



Appeal Decision

Site Visit made on 23 August 2021

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 September 2021.

Appeal Ref: APP/C1435/D/21/3274362

37 Oakleaf Drive, Polegate BN26 6PS

- 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 Mrs Tracy Mason against the decision of Wealden District Council.
 - The application Ref WD/2021/0447/F, dated 23 February 2021, was refused by notice dated 29 April 2021.
 - The development proposed is described as single storey side/rear extension, existing dormer extensions to front and rear, & side porch, erection of new garden walls with new dropped kerb to form off street parking.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side/rear extension, existing dormer extensions to front and rear, & side porch, erection of new garden walls with new dropped kerb to form off street parking at 37 Oakleaf Drive, Polegate BN26 6PS in accordance with the terms of the application, Ref WD/2021/0447/F, dated 23 February 2021, 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: Site Plan; Existing Elevations and Existing Floorplan; and General Plan.
 - 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) The roof area of the single storey side/rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published in July 2021. The main parties were given the opportunity to comment on its relevance to the appeal proposal and I have had regard to it in reaching my decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. The appeal site contains a semi-detached chalet bungalow that is similar to surrounding properties. Forming a corner plot on the junction of Oakleaf Drive and Greenleaf Gardens, the dwelling is a reasonably prominent feature in the locality and its front, side and rear elevations are visible in public views. However, given the curvature of Oakleaf Drive and the layout of buildings fronting it, several other properties in the locality are also relatively prominent and their various features, such as rear dormers, are therefore often visible from the public realm. Consequently, the site does not stand out significantly from the surrounding built environment.
5. Built form in the surrounding residential area generally consists of similar chalet bungalows. However, there is a mixture of scales and designs, and some properties have been altered and extended, such as through enlarged and/or additional dormers, and the dormers visible in public views clearly vary in terms of size and position. The appearance, design and scale of built form in the surrounding area is therefore relatively varied. Although there are not a significant number of large dormers apparent in the locality, there are some which are notably larger. Although they may not form a major part of the area's character, and irrespective of their relationship with the streetscene, they are nevertheless visible features in the locality and therefore form part of the varied nature of the surrounding area.
6. The proposed development, particularly with regards to the rear dormer extension and the single storey side/rear extension, would result in a relatively significant enlargement of the property. The submitted plans show that the enlarged rear dormer would also extend slightly beyond the rear wall of the main building and partly over the roof of the single-storey extension.
7. However, given that the extended rear dormer would continue to be set back from the side wall of the existing building and the side of its pitched roof, it would not read from public views as a two-storey extension. It would also be set well below the ridge and reflect the existing dormer's flat-roof. Despite its mass and bulk, it would therefore appear as a secondary feature to the main roof and would not be unacceptably dominating. Although it would be larger than the rear dormer on the adjoining semi-detached property, they are already different and the extra size would not appear incongruous given the differing sized dormers on several other nearby semi-detached properties.
8. The ground-floor extension would extend beyond both the rear and side of the main building. However, it would be situated behind the site's relatively high boundary wall and would be set-back from the highway by the remaining garden area. Accordingly, and given the relatively large size of the plot and its corner situation, it would not appear from the public realm as a harmful, inappropriate or unacceptably large or dominant addition.
9. Overall, the proposed extensions and fenestration, which would be visible in public views, would be relatively large and extensive. However, for the above reasons and given the variety of built form and extensions visible in the locality, the proposed rear dormer and ground-floor side/rear extensions would not appear as incongruous or unacceptably dominating features. The main building would also still read from the street as a chalet bungalow that, although extended and altered, continues to sufficiently relate to and reflect its surroundings.

10. In coming to this view, I have taken into account the guidance in the Council's Supplementary Planning Document (SPD), Wealden Design Guide, including in relation to dormers within part 10 (covering architectural principles and details) of chapter 5 and on residential alterations and extensions in parts 1, 3, 4, 5 and 14 of chapter 10. Parts of the appeal proposal would not conform with the guidance, such as in relation to the width and roof form of the rear ground-floor extension and the dormer's size in relation to windows on the same elevation. However, setting out that it is neither prescriptive nor meant to be inflexible, the document provides guidance only, and I have found that the proposal would not unacceptably dominate the dwelling or its surroundings.
11. The Council does not identify any specific objections to the other elements of the appeal proposal, including the formation of an off-street parking space accessed off Greenleaf Gardens, the extended front dormer and the erection of a side porch and new garden walls. Having considered these elements and visited the site, I concur and find that they would also be acceptable.
12. For the above reasons, I conclude that the proposed development would not harm the character and appearance of the surrounding area. I therefore find that it accords with Policies EN27 and HG10 of the Wealden Local Plan and Policies SPO13 and WCS14 of the Core Strategy Local Plan. Amongst other aspects, these set out the Council's approach to determining planning applications, seek to promote local distinctiveness through good design and set out that proposals for development, including extensions and alterations, will be permitted where they respect and are appropriate to surrounding built form. The proposal would also be consistent with the provisions in the Framework in relation to achieving well-designed places.

Other matters

13. The 'Design/C&D Issues' section in the Council's Officer Report states that there is considered to be an impact to the adjoining occupier. However, the report's section 'Impact on Adjoining Properties' raises no concerns and the Decision Notice does not allege that the proposed development would harm the living conditions of adjoining occupiers. Accordingly, and with little substantive evidence to indicate otherwise, I have determined the appeal on this basis.

Conclusion and Conditions

14. For the above reasons, the appeal is allowed.
15. In addition to the standard time limit condition, I have imposed a condition requiring the carrying out of the development in accordance with the approved plans in the interests of certainty. A condition requiring matching materials is necessary in the interests of the character and appearance of the area. To protect the living conditions of adjoining occupiers, it is also necessary to impose a condition preventing use of the rear/side extension's roof.

T Gethin

INSPECTOR