



Appeal Decision

Site visit made on 8 October 2024

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 January 2025

Appeal Ref: APP/C3810/W/24/3347560

35 Roemead Drive, Yapton, West Sussex BN18 0ZE

- 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 Lauren Wallace against the decision of Arun District Council.
- The application Ref is Y/6/24/HH.
- The development proposed was described as: "Proposed two storey side extension. From a 2 bedroom dwelling to 3 bedroom dwelling with study (home working)".

Decision

1. The appeal is dismissed.

Background and Main Issues

2. Amended plans were submitted as part of the appeal, along with a flood risk and drainage strategy statement in response to the fourth reason for refusal. The amendments involve a reduction to the proposed ridge height and a set-back from the front elevation of the host dwelling. I do not regard these amendments and additional technical information as involving a substantial difference or fundamental change to the application. Nor do I consider that accepting these for consideration would lead to procedural unfairness to interested parties. I have therefore determined the appeal on this basis.
3. The revised National Planning Policy Framework (the Framework) was published in December 2024. In the specific circumstances of this appeal, there is no need to invite further comments on the Framework revisions from the main parties.
4. The decision notice sets out four reasons for refusal. Having considered all the submitted evidence, the points of dispute form two main issues as follows:
 - the effect of the proposed development on the character and appearance of the host dwelling and surrounding area; and
 - whether or not the proposed development would adequately drain surface water and avoid increased flood risk.

Reasons

Character and appearance

5. The appeal site comprises a two storey end-terrace dwelling at the end of the Roemead Drive cul-de-sac. The site forms part of a recently constructed residential expansion of Yapton village known as Paddock View. The

surrounding area contains a mixture of terraced and detached dwellings of traditional design.

6. The proposed side extension would not be subservient to the host dwelling, as it would be of similar width to the existing dwelling and would amount to a near doubling of the existing footprint. The overall scale, massing and siting would not form a sympathetic addition to No 35, despite the reduced ridge height and the small step back from the existing front elevation. The proposed front elevation fenestration would include three small ground floor windows, one more than the adjoining frontage, along with a larger first floor window to copy that of the host dwelling. Whilst this fenestration largely reflects the existing front elevation, in this instance it would further draw the eye to and accentuate the overall non-subservient form of the proposal.
7. Although the proposal's location at the end of Roemead Drive would reduce its prominence along the approach to No 35, the ground level declines towards the adjacent residential estate of Bonhams Field, and the dwellings of Bonhams Field are sited on noticeably lower ground level than the proposal site. No 35 forms part of the Paddock view estate edge, which has uniform side building lines that can be appreciated from further afield at the Donovan Way cul-de-sac end. The proposed two storey width and bulk would form a prominent addition that would adversely disrupt the regimented building line along the estate edge, and would therefore not contribute positively to the townscape. Provision of matching materials and a half-hipped roof facing Bonhams Field would not sufficiently mitigate the significantly harmful impact on the character and appearance of the host dwelling and surrounding area.
8. I accept that the proposed two storey side extension would be sited on land recently approved¹ as additional private garden area for No 35. This approved scheme also includes nine new dwellings elsewhere within the Paddock View estate, and a wider mix of open space and private gardens along a former access track between Paddock View and Bonhams Field. The proposed extension would therefore be sited within approved private garden land, and the main parties agree that permitted development rights would allow for extensions to the side and rear of No 35. Such rights do not however apply to two storey side extensions. The potential single storey fallback options therefore do not justify granting planning permission for the appeal proposal.
9. The proposal is contrary to Policies D DM1 and D DM4 of the Arun Local Plan 2018 (ALP), and Policy H4 of the Yapton Neighbourhood Plan 2011-2031 (YNP). Collectively, these policies require extension proposals to reflect the character of the site and the surrounding area in terms of scale, massing and siting, to sympathetically relate and be subservient to the existing building, to not compromise the established spatial character and pattern of the place, and to contribute positively to the environment. The proposal also fails to satisfy the guidance of the Arun District Design Guide 2024, notably insofar as it requires extensions to respond to and complement the existing character and appearance of the building and wider townscape in terms of scale and massing, and to be visually subservient to the existing property.

¹ Local Planning Authority Ref: Y/124/22/PL

Surface water drainage and flood risk

10. The site is within the Lidsey Wastewater Treatment Works Catchment Area. Policy W DM1 of the ALP concerns, amongst other things, individual and cumulative impact upon foul water disposal, flood storage capacity and surface water drainage or flood flows with this Catchment Area. This policy therefore requires developments to be accompanied by a Drainage Impact Assessment.
11. A Flood Risk and Drainage Statement (FRDS) has been provided with the appeal. The Council's Drainage Engineer raised objection due to insufficient information to determine if the site can sustainably drain surface water. A potential option of discharging surface water into the estate's SUDS scheme was suggested, subject to receiving permission in principal from the estate management company.
12. The appellant has provided a letter from the Paddock View management company. This confirms that it grants consent for the appeal site to connect into the existing estate's SUDS to facilitate the appeal proposal.
13. I am therefore satisfied that the proposal would comply with Policies W DM1 and W DM3 of the ALP, and Policy E11 of the YNP. Collectively, these policies require, amongst other things, development to provide appropriate surface water drainage and demonstrate adequate drainage capacity, without increasing flood risk elsewhere, and to reduce flood risk overall and incorporate SUDS design features.

Other Matters

14. The appellant has raised concerns regarding absence of dialogue with the Council's case officer and not being given the chance to amend the scheme during its determination. These are matters between the appellant and the Council and they have had no bearing on my determination of the appeal.

Planning Balance

15. The proposal would adequately drain surface water and avoid increased flood risk, in compliance with Policies W DM1 and W DM3 of the ALP, and Policy E11 of the YNP. I have however found that it would cause significant harm to the character and appearance of the surrounding area, contrary to Policies D DM1 and D DM4 of the ALP, and Policy H4 of the YNP. Although the scheme would form an efficient use of land as supported by ALP Policy D SP1, it would not comprise good design, which is also one of the fundamental tenets of the Framework. I therefore conclude that the proposal is contrary to the development plan as a whole.
16. It is put to me that the proposal will provide enhanced habitat within the green buffer between the two estates, including provision of additional hedgerow and tree planting, to provide biodiversity net gain and habitat connectivity. The submitted ecology technical note refers to ecological mitigation and enhancement as set out in the proposed landscaping plan². Some of the proposed landscaping is however outside of the application red line site and within what appears to form public open space along the cul-de-sac end.

² Drawing No. LSFY/01/0004

17. I also noted during my visit that some of the proposed hedgerow would run along an existing paved footpath from the Roemead Drive cul-de-sac to the Bonhams Field boundary. Neighbour representations raised concerns regarding obstruction of this pathway, although I also noted closeboard fencing along the boundary between the two estates. As such, the final purpose or delivery of this pathway is unclear. I am therefore not certain that the purported ecological enhancement measures can be secured or delivered. Such measures therefore cannot carry any positive weight in favour of allowing the appeal.

Conclusion

18. The proposal would conflict with the development plan as a whole and the material considerations before me do not indicate that a decision should be made otherwise than in accordance with it. Therefore, the appeal is dismissed.

R Cahalane

INSPECTOR