



Appeal Decision

Site visit made on 3 August 2022

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 24 August 2022

Appeal Ref: APP/P1425/D/22/3296294
27 Marine Drive, Bishopstone, BN25 2RT

- 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 Dominic Creese against the decision of Lewes District Council.
 - The application Ref: LW/21/0966 dated 14 December 2021, was refused by notice dated 18 March 2022.
 - The development proposed is remodelling of dwelling with rear and first floor extensions, rear terrace, rendering of building and alterations to fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for remodelling of dwelling with rear and first floor extensions, rear terrace, rendering of building and alterations to fenestration at 27 Marine Drive, Bishopstone, BN25 2RT in accordance with the terms of the application, Ref: LW/21/0966 dated 14 December 2021, 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: 0399 01; 0399 02 A; 0399 03 A.
 - 3) Prior to the installation of the dormer windows hereby permitted, details and samples of the proposed materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.
 - 4) Prior to first occupation of the development hereby permitted, no part of any window in the side elevations of the dormers marked high level for ventilation on Plan 0399 02A shall be less than 1.7m above the floor of the room in which it is installed, and once installed shall not be altered.
 - 5) Prior to first occupation of the development hereby permitted, the windows in the side elevations of the dormers shown to be in obscured glass on Plan 0399 02A shall be fitted with obscured glass and once installed the obscured glazing shall be retained thereafter.

Preliminary Matters

2. The application was amended at the application stage and I have considered the proposal on the basis of the plans determined by the Council.

Main Issues

3. The main issues in this appeal are:

- a) The effect of the proposal on the character and appearance of the local area, and
- b) The effect of the proposal on the living conditions of surrounding neighbours.

Reasons

Issue a) Character and Appearance

4. The appeal property is a detached chalet bungalow on the south-west side of Marine Drive and within a predominantly residential area. The surrounding area comprises a mix of dwellings, but primarily bungalows and chalet bungalows. The properties on the south-west side of the road are set lower than the properties on the other side of the road. There are examples of where the roof ridge runs front to back, as with the appeal property, and others where the ridge runs horizontally. Dormer windows are a common feature in the road, albeit of differing forms.
5. The proposal would provide a rear extension over two floors under an extended roof with an enclosed balcony in the rear gable at first floor, with dormers to both sides. The rear addition would continue the ridge of the existing roof and present a gable end to the rear with a partly covered terrace at the rear; this would be appropriately designed, including in terms of scale and proportions, to respect the character and appearance of the existing property
6. I agree that both side dormers would be of greater length than a number of other examples in the street, but they would be set down from the roof ridge and set back from the front elevation so that they would not appear overly dominant in relation to the scale and form of the existing house and as proposed to be extended.
7. I do not agree with the comments of the Town Council that, as a result of the dormers, the property would change from a chalet bungalow to a two storey dwelling; it would in my view clearly remain as a chalet bungalow. It would in that regard respect the predominant pattern of development in the local area, including in terms of scale, form, height, massing and proportions.
8. The proposed dormers taken together with the rear extensions and alterations, given their scale and form would not look visually obtrusive in the street scene. Given the predominance of chalet bungalows in the local area, I do not consider that the proposed alterations and extensions would appear out of place or detract from the character and appearance of the existing building or the street scene. There would be no conflict with Policies DM25 and DM28 of the Lewes District Local Plan, Policy SEA2 of the Seaford Neighbourhood Plan and the National Planning Policy Framework, and in particular Section 12, all of which seek a good quality of design which respects the local context.

Issue b) Living Conditions

9. The Council's reason for refusal also refers to harm to the amenity and privacy of neighbours to the rear, although this is not addressed in the Officer's report. First, there are no neighbours to the rear, only to the side and opposite on the

other side of the road. The design and form of the enclosed balcony at first floor level would ensure that the outlook and views from that balcony would be primarily channelled directly to the rear and not to the side. Furthermore, the removal of the existing balcony at the rear would reduce the amount of overlooking available as existing.

10. In terms of the neighbours to both sides, the primary windows at first floor would be to the front and to the rear, and where windows are proposed in the side dormers, these would be either high level for ventilation purposes or in obscured glass. Conditions would be attached to any permission granted to ensure these windows remain high level or in obscured glass.
11. I am therefore satisfied that the proposal would not be harmful to the amenities and privacy of surrounding neighbours and their living conditions would be respected. There would be no conflict with Policies DM25 and DM28 of the Lewes District Local Plan, Policy SEA2 of the Seaford Neighbourhood Plan and the National Planning Policy Framework, and in particular paragraph 130 f) all of which seek to protect the amenities of existing and future occupants.
12. The Council has referenced one objection from a neighbour on the opposite side of the road, regarding the potential loss of view. However, and as the Council has indicated, matters pertaining to a loss of view are not a planning matter.

Conditions and Conclusion

13. In terms of conditions, I agree with the Council that the plans should be listed for the avoidance of doubt and in the interests of good planning. There is insufficient information regarding some of the proposed materials and in particular the proposed cladding for the dormers; I consider that these materials should be submitted and approved by the Council prior to their installation to ensure that they respect the appearance of the dwelling and of the local area. As I have already indicated, conditions should be imposed to ensure that the windows shown to be high level or in obscured glass are installed as indicated and subsequently maintained, to protect the amenities of adjoining neighbours.
14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

L J Evans

INSPECTOR