
Appeal Decision

Site visit made on 20 December 2023

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 27th February 2024

Appeal Ref: APP/P1425/D/22/3305527

42 Rookery Way, Seaford BN25 2TD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class AA, Paragraph AA.2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Andy Scotcher against the decision of Lewes District Council.
 - The application Ref LW/22/0358, dated 28 April 2022, was refused by notice dated 8 July 2022.
 - The development proposed is the addition of a single storey to a bungalow to form two bedrooms and a bathroom and a master bedroom with en-suite.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, planning permission is granted for the enlargement of a dwellinghouse by construction of additional storeys, subject to limitations and conditions.
3. Paragraph AA.2(3) of Part 1 requires the local planning authority to assess the external appearance of the dwellinghouse, including the design and architectural features of the principal elevation of the dwellinghouse and any side elevation that fronts a highway.
4. During my site visit I observed that the appeal property has been extended and does not appear as shown on the existing plans; the alterations include the insertion of a dormer, amongst other features. Nonetheless, my assessment is based on the application plans.
5. In December 2023, a revised version of the National Planning Policy Framework (the Framework) was published. Both the Council and the appellant have been consulted on the amended version of the Framework, but neither made comments.
6. The description of development is taken from the application form but in the interest of brevity, I have removed reference to like-for-like materials.

Main Issue

7. I consider that the main issue is the effect of the proposed design of the principal elevation on the character and appearance of the area, including the setting of the South Downs National Park (SDNP).

Reasons

8. The appeal property is a bungalow, located in an area that is dominated by bungalows of varied design. It forms part of a wider residential estate which is located over the ridge of a hill; the SDNP wraps around the estate on three sides. The nearest two-storey dwellings are on the other side of the estate, over the crest of the hill. Given the residential setting, its location on the edge of a settlement, and the views across to the sea and rolling hills of the SDNP, the area is suburban in character.
9. There is a varied roofscape in the area, with several of the bungalows including dormers and steep roofs to provide habitable accommodation in the loft space. Nonetheless, the appeal property is in a row of bungalows which have broadly consistent eaves heights. The proposed additional storey would significantly increase the eaves height of the principal elevation of the appeal property. This would disrupt the pleasing consistency of the heights of the surrounding eaves. As such, the appeal property would appear incongruous within the street scene.
10. Given the surrounding topography and the presence of residential development uphill and downhill from the appeal property, the proposed extension would assimilate with surrounding development in views from the SDNP. Nonetheless, the proposed extension would disrupt views from uphill locations across the appeal property toward the SDNP. As the proposed extension would be noticeably higher than surrounding properties it would be particularly prominent in these views and detract from the wider setting of the SDNP.
11. I note that the author of the legislation may have expected some disruption to the street scene, given it supports the provision of an additional storey. However, despite the varied design of surrounding bungalows and the topography of the area, in this instance the proposal would detract from the pleasing consistency of the eaves' heights of surrounding properties and the setting of the SDNP.
12. The proposed design of the principal elevation would have a harmful effect on the character and appearance of the area, including on the setting of the SDNP. It would be contrary to paragraphs 128, 135 and 182 of the Framework, which indicate that planning decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character, they should ensure that developments are sympathetic to local character, and that great weight should be given to conserving landscape and scenic beauty in National Parks.

Other Matters

13. Whether the Council attended a site visit, or not, prior to issuing their decision, does not alter my assessment on the acceptability of the appeal proposal.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed, and prior approval should not be given for the proposed extension.

J Hobbs

INSPECTOR