



Appeal Decision

Site visit made on 23 February 2022

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8TH March 2022

Appeal Ref: APP/C3810/D/21/3288412
59 Marlborough Court, Aldwick, PO21 5QJ

- 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 J Betsworth against the decision of Arun District Council.
 - The application Ref. AW/294/21/HH, dated 3 September 2021, was refused by notice dated 28 October 2021.
 - The development proposed is erection of single storey side extension involving demolition of detached garage, single storey side extension to other side to create garage and utility room and loft conversion with 1 x rear dormer.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of single storey side extension involving demolition of detached garage, single storey side extension to other side to create garage and utility room and loft conversion with 1 x rear dormer at 59 Marlborough Court, Aldwick, PO21 5QJ in accordance with the terms of the application, Ref. AW/294/21/HH dated 3 September 2021, and the plans submitted with it and subject to the conditions listed below.
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accord with those listed in section 5 of the application form and on drawing No. Proposed Elevations Rev.A Dated 02/09/2021.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Ground Floor Plan Rev.B Dated 31/08/2021; Proposed First Floor Plan Dated 02/09/2021; Proposed Elevations Rev.A Dated 02/09/2021 & Site Plan Rev.A Dated 02/09/2021.

Procedural Matters

2. I have adopted the description of development as it appears on the decision notice as this more accurately describes the appeal proposal.

Main Issue

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

Reasons

4. The appeal proposal involves the construction of a single storey flat roofed side extension to replace an existing garage, a single storey side extension with pitched roof to the eastern elevation and the conversion of the loft, as extended, to provide additional accommodation with a single dormer on the rear elevation. The Council do not object to the single storey flat roofed extension or to the single dormer on the rear elevation. I concur with the Council's findings in this respect. The Council do object to the full height extension on the east elevation, which they contend would be harmful to the streetscene and character of the area.
5. Marlborough Court comprises a large estate of mostly detached single storey bungalows. The bungalows are located either side of the road that encircles the estate, which is accessed from Churchill Avenue to the south. There are two offshoots from the main estate road that lead to small cul-de-sacs, one of which comprises four properties including the appeal site. The appeal site is located on the northern side of this cul-de-sac, to the east of which is West Meads Drive and the fire station. To the west is the rear elevation and garden to 57 Marlborough Court (No.57), whose frontage faces onto the main estate road. To the south are three detached bungalows, sited with their gable ends facing onto the cul-de-sac, whereas the host property's main pitched roof fronts onto the cul-de-sac.
6. Because of the above, the host property effectively sits on its own. It does not form part of any wider streetscene given that the only property that it adjoins, No.57, is at right angles to it with its rear and side garden, enclosed by a high brick wall with mature verge hedging/landscaping, backing onto the side elevation of the host. Similarly, the three bungalows opposite, with their different orientation relative to the cul-de-sac, are not read as being part of the same streetscene as the host property.
7. Within the above context, the proposed full height extension on the east elevation would not, in my judgement, result in a development that contrasts significantly with its surroundings and would not, consequently, be harmful to the streetscene. Whilst I accept that the proposed extension would extend the full height to the existing ridge, the result would be an extension that sits reasonably comfortably on the host property and a proposal which, given the appeal sites isolated position at the end of the cul-de-sac and proposed chalet style design, would not appear out of character with its immediate surroundings. As I confirmed above, beyond the appeal site, to the east, is West Meads Drive, a busy main road, mature trees and the imposing fire station complex.
8. The front elevation to the host property, as extended, would be wider than other similar bungalows on the estate, but as the Appellant has pointed out and as I observed on site, there are examples of pairs of semi-detached bungalows on the estate, whose combined frontage is of a similar width and where their presence adds further interest to the layout and character of the estate.
9. The Council have referred, in their objection, to policies D DM1 (1) and D DM4 (b) & (e) of the Arun Local Plan 2011-2031 (ALP), as well as section M.01 of the Arun District Design Guide Supplementary Planning Document (Design SPD). Combined, these seek to ensure, amongst other requirements, that new development makes best possible use of existing land, that it does not

compromise the established character of the area and that extensions are visually integrated with the existing building and subservient.

10. The appeal proposal would not harm the character of the area and would integrate well with the design of the existing bungalow, as well as making full use of the land available. However, the proposed full height extension would not be subservient to the host. Even so, I note that in the Design SPD the examples shown of new side extensions are largely to existing two storey properties where a subservient design is likely to be more achievable, practical and appropriate in design terms. Whilst I accept, however, that the lack of subservience, resulting from the full height extension, would conflict with elements of the policy and guidance, the latter should be applied flexibly and not rigidly, and should also have regard to the individual circumstances of the case including its local context, which is the approach I have adopted here. For these reasons, I am satisfied that the conflict with those elements of the policy and guidance referred to above would, in this case, be limited and would not be sufficient to justify the refusal of planning permission.
11. Accordingly, I find that the appeal proposal would, overall, be compliant with policies D DM1 and D DM4 of the ALP, and would also not be at variance with the aims and objectives of the Design SPD.

Other Matters

12. Concerns have been raised that the proposal would lead to the overdevelopment of the site, that the rear dormer is out of place and that the development results in overshadowing. As I observed on site, the appeal site comprises a large plot that is more than capable of accommodating the proposed development, where the resulting buildings relationships are acceptable and would not lead to any harm to the living conditions of neighbouring occupiers. I also note that these are not matters that the Council have raised in their objection to the appeal proposal. I am satisfied, therefore, that none of these issues would give rise to any significant harm.

Conditions

13. The Council has suggested various conditions which I have considered against the advice in the Framework and the Planning Practice Guidance chapter on the use of planning conditions. Conditions requiring compliance with the submitted plans and for materials to reflect those existing and shown on the submitted plans are necessary and reasonable in order to secure a high-quality development and to reflect the details included with the application. I have, however, amended the wording and added reference to the approved plans for clarity.

Conclusion

14. For the reasons given above and having taken all the matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR