, the bulk and mass of the second-floor flat roof level at No 51 is substantially less than the proposed development. Therefore, the works undertaken at No 51 are not directly comparable to the current proposal.

¹ Council Ref: WW/17/01679/DOM

² Appeal Ref: APP/L3815/D/18/3195448

12. The appellant has referred to their permitted development rights as a potential fall-back position, but such extensions would not be as substantial as the scheme before me. In particular, such extensions would not include the sugar cube element, nor the large flat roof form at second floor level. In addition, no substantive evidence has been provided to demonstrate that the appellant would genuinely pursue this option if the appeal failed.
13. My attention has been drawn to respective planning approvals at Petonia, West Bracklesham Drive; No 33 Marine Drive; and No 37 Marine Drive, all of which include second floor accommodation. The development at West Bracklesham Drive is located a considerable distance away from the appeal site and does not therefore contribute directly to the character of the local area.
14. In terms of the developments at Nos 33 and 37, the submitted drawings show that the second-floor accommodation is contained within a pitched roof forms, which act to break up the overall massing of the respective developments and reduce the prominence of the second-floor accommodation. Therefore, the developments are not directly comparable to the current proposal.
15. The appellant states that planning permission has been granted to raise the roof line and for new build development at Nos 45 and 47 Marine Drive. However, no plans or supporting information has been submitted and therefore I am unable to assess its relevance in respect of the appeal. In any event, I have determined this appeal on its individual planning merits.
16. In respect of this main issue, the reason for refusal on the Council's decision notice refers to Policy 33 of the LP. However, this policy relates to new residential development and replacement dwellings. Consequently, I consider that the policy is not applicable in respect of the appeal proposal, which relates to alterations and extensions to an existing dwelling.
17. For the reasons set out above, I conclude that the proposed development would cause significant harm to the character and appearance of the area. Consequently, the proposal would be inconsistent with paragraph 127(c) of the National Planning Policy Framework (the 'Framework'), which requires development to be sympathetic to the local character. Paragraph 130 of the Framework makes clear that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Other Matters

18. The proposal would provide additional living accommodation, which would improve the existing living conditions for the occupiers of the appeal property. In addition, the reuse of the existing building, as opposed to a new build, may reduce the carbon footprint of the development. Such benefits would not be significant enough to overcome or outweigh my conclusions on the main issue.

Conclusion

19. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Christopher Miell
INSPECTOR