



Appeal Decision

Site visit made on 26 June 2025

by JJ Packman MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 August 2025

Appeal Ref: APP/L3815/D/25/3361661

Beach House, Barn Walk, West Sussex, East Wittering, PO20 8DG

- 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 and Mrs Deane against the decision of Chichester District Council.
 - The application Ref is EWB/24/02568/DOM.
 - The development proposed is alterations to garage including changing from hips to gables.
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Decision

1. The appeal is allowed and planning permission granted for alterations to garage including changing from hips to gables at Beach House, Barn Walk, West Sussex, East Wittering, PO20 8DG in accordance with the terms of the application Ref EWB/24/02568/DOM and the plans submitted with it subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be undertaken in accordance with the following approved drawings: 1:1250 scale Location Plan (ref: PL.667.24 01), 1:100 scale plans and elevations as existing (ref: PL.667.24 30 Rev A), 1:100 scale plans and elevations as proposed (ref: PL.667.24 31 Rev A).
 - 3) The new floorspace at first floor level hereby permitted shall not be occupied until the new first floor west facing window has been fitted with obscured glazing, and no part of that window which is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Preliminary Matters

2. Since the appeal was lodged, Chichester District Council have submitted the Chichester Local Plan 2021-2039 for independent examination. It is therefore appropriate to now give the draft policies increased weight in this decision due to the advanced stage of their preparation.

Main Issues

3. The main issues are:
 - The effect of the proposal on visual amenity

- The effect of the proposal on the living conditions of occupiers of Sea Breezes on Tamarisk Walk, with particular regard to privacy

Reasons

Visual Amenity

4. Beach House is a distinctively styled detached residential dwelling fronting the beach at East Wittering. The property occupies a prominent location at the corner of Barn Walk and Tamarisk Walk. Car parking and garaging is situated to the rear.
5. At the time of my site visit, the site was subject to considerable construction activity which appeared related to appeal scheme APP/L3815/D/24/3337594.
6. The immediate area comprises detached houses situated in plots of similar sizes. Whilst there is a trend of linked garages being situated behind houses, there is no clearly defined local architectural style or cohesive pattern of development. The local area is characterised by considerable variety.
7. The proposal is for the modification of the existing garage. It is proposed that the footprint and ground floor arrangement will remain the same as that previously consented, whilst the roof structure would be modified to provide additional ancillary living accommodation within the roof. The scheme proposes replacing the hipped roof with a 'Dutch barn' style arrangement. The new arrangement will be only marginally taller, but somewhat bulkier, with the additional volume providing more usable floorspace within the roof.
8. Given the variety of architectural forms present within the local area, which includes another Dutch barn style garage, and despite its prominent location, I do not find the proposal to be incongruous. The proposed garage will be bulkier than the existing garage but not significantly larger overall, it will also be set back from the site boundary behind a fence and landscaping. Overall, it is considered that the garage will be a notable, but not harmful feature of the streetscene.
9. On this basis it is considered that the proposals are acceptable in terms of visual amenity and accord with Policy 33 of the Chichester Local Plan Key Policies (2015) which requires proposals to meet the highest standards of design and to respect the character of the surrounding area. I find no conflict with policies P1 and P2 of the emerging Chichester Local Plan (Submission Version) which require all development to achieve high quality design and to reflect the positive characteristics and distinctiveness of the local area. The proposal also accords with Section 12 of the National Planning Policy Framework (The Framework) which seeks to ensure developments are sympathetic to local character and history whilst not preventing or discouraging appropriate innovation or change.

Living Conditions

10. First floor windows are proposed on every elevation of the proposed garage, with 3 no. roof lights to the north, gable end windows on the east and west elevations and a dormer window facing south. Particular concerns have been raised about the effect the proposed dormer window and west facing window would have on the living conditions of the occupiers of the residential property known as Sea Breezes. The officer's report makes reference to the proposal 'not being sufficiently

distanced' from the neighbouring property, with this proximity giving rise to a detrimental impact from overlooking.

11. The proposed dormer would be orientated in a southerly direction back towards the main house. Glazing will not run the full width of the dormer, so those looking out of the window would not be quite as close as quoted within the officer's report. Despite its relative proximity to the boundary, viewing angles of the neighbouring property will be oblique and therefore not easy to achieve. Clear views of the neighbouring property will be further reduced as a result of the restricted head heights within the roofspace, forcing viewers to stand further back into the room to look out of the dormer window. Given this narrow, oblique angle of view, I do not consider that harmful overlooking will occur from the proposed dormer window.
12. Whilst the west facing window would not provide views towards the neighbouring house or garden, it would provide views over the car parking area, and potentially give rise to a sense of surveillance. This harm could be mitigated through the imposition of a condition requiring that window to be obscure glazed and of restricted opening.
13. With respect to living conditions, I find the proposals to be acceptable, subject to a planning condition requiring obscure glazing to the western elevation window.
14. Consequently, I find no conflict with Policy 33 of the Chichester Local Plan Key Policies (2015) which requires proposals to provide a high quality living environment or Policy P6 of the emerging Chichester Local Plan (Submission Version) which requires all development to provide all potential users with an acceptable level of amenity. I also consider that the proposal complies with paragraph 135 of the Framework in that it would maintain a high standard of amenity for existing and future users.

Conditions

15. A condition specifying the relevant plans is necessary as this provides certainty. I have also included a condition specifying obscure glazing on the west facing window of the garage to protect the amenities of the neighbouring property. This condition also restricts the opening of that window to prevent the effect of the obscure glazing from being negated.

Conclusion

16. For the reasons outlined above, and having regard to all matters raised, the appeal is allowed.

JJ Packman

INSPECTOR