

## Appeal Decision

Site visit made on 16 May 2017

by **David Reed BSc DipTP DMS MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 June 2017

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**Appeal Ref: APP/P1425/W/16/3166303**

**Holm Lodge, Butlers Way, Ringmer, East Sussex BN8 5ES**

- 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 Mrs S Ratnasinkam against the decision of Lewes District Council.
  - The application Ref LW/16/0720, dated 22 August 2016, was refused by notice dated 21 December 2016.
  - The development proposed is a rear two bedroom extension to increase the residents accommodation.
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### Decision

1. The appeal is allowed and permission is granted for a rear two bedroom extension to increase the residents accommodation at Holm Lodge, Butlers Way, Ringmer, East Sussex BN8 5ES, in accordance with the terms of the application, Ref LW/16/0720, dated 22 August 2016, subject to the following conditions:
  - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 2015-45.
  - 3) The external surfaces of the development hereby permitted shall be finished to match those used in the existing building.
  - 4) Prior to the first occupation of the development hereby permitted, fencing, walls or other boundary treatment shall be erected or planted in accordance with a scheme to be submitted to and approved in writing by the local planning authority; the scheme shall then be retained in place at all times thereafter.

### Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of No 4 Butlers Way and Nos 32- 34 Oakmede Way in relation to outlook and privacy.

### Reasons

#### *Living conditions*

3. Holm Lodge, on the south eastern side of Lewes Road, was converted into a residential care home in 1987 and over the years has been extended to the

rear with a number of mainly single storey additions. The proposal is to add a further single storey extension to the rear, about 5.5 m long and 7.7 m wide, to provide a further two bedrooms. This would project further into the rear garden behind the property.

4. The various extensions have resulted in a rather disjointed building when seen from the rear and the proposal would add a further ad-hoc addition, this time mostly flat roofed to minimise its height. However, the site is private, well enclosed within a residential area and unseen from nearby roads or public viewpoints. Given this context the extension is acceptable in design terms.
5. The site is surrounded by residential properties on three sides, with the rear gardens of a series of bungalows on Oakmede Way adjoining the south east and south west boundaries and the flank elevation of a new bungalow, No 4 Butlers Way, situated very close to the north east boundary.
6. The boundary with the Oakmede Way bungalows is mostly well screened with tall fencing and vegetation, including a large Horse Chestnut tree, and this would minimise views of the extension from rear facing windows and when in the rear gardens. Although the extension would be at a relatively high level within the site<sup>1</sup> its flat roof, the boundary screening and the length of the rear gardens concerned would combine to reduce the impact on the outlook from these properties to an acceptable level.
7. In the case of No 4 Butlers Way, the flank wall of the bungalow runs alongside and very close to the common boundary wall. The bungalow is at a significantly lower level than Holm Lodge with the tops of three small side windows looking over the wall into its grounds. The separation distance between the side wall of No 4 and the extension would only be about 4 m or so and it would lie to the south, thus causing some loss of light to the nearest windows. However, the flank windows in No 4 only serve a side hallway and bathroom, and are not principal windows serving main rooms. As a result the proposal would not seriously affect the living conditions of the occupiers due to the loss of outlook or light.
8. No windows are proposed on the side elevations of the extension, thus protecting the privacy of No 4 and the bungalows on the other side in Oakmede Way. The windows on the rear elevation, albeit large, would be sufficiently far away and well enough screened from the rear facing bungalows in Oakmede Way to adequately protect their privacy.
9. For these reasons the proposal would not cause significant harm to the living conditions of the occupiers of No 4 Butlers Way and Nos 32-34 Oakmede Way in relation to outlook and privacy. This would comply with Policy CP11 of the Lewes Joint Core Strategy 2016, Policy 9.1 of the Ringmer Neighbourhood Plan and Policy ST3 of the Lewes District Local Plan 2003 which in turn seek to ensure that development is designed to a high standard, fits in with its surroundings and respects the amenities of adjoining properties in terms of privacy and visual amenities.

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<sup>1</sup> The ground floor level of the rear extensions is significantly higher than ground level at this point.

*Other matters*

10. The extension would reduce the amount of external amenity space available for the residents but an area would still remain. The Council has not drawn attention to any recognised standard that would be breached.
11. Unauthorised parking on the adjacent residential drive is a private matter.
12. The Council suggested three conditions should the appeal be allowed. In addition to the standard implementation time limit it is necessary to define the approved plan in the interests of certainty and to control the materials to be used in order to ensure the satisfactory appearance of the development. In addition, a neighbour requests a condition to allow the Council to require improved boundary treatment if this is necessary and such a condition is therefore imposed to allow further consideration of the matter.

**Conclusion**

13. Having regard to the above the appeal should be allowed.

*David Reed*

INSPECTOR