



Appeal Decision

Site visit made on 17th October 2022

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

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

Decision date: 1st November 2022

Appeal Ref: APP/Z3825/D/22/3302587

1 Rosemary Avenue, Steyning BN44 3YS

- 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 Dan Barratt against the decision of Horsham District Council.
 - The application Ref.DC/22/0148, dated 26 January 2022, was refused by notice dated 22 April 2022.
 - The development proposed is a ground floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are the effect of the proposal on the living conditions of the occupants of no.2 King's Barn Lane with regard to outlook and light, and the effect on the character and appearance of the host dwelling and its semi-pair (no.2 King's Barn Lane).

Reasons

Living conditions for occupants of 2 King's Barn Lane

3. The appeal site is a semi-detached chalet bungalow and garden situated on the corner of King's Barn Lane and Rosemary Avenue. It faces north to King's Barn Lane and has a side garden to the west of the dwelling. It is within the settlement of Steyning. Its semi-pair is 2 King's Barn Lane. This has a side and a rear dormer window, a conservatory-type extension on a brick plinth at the rear and a timber outbuilding in the rear garden. The two dwellings step back from King's Barn Lane and are at a higher level than the Lane.
4. The appeal site has a single storey detached garage in the rear south-east corner of the plot used as a store. The space between the existing single-storey rear extension and the existing store comprises a decking area. The proposal is to infill the area on which there is currently decking.
5. The proposed development would retain the existing timber boundary fence between the appeal site and no.2 King's Barn Lane but would involve the erection of a wall in front of it on the appeal site side. The wall would be higher than the existing fence. There would be a dummy pitch on the proposed extension angled away from the garden of no.2 and it would match and continue the existing pitch on the appeal site dwelling.

6. Whilst the dummy pitch would recede westwards away from the garden of no.2 King's Barn Lane, the resulting boundary treatment along the western edge of the curtilage of no.2 would be solid and result in an unreasonable sense of enclosure for the occupants of no.2. In considering the impact on occupants I have borne in mind the impact on future occupants of no.2 as well as the impact on the current occupants. The rear garden of no.2 is of a very modest size and its usable amenity area is small. Given the proposed and existing heights and lengths of the resulting built boundary with no.2, I also consider there would be an unacceptable loss of light to the small garden and to some of the windows in the conservatory-type rear addition from the proposed development.
7. Therefore, on this issue I conclude that the proposal would harm the living conditions of the occupants of no.2 King's Barn Lane by reason of loss of outlook and loss of light. It would be contrary to policy 33 of Horsham Development Framework (adopted 2015).

Character and appearance of the host dwelling and its semi-pair

8. The appeal site has had a number of additions. Amongst other things, it has had a hipped-to-gable roof extension, front and rear dormers, front porch and a single-storey rear extension to the original dwellinghouse. These alterations and extensions were granted planning permission over several previous planning applications and Lawful Development Certificates.
9. The proposal would result in a very elongated and contrived dwelling. Furthermore, looked at on a cumulative basis, the original character of the dwelling as a modest semi-detached bungalow would be very difficult to discern. Whilst it is acknowledged that the infill extension would not be wholly visible from the wider streetscape, overall, the property's cumulative layout, design and scale would appear visually incongruous and detract from the original simple form and character of the dwelling. In addition, the scale and form of no.2 King's Barn Lane has to be borne in mind given that the two are semi-detached, and the resulting elongated form and scale of the appeal site dwelling would unduly unbalance the semi-pair.
10. On this issue, I conclude that the proposal would unacceptably harm the character and appearance of the host dwelling and its semi-pair. It would be in conflict with policies 32 and 33 of the Horsham District Planning Framework (adopted 2015).
11. In considering the issues in the appeal I have had regard to other consented infill developments referred to in the representations. However, I have determined this appeal on its own individual merits and relationships with nearby properties.

Conclusion

12. Having taken into account all representations made including the benefits that would flow from having more usable living space at the appeal site, for the reasons given above, I dismiss the appeal.

Megan Thomas K.C.

INSPECTOR