

Appeal Decision

Site visit made on 1 December 2021

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 DECEMBER 2021

Appeal Ref: APP/U1430/D/21/3285054

6 Park Shaw, Sedlescombe, TN33 0PP

- 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 T Creasy against the decision of Rother District Council.
 - The application Ref RR/2021/559/P, dated 9 March 2021, was refused by notice dated 10 August 2021.
 - The development proposed is the erection of a single rear dormer, replacement of a single side garage with a car port with a hipped roof, a single-storey rear extension, a front Velux dormer & front porch.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on: - (i) the character and appearance of 6 Park Shaw and the wider street scene, and (ii) the living conditions at 2 and 4 Park Shaw with particular regard to visual impact and privacy.

Reasons

Character and Appearance

3. Park Shaw, and Orchard Way which leads from it, is a cu-de-sac residential estate development with a very distinctive character that is immediately evident upon entrance from Brede Lane. Apart from some two-storey dwellings deeper into Orchard Way, the street scene is strongly defined by two dwelling types, being either detached bungalows or chalet-style bungalows, the latter differentiated by taller ridge lines and steeper roof pitches, most with windows within the apex of their gables signifying accommodation at first floor level. There is a very clearly defined sense of place that is derived from the simplicity and uniformity of the architecture including through the consistent use of materials and detailing, and the dominant presence of gabled elevations. No 6 occupies a corner plot at the junction of Park Shaw with Brede Lane and is a typical example of one of the original bungalows in the locality. Its style is consistent with the architecture elsewhere within the wider estate. Although

orientated parallel to the alignment of the road, it is a prominent building due to its exposed corner position and its elevated levels due to the topography of the land. Its end gabled elevations are open to clear view and its simple, uncomplicated form, and use of common materials, sets the tone for the cohesive nature of built development that follows into the estate.

4. There are various elements to the appeal proposal. It is proposed to replace an existing attached flat-roofed garage with a sideways projection of the main dwelling, creating an open sided car port at ground level and new living accommodation within the roof space. The extended roof at this point would be designed with a half-hipped gable. Further use of the existing loft space would be facilitated by a 'box-like' rear dormer that would span the majority width of the original roof slope, and a glazed contemporary dual pitched roof extension to the front elevation, required to create headroom for the internally proposed staircase. Four roof lights are also proposed to the front roof slope together with a Juliet-style balcony at first floor level to the gabled elevation facing Brede Lane. A single-storey extension is proposed across part of the rear elevation, to be finished with a flat roof, and a new porch is proposed to the existing front door with a pitched, gabled roof over.
5. The extensions would have a marked impact upon the current dwelling, altering its appearance significantly. The existing garage to the side is recessed and subservient to the simple form of the bungalow and has an inconspicuous presence. This would be replaced by a sideways projection of the existing dwelling that would appear as an integrated part of the remodelled building. Nevertheless, the proposed half-hipped roof would be entirely out of keeping with the consistent gabled roofs that are key character features of the area and would unbalance the symmetrical form of the building, the simplicity of which would be further disrupted by the incongruous insertion of a glazed addition to the front roof slope that would be openly seen within the street scene but which would show little cohesion with the style and pattern of the window and door openings below.
6. The rear dormer extension would dominate the rear roof slope. Although it would be set in from the sides of the existing building and marginally up from the eaves, it would extend close to the ridge and when combined with its elongated width, it would transform the pitched roof profile of the building. With little articulation, apart from an off-centred window, the dormer would appear as an obvious adjunct that would show little respect for the simple character and appearance of the original dwelling. Its incongruous presence would be clearly seen from Brede Lane.
7. The appellant has drawn my attention to many other wide, dormer extensions on other properties within Park Shaw and Orchard Way. Many are visible within the street scene either in views between frontage properties of rear facing roof slopes or else on side roof slopes on those that are orientated differently. However, those that I saw were attached to the chalet style bungalows rather than the lower profile type bungalow of No 6. In those cases, the expanse of roof slope is far greater with taller ridge lines and steeper roof pitches. The dormers sit noticeably below the ridge lines such that they appear well-framed by the existing roof tiles and proportionate in their setting. That would not be the case at the appeal property. The other examples are not comparable to the appeal proposal.

8. The single-storey extension to the rear would have a flat roof but with an eaves height well above the eaves of the existing dwelling. Due to the exposed appearance of the appeal property, the rear extension would be clearly seen from Brede Lane as an addition poorly related to the form of the original dwelling. In addition, its roof would appear to meet, or come very close to, the bottom part of the proposed rear dormer such that there would be an unfortunate marriage between the two that would be awkward and poorly conceived.
9. The front porch would be modest in size and its gabled form would take cues from the dominant gabled features in the area. In isolation, I find this part of the proposal would be physically and visually subservient to the original building.
10. My impression overall is that the proposal would add a number of component parts that would be unsympathetic with, and poorly related to, the simple form, character and appearance of the dwelling which otherwise contributes positively to a strong sense of place through its cohesive design and use of materials. The result would be a building that would look incongruous in its own right, and out of character with the traditional and simple style of the buildings surrounding it. In this regard there would be clear conflict with criteria (ii) and (vi) of Policy DHG9: *Extensions, Alterations and Outbuildings* of the Council's Development and Site Allocations Local Plan (DSALP), which require, amongst other things, extensions, and alterations to dwellings to respond positively to the design, character, and appearance of an original dwelling and to be physically and visually subservient. For these same reasons there would be conflict with part (iii) of Policy OSS4: *General Development Considerations* of the Council's Core Strategy (CS), which seeks to ensure that development does not detract from the character or appearance of the locality, and with CS Policy EN3: *Design Quality* which requires high quality design. Its failure to protect the settlement pattern and maintain the built landscape character of the immediate area would also indicate conflict with part (i) of CS Policy EN1: *Landscape Stewardship* and DSALP Policy DEN1: *Maintaining Landscape Character*.
11. The Council's decision notice also refers to DSALP Policy DEN2: *The High Weald Area of Outstanding Natural Beauty (AONB)* however given the residential context of the appeal site and the domestic scale of the work proposed, I am satisfied that the landscape and scenic beauty of the AONB, within which the site is located, would be unaffected.

Living Conditions

12. Nos 2 and 4 Park Shaw are a linked pair of bungalows that front onto Brede Lane and which are orientated perpendicular to the appeal property. The south-west side boundary to No 4 doubles as the rear boundary of the appeal site. The front building lines to these two neighbouring properties are set forward of the side elevation to No 6. The Council's concern, as expressed within the officer's report, rests squarely with the impact of the proposed rear dormer upon the living conditions at Nos 2 and 4.
13. No 4 is nearest to the appeal site and has side facing windows at ground floor. The appeal property could only be seen from the rear garden of No 2, and from

a considerably greater distance. Although the rear garden of the appeal property is fairly short, the dormer would sit within, and be seen up against, the existing roof slope of the dwelling when viewed from either adjoining property. Although I have found the dormer to be dominant and intrusive to the detriment of the visual amenities of the area, I am not persuaded that it would be overbearing to the detriment of either neighbours' living conditions.

14. There would be a single window to the rear dormer extension. This would serve a new bathroom area. The appellant has suggested that the window could be obscurely glazed and fixed shut to a height of 1.7m. I am satisfied that this would prevent any overlooking towards the neighbouring properties and that this could have been secured by condition had I been minded to allow the appeal.
15. Overall, for the reasons given, I am satisfied that there would be no harm to the living conditions of any adjoining occupiers. As such, I find no conflict with DSALP Policy DHG9 insofar as criterion (i) seeks to protect the amenities of adjoining properties in terms of light, massing and overlooking, or with the similar aims of CS Policy OSS4 criterion (ii).

Other Matters

16. I am mindful that the proposed extensions would provide a good standard of living space for the appellant in accordance with the National Design Guide. However, this carries little weight in support of the proposal. There is no substantive evidence to support an argument that the current arrangement represents an unacceptable under-utilisation of the land that must be addressed through the creation of an enlarged dwelling in the manner proposed. The existing house is a modest dwelling on a modest sized plot.

Conclusions

17. Despite my findings as they relate to the effect of the proposal upon the living conditions of adjoining occupiers, for the reasons given, I find that the proposal would be harmful to the character and appearance of No 6 Park Shaw and the wider street scene. The failure of the proposal to achieve an appropriate level of design that would add to the overall quality of the area means that there would be conflict with the National Planning Policy Framework's objectives for achieving well-designed places. As such the development would not meet the environmental objectives for achieving a sustainable form of development. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR