
Appeal Decisions

Site visit made on 10th August 2022

by Megan Thomas Q.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Communities and Local Government

Decision date: 6th September 2022

Appeal A Ref: APP/U1430/D/21/3286193

6 Spring Steps, Winchelsea, TN36 4EH

- 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 Chris Meyer against the decision of Rother District Council.
 - The application Ref.RR/2021/1020/P, dated 23 April 2021, was refused by notice dated 25 October 2021.
 - The development proposed is an attic conversion and the installation of 3 x rooflights to rear elevation.
-

Appeal B Ref: APP/U1430/D/22/3297927

6 Spring Steps, Winchelsea, TN36 4EH

- 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 Chris Meyer against the decision of Rother District Council.
 - The application Ref.RR/2021/2699/P, dated 4 November 2021, was refused by notice dated 22 February 2022.
 - The development proposed is an attic conversion and the installation of 3 x rooflights to rear elevation.
-

Decisions

Appeal A Ref: APP/U1430/D/21/3286193

1. The appeal is allowed and planning permission is granted for an attic conversion and the installation of 3 x rooflights to rear elevation at 6 Spring Steps, Winchelsea, TN36 4EH in accordance with the terms of the application ref. RR/2021/1020/P, dated 23 April 2021, subject to the following conditions:
 - (1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - (2) The development hereby permitted shall be carried out in strict accordance with the approved plan: Proposed Floor Plans, Elevations & Site Block Plan, Drawing No. 21.346/02, dated April 2021
 - (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.
-

Appeal B Ref: APP/U1430/D/22/3297927

2. The appeal is allowed and planning permission is granted for an attic conversion and the installation of 3 x rooflights to rear elevation at 6 Spring Steps, Winchelsea, TN36 4EH in accordance with the terms of the application ref. RR/2021/2699/P, dated 4 November 2021, subject to the following conditions:

- (1) The development hereby permitted shall begin not later than three years from the date of this decision.
- (2) The development hereby permitted shall be carried out in strict accordance with the approved plans as follows: Existing Floor Plans, Elevations, and Site Location Plan. Drawing no. 21.346/01 dated April 2021 & Proposed Floor Plans, Elevations, and Site Block Plan. Drawing no. 21.346/02A dated April 2021.
- (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.

Costs

3. Applications for a full awards of costs has been made by Mr Chris Meyer against Rother District Council. These are the subject of a separate decision.

Procedural Matter

4. As set out above there are two appeals on the same appeal site. In both appeals, planning permission is required for the installation of 3 rooflights in the rear roof slope of 6 Spring Steps. By way of additional information, the drawing in appeal A shows the proposed second floor being used in the future as two bedrooms and the drawings in appeal B show the proposed second floor being used in the future as a home office/children's play area. That is the main difference in the drawings submitted with the planning applications. Neither appeal seeks planning permission for a material change of use of the planning unit. To avoid duplication it is sensible to deal with the two appeals together in my reasoning.

Main Issue – Both Appeals

5. The appeal site is located within the Winchelsea Conservation Area "CA" and in the High Weald Area of Outstanding Natural Beauty "AONB". The main issue in both appeals is the effect of the proposed development on the character and appearance of the host dwelling, wider terrace of dwellings, the CA and the AONB.

Reasons – Both Appeals

6. 6 Spring Steps is a mid-terrace component of a row of dwellings (5 to 8). It is located within the enclave of Spring Steps which includes another similar

terrace. No.6 has a single storey rear extension and is two storeys in height with a pitched roof. It has a brickwork façade to the front and rear, which is a theme followed by a majority of the surrounding and attached buildings. Nos 4 and 8 which are the terrace ends have a slightly altered aesthetic with tile hanging and details. The appeal site is within the development boundary of Winchelsea.

7. The proposed development is to install 3 velux style rooflights in the rear roof slope of the property in order to provide light for an attic conversion. The original rooftiles would be retained and modified to fit around the rooflights. No works are proposed to the front elevation.
8. No.4 Spring Steps, which is located in front of and perpendicular to the appeal site, has two roof lights in the front roof slope which were permitted under application ref. RR/2012/1718/P.
9. The CA is a designated heritage asset and I have borne in mind my statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. Paragraph 199 of the National Planning Policy Framework requires that great weight should be given to the heritage asset's conservation. In respect of the AONB, national policy indicates that great weight should be given to conserving and enhancing the landscape and scenic beauty of the AONB.
10. The significance of the Winchelsea CA is found in, amongst other things, its historic grid pattern, its mix of architecturally imposing buildings and less formal buildings, its use of vernacular materials, its long vistas along streets and generally highly visible roofscape. The insertion of the three roof lights into the rear roofslope of no.6 would be modest changes which would preserve the CA. The rear of the appeal site is generally only visible from the immediate neighbouring dwelling gardens with a banked fall to the A259 to the rear of the properties which is shielded by a large row of well-established trees.
11. Even though there would be mainly private views of the rooflights they have been designed to be limited in size and broadly lined up with the fenestration in the floors below. They would not detract from the general uniformity of the wider terrace but rather be neutral in their impact. They would conserve the beauty of the AONB owing to their unintrusive effect.
12. Consequently, I conclude that in respect of both appeals the proposed development would not harm the character or appearance of the host dwelling, the wider terrace, the CA or the AONB. There would be no conflict with policies OSS4, EN2 or EN3 of the Rother Local Plan Core Strategy (adopted 2014) or policies DHG9 or DEN2 of the Rother Development and Site Allocations Local Plan (adopted 2019).

Other Matters – Both Appeals

13. The increase in living accommodation, whether by two additional bedrooms or otherwise, would be highly unlikely to give rise to unacceptable parking stress in Winchelsea. Spring Steps is a cul-de-sac which has some parking spaces and there is some parking available in nearby streets. There is no cogent

evidence to indicate that permitting the appeals would lead to unacceptable harm to highway safety or convenience. Planning permission for the development sought under the appeals would not grant permission for a material change of use amounting to development under the Town and Country Planning Act 1990. The bedroom sizes shown in drawings submitted with appeal A are suitable for reasonable occupation.

Conditions – Both Appeals

14. I have considered the imposition of conditions in the light of advice in National Planning Practice Guidance. In addition to the statutory time limit condition, a condition which ties the development to the submitted plans is necessary in the interests of certainty and a condition which requires external materials to match those in the dwelling would preserve the character and appearance of the host dwelling, the wider terrace, the CA and the AONB.

Conclusion – Both Appeals

15. Having taken all representations into account, for the reasons given above I allow appeal A and appeal B.

Megan Thomas Q.C.

INSPECTOR