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Appeal Decision

Site visit made on 23 June 2009

by Philip Willmer BSc Dip Arch RIBA

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

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Decision date: 29 June 2009

Appeal Ref: APP/M3835/A/09/2099051
4 Maytree Avenue, Findon, Worthing, West Sussex, BN14 0HJ.

- 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 Mr Howard Linton against the decision of Worthing Borough Council.
- The application Ref WB/08/0673/FULL, dated 23 June 2008, was refused by notice dated 6 October 2008.
- The development proposed is described as "loft conversion".

WORTHING BOROUGH COUNCIL
PLANNING SECTION
RECEIVED 30 JUN 2009
TO
REF No.
WB/

Decision

1. I allow the appeal and grant planning permission for the replacement of existing roof, including the provision of dormer windows and roof lights and the construction of a new conservatory at 4 Maytree Avenue, Findon, Worthing, West Sussex, BN14 0HJ in accordance with the terms of the application Ref WB/08/0673/FULL dated 23 June 2008, and the plans submitted therewith, subject to the following conditions:

   1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.

   2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

   3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window or other opening other than those expressly authorised by this permission shall be formed in the north or south roof slopes without the prior permission of the local planning authority.

   4) The roof light in the northern roof slope of the extension hereby permitted shall be obscure glazed and of a non-opening design and it shall not subsequently be altered in any way without the prior permission of the local planning authority.

Procedural Matters

2. The description given for the proposed development on the application form is *'loft conversion'*. However, by inspection of the drawings I see that it is proposed to replace most of the existing roof of the property, form two dormer windows to both the east and west slopes of that roof, insert roof lights and to construct a new conservatory to the rear. Accordingly, I consider the description to be inaccurate and shall change it to read: *'Replacement of existing roof, including the provision of dormer windows and roof lights and the*

construction of a new conservatory.' I have considered the appeal on this basis.

3. The Council has raised no issues relating to the conservatory, considering it to be of a satisfactory design and its siting and scale not to be detrimental to neighbouring properties nor the appearance of number 4. From what I have seen and read I find no reason to come to a contrary conclusion. Accordingly, while my determination will be made on the entire proposal, I will confine my considerations to the alterations to the roof.

Main Issue

4. I consider the main issue to be the effect of the proposed development on the architectural integrity of the host building and the street scene by virtue of the proposed design.

Reasons

5. The property the subject of this appeal is a bungalow located on the east side of Maytree Avenue, in a built up suburban area characterised by a mix of detached houses, bungalows and chalets. The dwellings immediately surrounding the property are bungalows, a number of which have been altered and extended to provide, amongst other things, accommodation within the roof. Other than the adoption of traditional pitch roofs they are of an eclectic mix of designs and styles, with those on the east side of the road, because of their design and being slightly elevated, appearing larger than those on the west side. Due to its plan form, flat roof areas and pitched fascias design, the roof of number 4, while of a traditional pitch, is neither as high nor of the same mass as those of neighbouring properties.

6. The appellant proposes removing the existing roof and while maintaining the existing pitch, as defined by the hood to the chimney stack and the front and rear projections, constructing a full pitched roof over the main part of the property. By the addition of dormers and roof lights, accommodation would be provided in the roof space so formed. In my judgement, based on the application drawings, the design of the roof extension has been carefully considered and would appear as a well mannered addition that would not detract from the architectural integrity of the host building.

7. Although I acknowledge the Council's concern about the small flat roof area at the ridge line, I do not share it. The introduction of a flat roof here has enabled the designer to keep the overall height of the roof down. Further, being at ridge level, it would not be as prominent as the present flat roofs with pitched roof fascias which I did find to be discordant elements in the existing composition. The pitched roof would extend, as the existing roof does, over the garage. I appreciate that this would increase, to some extent, the overall mass of the new roof towards the side boundary. However, having regard to the variety of styles and forms of property in the area, I do not believe that the reduction in the current gap that would ensue would cause any demonstrable harm. Furthermore, the following design feature would break up and thereby reduce the apparent mass of the new roof, its hipped form, the retention of the roof to the front projection and the introduction of hipped roofed dormers.

8. The proposed alterations would make this dwelling a little more prominent in the street scene than it is at present. However, in my opinion, when completed the building would be no more visually prominent than neighbouring dwellings, and therefore the proposed alterations would have no detrimental impact on either the immediate street scene or character and appearance of the wider area.

9. I conclude in respect of the main issue that the proposed development would cause no harm to the architectural integrity of the host building or the street scene by virtue of the proposed design. The proposal therefore accords with the objectives of Saved Policies BE1 and H16 of the Worthing Local Plan.

10. Concerns about overlooking and loss of privacy as a result of the proposed dormer windows have been raised by the occupiers of both 3 Maytree Avenue to the west of the appeal site and 11 Hazelhurst Crescent to the east. From my inspection of the drawings, what I saw on site, and while having regard to the fact that some mutual overlooking is to be anticipated in a suburban area such as this, I consider the separation distances to be such that the proposal would have no significant effect on the living conditions of these or other neighbouring occupiers.

11. I have therefore decided to allow this appeal and grant planning permission. In accordance with the Council's suggestions, and to ensure a high quality development, I have included a condition about building materials. Furthermore, to protect neighbours' living conditions, I have removed permitted development rights so that the Council can retain control over the introduction of future openings, including windows and roof lights in the north and south roof slopes. In addition, due to its low level position in the roof slope close to the boundary, I have required the proposed roof light in the north elevation to be obscure glazed and of a non-opening design.

Philip Willmer
INSPECTOR