



## Appeal Decision

Site visit made on 9 March 2021

**by Guy Davies BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 12 March 2021**

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**Appeal Ref: APP/L3815/D/20/3264857**

**Hazard Cottage, East Bracklesham Drive, Bracklesham PO20 8JH**

- 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 Hugh Jonathan against the decision of Chichester District Council.
  - The application EWB/20/02002/DOM, dated 5 August 2020, was refused by notice dated 15 October 2020.
  - The development proposed is amendments to previous permission 15/03025/FUL, raise roof of garage for an additional bedroom.
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### Decision

1. The appeal is allowed and planning permission is granted to raise the roof of the garage for an additional bedroom at Hazard Cottage, East Bracklesham Drive, Bracklesham PO20 8JH in accordance with the terms of the application EWB/20/02002/DOM, dated 5 August 2020, and 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: F101/2.001, F101/2.002, F101/2.101, F101/2.102, F101/2.103, F101/2.104, F101/2.201, F101/2.202, F101/2.203/04, F101/2.204, F101/2.205, F101/2.206, F101/2.207, F101/2.208/03.
  - 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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the accommodation hereby permitted shall only be used for purposes ancillary to the dwelling known as Hazard Cottage and for no other purpose.

### Preliminary Matters

2. Permission was granted under 15/03025/FUL for a replacement dwelling and garage on the site. The dwelling and garage have been constructed and are occupied.
3. The proposal has been submitted as a householder application to raise the roof of the garage rather than as an amendment of the previous permission under

Section 73 of the Town and Country Planning Act 1990. The Council has considered it as a full application. Notwithstanding the description in the banner heading above, for the avoidance of any doubt I have considered the appeal on the basis that full planning permission is sought for the alterations to the garage as shown on the submitted plans. I have accordingly amended the description used in my decision by omitting reference to the amendment of the previous planning permission.

## **Main Issues**

4. The main issues are:

- The effect of the proposal on the character and appearance of the area
- The effect on the living conditions of neighbouring occupants to the west with regard to dominance.

## **Reasons**

### *Character and appearance*

5. East Bracklesham Drive consists of a variety of different sized, mainly detached dwellings fronting a private road with those on the south side also having access to the beach. Dwellings along the southern side of the Drive are generally set back with their garages fronting the carriageway. Further along the Drive, Marineside is a denser development of two storey terraced dwellings.
6. While historically the majority of dwellings along Bracklesham Drive appear to have been bungalows, the area has undergone incremental development, in particular with plots along the southern side of the Drive with beach front access redeveloped with larger, two storey houses in more modern styles. Hazard Cottage is one such redeveloped plot. The character of the southern side of the Drive is therefore changing from one of smaller bungalows to larger two-storey houses that span their plots.
7. This change also applies to the garages fronting Bracklesham Drive. While the older properties generally have shallow pitched or flat roofed, single storey garages, the newer houses have larger garages commensurate with their larger size.
8. The proposed alterations to the roof of the garage would raise the eaves and ridge height. While this would make the garage higher and therefore more prominent than the majority of older garages, it would not be so different from the heights of newer garages or projections along the Drive, including that at Le Var immediately to the west. The garage would continue to be subservient in scale to the main house and would be clad in similar materials. Changing the roof pitch to match that of the main house would, aesthetically, compare favourably to the current shallower roof form.
9. I conclude that, while the altered garage would be more prominent in views along East Bracklesham Drive, that prominence would not appear harmful to the character or appearance of the area given the greater massing of newer development along the road, and that the garage would remain subservient in scale to the host dwelling. As a consequence, it would comply with policies 1 and 33 of the Chichester Local Plan: Key Policies 2014-2029, which require new

residential development to meet the highest standards of design which respect and where possible enhance the character of the surrounding area.

### *Living conditions*

10. The higher eaves and ridgeline of the garage would give rise to a somewhat greater building bulk along the front of the western side boundary of the site. However, the adjacent property, Le Var, is set back in the same manner as Hazard Cottage and would not be appreciably affected by it. The increase in height and bulk when viewed from the enclosed yard and front parking area to Le Var would also not be so significant as to appear over dominant.
11. The current occupier of Le Var has no concerns about the proposed changes to the garage and has written in support of the application. While the Council is correct in saying that the living conditions of the existing and future occupants must still be considered independently of that representation, it reinforces my view that the development would not appear dominant or overbearing to the neighbouring property.
12. I conclude that the living conditions of the occupant of the property to the west of the site at Le Var would not be dominated by the proposed alterations to the garage, and as a result the development would comply with policy 33 of the Chichester Local Plan: Key Policies 2014-2029, which requires new residential development to provide a high quality living environment.

### **Other Matters**

13. Interested parties have raised concern about the potential for overlooking from the first floor accommodation in the roof of the garage. The gable end window and roof lights would look out onto the highway or space to either side in neighbouring plots used for parking. As such, I do not consider that any harmful degree of overlooking would be caused by the proposed development.

### **Conditions**

14. In addition to the standard time limit condition, it is necessary to impose a condition listing the approved plans for clarity and certainty.
15. A condition requiring external materials to match the existing building is necessary in the interests of the appearance of the garage and the character of the neighbourhood in which it will be seen.
16. Because the garage would contain most of the facilities for independent occupation but where such independent use is not envisaged as part of the proposal or necessarily desirable, it is reasonable and necessary to impose a condition restricting its use for ancillary purposes to the main dwelling.

### **Conclusion**

17. I conclude that the appeal should be allowed.

*Guy Davies*

INSPECTOR