

Appeal Decision

Site visit made on 18 October 2021

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2021.

Appeal Ref: APP/L3815/D/21/3281865
19 Seafeld Close, East Wittering PO20 8DP

- 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 & Mrs Adrian Finn against the decision of Chichester District Council.
 - The application Ref EWB/21/01237/DOM, dated 20 April 2021, was refused by notice dated 2 July 2021.
 - The development proposed is raising of ridge height of existing chalet bungalow, insertion of rooflights and obscured gable windows, demolition of rear conservatory for rear two storey pitched roof extension and single storey flat roof extensions.
-

Decision

1. The appeal is allowed and planning permission is granted for raising of ridge height of existing chalet bungalow, insertion of rooflights and obscured gable windows, demolition of rear conservatory for rear two storey pitched roof extension and single storey flat roof extensions at 19 Seafeld Close, East Wittering PO20 8DP in accordance with the terms of the application Ref. EWB/21/01237/DOM, dated 20 April 2021, subject to the conditions set out below:
 1. The development hereby approved 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: P01, P02, P03, P04, P05, P06, P07, P08 and P09.
 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 first floor gable windows on the east and west facing elevations shall be fixed shut and glazed with obscure glass; and shall be so maintained at all times.

Application for Costs

2. An application for costs was made by the appellant against the Council and which is the subject of a separate decision.

Main Issues

3. The main issues are the effect of the appeal proposal upon the character and appearance of the area; and upon the living conditions of the occupants of 18 and 20 Seafield Close, with specific reference to outlook.

Reasons

Character and Appearance

4. The appeal site is situated within a residential cul-de-sac comprising bungalows and chalet bungalows; many of the latter have been created through roof and ridge extensions.
5. The existing flat roofs to each side would remain on the appeal dwelling, but the main roof would be lifted, and by virtue of a rear extension, a second pitched roof would be constructed. This rear extension would be slightly lower and off-set to the west and by virtue of its set-back from the road and its orientation thereto, it would not be highly prominent within the street scene.
6. I accept that the plot within which the appeal dwelling is situated is of an unusual shape and tapers towards its front boundary with the head of the cul-de-sac, but nonetheless the increase in site coverage would not be significant. Consequently I consider that it would not give rise to an over-development of the plot in purely two dimensional terms.
7. It is quite clear that the proposal would increase the verticality of the host dwelling with a marginally steeper front roof pitch and ridge line than existing. However taking into account the built context, including other similar such extensions that have been carried out in recent years, I consider that it would not be out of character with its surroundings.
8. I agree that the flat roof element within the core of the proposed roof as to be extended may equate to a rather functional solution, but it would generally be concealed from public view and I consider overall that the scale and design of the proposal would not have a detrimental impact upon the character and appearance of the area. I therefore find on this issue alone that the proposal complies with Policies 33 and 47 of the Chichester Local Plan 2014 – 2029 which together state that permission will be granted for new residential development where it can be demonstrated that, amongst other things, proposals meet the highest standards of design, provide an appropriate density of development and respect and where possible enhance the character of the surrounding area, as well as contributing to creating places of a high architectural and built quality.

Living Conditions

1. 20 Seafield Close has a blank facing elevation and also has the benefit of a recently constructed single storey extension to its rear which, by virtue of the orientation of that house, is located at an oblique angle to the appeal dwelling. Taking into account the off-set of the proposed rear extension, the width of the neighbouring plot and that of the aforementioned extension, the immediate external sitting out area would be maintained and consequently the outlook therefrom protected.

2. With regard to 18 Seafield Close, it is also located within a slightly unusually shaped plot which widens out significantly towards the rear. No18 has a side door and obscurely glazed window on its side elevation, although direct views from the former would not be impinged by the proposed extensions. Furthermore, no18 benefits from a reasonable area of garden with a conservatory on its rear elevation extending away from the appeal dwelling and on balance, I consider that the scheme before me would not be unduly overbearing upon the occupants of this neighbouring property.
3. I find that the massing of the roof extension would not result in an oppressive form of overdevelopment of the site and that the general outlook from the gardens on both sides of the appeal site would not be unduly harmed, notwithstanding their size, shape and relationship to the appeal dwelling.
4. With regard to the Third Party representations from the residents on Stock Lane, I note within the Council Officer's report that the rear gardens of their properties are approximately 30m deep and that the rear extension would not include first floor glazing on the rear elevation. The Council consequently concluded that there would be no loss of privacy to or outlook from these neighbouring dwellings and I have been given no substantive reasons to come to a different conclusion on this. There may be a considerable amount of glazing at ground floor level, but this would be screened by the existing shared boundary treatments. There could of course be potential for overlooking of the private amenity areas of 18 and 20 Seafield Close, and I note that Drawing P06 is annotated that all gable windows should be fixed shut with obscure glass. I consider this is necessary in the interests of protecting the privacy of immediately adjoining residents.
5. In conclusion on this matter I consider that the proposed development would not give rise to a harmful impact upon the outlook from nos 18 and 20 or their private primary garden spaces. Consequently I find compliance again with Local Plan Policy 33 which in addition to requiring proposals to meet the highest standards of design, requires a proposal to respect neighbouring and public amenity.

Conclusion and Conditions

6. Therefore for the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.
7. Other than the standard time limit condition, the Council recommends that conditions are imposed that require the development to be carried out in accordance with the approved plans and that materials match the existing building. I consider that in the interests of the character and appearance of the area these conditions are necessary. Furthermore, whilst not listed within their questionnaire, the Council did stipulate that the first floor flank windows should be obscurely glazed and fixed shut, which would be in accordance with the submitted plans. I consider that in order to protect the privacy of both neighbouring properties such a condition is both reasonable and necessary.

C J Tivey

INSPECTOR