



Appeal Decision

Site Visit held on 28 November 2024

By Simon Hand MA

an Inspector appointed by the Secretary of State

Decision date: 6 December 2024

Appeal Ref: APP/Y9507/D/24/3348882

The Rubbing House, Town Lane, Chichester, West Sussex, PO18 0SP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Adrian Burrows against the decision of South Downs National Park Authority.
 - The application Ref is SDNP/24/00771/HOUS.
 - The development proposed is amendments to the previously permitted dormers and roof terrace, to form new bedroom in existing habitable roof space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In 2023 planning permission was granted on appeal¹ for dormer windows on all four sides of the roof of the dwelling known as The Rubbing House. These comprised 2 on the south elevation and 1 each on the other elevations, that on the northern elevation acting as a door onto a roof terrace over a rear curved element of the house.
3. This appeal is for a larger number of dormers/doors on the same elevations in a different design and with a larger roof terrace.

Main Issues

4. The impact of the proposed design on the character and appearance of the house, on the surrounding landscape and on the tranquillity of the area.

Reasons

5. The Council also were concerned about Dark Skies and bio-diversity. However, in terms of Dark Skies there is no control over light from the rest of the house and the appellant proposes automatic shutters as shown in another recent appeal in the National Park that were then considered to deal with the Dark Skies issue. A condition was also imposed on the previous planning permission to control light from the roof terrace. I therefore consider that the Dark Skies issue can be dealt with by conditions.
6. The question of bats was also dealt with in the previous appeal on this site where a survey found little impact and the proposed mitigation was found to be acceptable. There is no reason why these larger windows should have any

¹ APP/Y9507/D/22/3312605

greater effect on the bats, especially if light spill is controlled as described above, so again this can be dealt with by conditions.

7. The Rubbing House was built in the 1990s on the site of a previous house that burnt down. It is a large building constructed in a neo-Georgian style. The existing shallow pitched roof has a flat central roof area beneath which is a room, currently used as a study. This would be converted into an ensuite bedroom, with doors allowing access onto the new and larger roof terrace.
8. The rear of the house has a large, curved feature containing a dining room with a bedroom above and this has a flat roof that would support the terrace. Following the previous grant of planning permission there is now no dispute that dormer windows and some form of roof terrace are acceptable. The question is the impact of the new proposals on the National Park.
9. The site lies at the end of Town Lane where it turns into Chalk Pit Lane which is not really passable for ordinary motor vehicles. There is a car park here for visitors to the National Park and in particular the Trundle, a nearby hilltop crowned by a hill fort. This is a very popular part of the National Park with a variety of footpaths radiating from the car park and sweeping views to the south over Chichester Harbour. Policies SD5 and SD6 are the most relevant. SD5 deals with design and requires that development should be sensitive and of high quality that make a positive contribution to the overall character and appearance of the area. In particular proposals should utilise architectural design that is appropriate and sympathetic to its setting. SD6 deals with views and requires proposals to conserve and enhance views from public rights of way.
10. The house is well screened from Town Lane and views are at best glimpsed from Chalk Pit Lane, but from the Monarchs Way and the West Sussex Literary Trail, two national paths that meet outside the house, there are clear and close up views of the roof. Only the rear, with the curved feature is harder to see in public views. However three sides of the roof are clearly visible and so good quality design is of considerable importance.
11. The proposed dormers are in fact large windows with curved tops that mimic in size and scale the windows at first floor level and the curved design echoes the ground floor front façade windows. There are also more of them, with three to the front and rear rather than the original two. My first reaction is that the new windows are much bigger than those approved and that they would dominate the roof. Because the roof slope is shallow they also have very long cheeks which adds to their bulk. They would look out of place and are harmful.
12. However, the house has been carefully designed as a modern Georgian-style building. The approved dormers are typical of the sort of smaller, less impressive dormers used on Georgian houses for the servants' quarters which were usually accommodated in the roof. Indeed the appellant's own appeal statement has photographs of actual Georgian houses with just such arrangements. These photographs show how the dormers are smaller and more subservient than the windows in the main façade. Quite the opposite is the case with the appeal proposals which would be unhistorical and accentuate the modern, undermining the attempt at the neo-Georgian design of the house. The proposals would thus be contrary to both SD5 and SD6.

13. The approved roof terrace was a small and rather subtle extension onto the flat roof, well away from the edges and mostly contained within the slope in the roof. The proposed terrace occupies nearly all the large area of the flat roof. Although set in from the edge the proposed balustrade would be visible in the few, albeit glimpsed, views from the nearby public footpaths. However, it would also not represent the sensitive design that is appropriate and sympathetic to its setting as required by SD5. It would enable people to come right to the edge of the roof and encourage the use of the terrace for large groups of people. This could begin to have an impact on tranquillity because of noise, but would also not be in keeping with the more sober and restrained form of the rest of the house and so would be further contrary to SD5. Given that the design is harmful the limited views of the curved feature would also be contrary to SD6 as those views would not be conserved.

Conclusion

14. No conditions would overcome the problems I have identified above with the dormers or roof terrace and I shall dismiss the appeal.

Simon Hand

INSPECTOR