
Appeal Decision

Site visit made on 18 January 2022

by **S Leonard BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 January 2022

Appeal Ref: APP/L3815/D/21/3283987

Tamarisk, West Bracklesham Drive, Bracklesham PO20 8PH

- 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 J Boadle against the decision of Chichester District Council.
 - The application Ref EWB/21/01278/DOM, dated 26 April 2021, was refused by notice dated 8 July 2021.
 - The development proposed is extension of double garage with accommodation over and removal of restricted use.
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Decision

1. The appeal is allowed and planning permission is granted for extension of double garage with accommodation over and removal of restricted use at Tamarisk, West Bracklesham Drive, Bracklesham PO20 8PH in accordance with the terms of the application, Ref EWB/21/01278/DOM, dated 26 April 2021, and the plans submitted with it, 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: Drawing numbers 0054/SL-33; 0054/SU-03C; and 0054/SK-25.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) the enlarged garage building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Tamarisk, West Bracklesham Drive, Bracklesham PO20 8PH.

Procedural Matter

2. Since the refusal of the planning application, a revised version of the *National Planning Policy Framework* (the Framework) was published on 20 July 2021. I have taken the revised Framework into account where relevant to my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is located on the south side of West Bracklesham Drive, within an established residential area. The rear of the properties on this side of the road face onto the coast. The site is occupied by a late 20th century two-storey chalet-style dwelling. A garage, sited to the front of the property, was more recently built. It comprises a detached, cropped gable-ended double garage, with first floor accommodation which is restricted by condition to use as domestic ancillary storage only.
5. The garage is visually prominent in views from the street, due to its combined height, width, depth, steep roof form and its position between the dwelling and road. However, it does not appear unduly incongruous within the prevailing street scene, since garages sited in front of dwellings are a common feature of this side of the road. These include some which are positioned closer to the road frontage than that of the appeal site, and many of the garages obscure a large part of the front of their host dwellings in views from the road. As such, frontage outbuildings/additions are a common feature of this side of the street. There are also a wide variety of different dwelling and garage designs, heights and roof forms and no established dwelling or garage front building line to the street.
6. Whilst the proposal would increase the width of the garage and the additional mass of building would be visually apparent in views from the public highway, the enlarged building would remain akin to a domestic scale outbuilding in size and design. As such, it would not appear out of place within the context of the mix of built development that is prevalent along this side of the road. The proposed increase in size would not be so disproportionate that it would result in a materially harmful impact on the street scene.
7. The existing eaves and ridge heights would remain unaltered, and the proposal would maintain a similar cropped gable-ended roof form, which would maintain a symmetrical character when viewed from the front and rear.
8. The proposed use of painted brick walls with fibre cement weather boarding above and plain tiles for the roof, would be in keeping with the existing garage materials, and those of the main dwelling, thereby assisting in the assimilation of the proposal into the existing townscape.
9. The resulting gap between the side of the extended garage and the eastern site boundary would provide for a spacious relationship with that neighbouring property, and would maintain a similar gap to that associated with other nearby garages. This would enable views of the main dwelling to be retained from the public realm, reinforcing the visual perception that the garage would remain subservient in size and function to the host property.
10. As such, the extended building would not appear unduly discordant within the wide-ranging mix of built development forms and layouts which characterise the south side of West Bracklesham Drive.
11. In coming to this view, I have had regard to the planning history of the site, which includes an extant permission¹ granted in March 2021 for a rear extension to the garage (the 2021 extant permission). This consent has

¹ Ref EWB/20/02799/DOM

established the principle of enlarging the garage sufficiently to provide a bedroom with ensuite shower room at first floor level.

12. Whilst the extant permission related to an enlargement to the rear of the garage, this would still be clearly perceived within views from the public realm when approaching the property from the east and west, including from the main approach into the street from the road junction with the B2198, from where it would be perceived as bringing the garage to within closer proximity of the host property. It would also result in additional built development close to the western side boundary. Moreover, the proposed additional ground and first floor fenestration on the east side elevation of the extant permission scheme would add to the perception of an increased sized building.
13. The current appeal scheme would provide an alternative form of extension to the 2021 extant permission which would have a more spacious relationship in relation to the host property and the neighbouring property to the west. It would incorporate a covered way under the extended roof which would serve to reduce the perceived additional bulk of building, and no additional fenestration would be proposed on the side.
14. On the basis of the evidence before me, I find nothing to suggest that the approved rear garage extension would not be implemented in the event that this appeal fails. This is evidenced by the existence of the extant permission, and the appellant's stated intention to provide more meaningful living accommodation within the garage. While this should not automatically guarantee planning permission for the appeal scheme, the fallback position is a material consideration that carries some weight for the purpose of my decision.
15. My attention has also been drawn to a previously dismissed appeal² (the 2005 appeal decision) in respect of a proposal to enlarge the garage. The information before me is that this related to a different scheme. It also included the introduction of two roof lights to the eastern side, which the appeal Inspector found to draw attention to the roof and its bulk, whilst such roof lights are already a feature of the existing building. Moreover, the appeal decision dates back to June 2005, before the 2021 extant permission.
16. Also, on the basis of the evidence before me, and my site inspection, it appears that a significant amount of new built development, including extensions and replacement buildings, has taken place along the south side of the road since the 2005 appeal decision, and I must determine the current appeal scheme having regard to the context of the current townscape. As such, I am not persuaded that the 2005 appeal decision is a factor that should lead to the dismissal of the current appeal.
17. For the above reasons, I conclude that the proposal would not result in significant harm to the character and appearance of the area. As such, the proposal would accord with Policy 33 of the *Chichester Local Plan: Key Policies 2014-2029* (2015) (the Local Plan), in so much as this policy requires new residential development to meet the highest standards of design, and to respect and where possible enhance the character of the surrounding area and site.

² APP/L3815/A/05/1175853

18. For similar reasons, the proposal would also accord with Chapter 12 of the Framework, which requires high quality design.
19. Reference is also made to Local Plan Policy 47 in the Council's reason for refusal. This Policy relates to the historic environment. I have not been made aware of any heritage assets that have the potential to be affected by the proposal, and as such, I do not find this policy to be directly relevant to the determination of this appeal.

Other Matters

20. I acknowledge the Parish Council concerns in respect of harm to the living conditions of the occupiers of neighbouring properties. The Council has found no harm in respect of this matter, and, on the basis of the evidence before me, and my site visit, neither do I. Whilst the proposal would bring built development closer to the neighbouring property to the east side of the site, sufficient space would remain between the extended garage and the boundary with this site, so that there would be no unduly harmful overbearing impact on the outlook from that property. The proposed repositioning of the existing roof lights approximately 1.7m closer to the east side boundary would not result in an unduly harmful impact on the privacy of that property, due to a combination of their distance away from the side boundary, together with their orientation directly facing onto the parking/turning area of that property.

Conditions

21. I have considered the Council's suggested conditions in accordance with Paragraph 56 of the Framework and the national Planning Practice Guidance. Where necessary, I have amended them by deleting and adding conditions. In addition to the standard implementation condition, it is necessary to define the plans in the interests of certainty.
22. Since the materials are indicated on drawing number 0054/SK-25, I shall not include a condition suggested by the Council in respect of materials. I am satisfied that the details shown on this drawing are sufficient to ensure appropriate materials for the structure, in the interests of the appearance of the area.
23. The enlarged garage building would be located where a new dwelling would not normally be permitted. As such, and having regard to a condition attached to the original garage permission restricting the use of the first floor accommodation to that of storage use only, and the intended use of the first floor of the appeal scheme as a bedroom and shower room, a condition is necessary to ensure that the garage would only be utilised incidental to the residential use of the host property. This is consistent with the use restriction condition attached to the 2021 extant permission.

Conclusion

24. For the above reasons, I conclude that the appeal should succeed, and planning permission be granted subject to conditions.

S Leonard

INSPECTOR