Expiry Date - 03/09/2025
Extension of Time -

Development Management – Delegated Officer Report

Application Number: AWDM/0796/25 **Recommendation: – REFUSE**

Site: 4 Aster Vale Worthing West Sussex BN13 3FT

Proposal: Proposed new rear hipped dormer (west) replacing existing rear gable dormer

Date of Site Visit: 01/09/25

Neighbours Checked: Y

Additional Neighbours Notified: N

Site and Surroundings:

The site is located to the west side of Aster Vale, a recently constructed estate within the development boundary for Worthing. The property comprises an end of terrace two storey house within a small terrace of three. The building has brick elevations, white UPVC windows and a tiled pitched roof. A small gabled dormer has been built to the front (to match other dormers in the immediate locality) and rooflights added to the rear. The property is set back from the road behind parking spaces to the frontage. There is a small garden to the rear of about 7.3m deep and beyond this, a parking area and garages to the rear.

The property is not within a conservation area, is not a listed building and there are no protected trees on site.

Proposal

Planning permission is sought for a new hipped roof dormer to the rear to replace the approved rear gabled dormer (not yet built).

The proposed dormer would measure 3.6m wide x 1.6m deep (measured at eaves height) x 2.05m high. The dormer would be set down from the ridge by 1.2m, up from eaves by 1.1m and in from the sides by 1m. The dormer would be finished in lead cladding to the cheeks and tiles to the roof with two white uPVC windows to the rear serving a bedroom within the roof.

The proposed dormer would replace the existing triple roof light to the rear installed as part of approved application AWDM/0400/23 (in compliance with permitted development) and would be instead of the small gable dormer approved under application AWDM/1199/24 (not yet built).

Relevant Planning History:

AWDM/0582/22 - Proposed loft conversion consisting new front gable dormer (east) and rear box dormer (west).
STATUS: REFUSED 1st July 2022. **Dismissed at Appeal**

AWDM/0400/23 - Proposed loft conversion consisting of front (East) gable dormer and roof lights to the front (East) and rear (West) elevations.
STATUS: APPROVED 10th May 2023.

AWDM/1199/24 - Proposed new rear gable dormer (west) replacing existing triple rooflight.
STATUS: APPROVED 13th November 2024.

Consultations

None required

Neighbour Representations

None received

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

Planning Assessment:

There is no objection in principle to extensions and alterations to residential dwellings within the built-up area. The key considerations are the effects on the visual and residential amenities of the locality.

Policy Context

The National Planning Policy Framework paragraph 131, advises that *'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'*. Paragraph 135 indicates that development should: (b) be visually attractive as a result of good architecture and (c) sympathetic to local character and history, including the surrounding built environment, and in paragraph 139 states: '*Development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes'*. At paragraph 140 states: '*Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme'.*

Policy DM5 – Quality of the Built Environment, of the Worthing Local Plan requires that; *All new development (including extensions, residential annexes, alterations, ancillary development, change of use and intensification) should:*

i) be of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area. This will include consideration of proportion, form, design, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping;
ii) enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping, tree canopy, impact on street scene and layout of the development;
iii) make a positive contribution to the sense of place, local character and distinctiveness of an area;
viii) not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, an unacceptable increase in noise giving rise in significant adverse impacts, or vehicular movements resulting in severe cumulative impacts on the road network, or loss of important open space of public value (unless it satisfies any of the exceptions set out under Policy DM7 – Open Space, Recreation and Leisure);

and …

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c) To ensure that the quality of approved development is not materially diminished between permission and completion, where appropriate, the Council will resist subsequent planning applications that would impact negatively on the design and quality of the approved scheme.

Ensuring Good Design
d) Development must reflect government guidance on design and take into account any local design guidance and supplementary planning documents such as design guides and codes. Weight will be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally, so long as they fit in with the overall form and layout of their surroundings.

The Council's SPG – Extending or altering your home, requires that:

The design of your extension achieves an appropriate relationship with the design of the existing house and; that it also takes into account any impact on the street scene.

Roof extensions and dormers are often highly visible and alien features which greatly alter the appearance of a dwelling. Therefore, there is a normal presumption against dormer windows that are visible from the street. However, exceptions to this can be made if the dormer is located at the rear of the property to make it less visible, or if several other dwellings on the street already have dormer windows, which are not substantially out of character.

The above policies and relevant sections of the Design Guidance, SPG – 'Extending or altering your home' clearly set out the expectations for development and require that all extensions are well designed to reflect the predominant characteristics of the local area, do not adversely affect the appearance of the street scene, are of a scale that is proportionate to existing and surrounding development and do not detrimentally affect the amenities of local residents.

Visual Amenity

Permitted development rights were removed for the estate restricting development including the addition of roof extensions under Class B of the GPDO 2015, to protect the amenities of the area.

The rear roofscape of the property including the existing roof lights, is visible from the surrounding roads and parking area to the rear. The proposed dormer would also be visible from the surrounding area.

The existing approval for a rear dormer to this property relates to a small gable dormer that matches the form, dimensions, design and materials of the constructed front dormer. Planning permission was granted for the front dormer in 2023 as this was considered to reflect the design, form, scale, dimensions and materials of other dormers constructed as part of the original design for the estate and elsewhere in the locality.

Both of the above applications followed an application (AWDM/0582/22) for a large flat roof dormer that was refused and dismissed at appeal. This dormer was refused in relation to visual amenity for the following reason:

1. The proposed rear dormer due to its scale, design, bulk, form and position would be clearly visible in the street scene resulting in an alien, intrusive and dominant form of development that fails to reflect the prevailing character of the surrounding area, diminishing and diluting the original design of the estate and appearing as an uncharacteristic, visually discordant and incongruous addition to the property that would cause significant harm to the visual amenities of the locality. The proposal is therefore contrary to saved Policy H16 of the Worthing Local Plan, Policy 16 of the Worthing Core Strategy, Policy DM5 of the Draft Submission Local Plan (As Modified), Supplementary Planning Guidance 'Extending or altering your home' and the policies of the revised National Planning Policy Framework.

The application was dismissed at appeal and the following extracts are from the Inspector's Appeal Decision:

3. The appeal property lies within an estate of housing that has been erected in recent years, with construction still underway on further phases of the estate. The design approach in the layout and architecture of the wider area is evident when walking around the estate, and the property has clearly been designed to be a harmonious part of the short terrace in which it lies: the front and rear elevations and roofs are consistent in design, form, materials and scale.

4. The proposed works would see a rear flat roof dormer over most of the roof, and a small pitched roof dormer and rooflight to the front roofslope. Although not as widespread as views of front elevations, there are views of the rear roofslope of the property and its neighbours from the west; indeed, I saw at my site visit that views and glimpses of the rear elevations of properties are possible throughout the estate and the consistency in design and layout evidently forms part of the original concept of the estate.

5. The proposed works would be a significant change to the rear roofslope of No. 4. It would fill most of the rear roof and, due to the scale of this change and the design, would be a considerable intrusion into the area where such features are not seen. This would diminish the original design quality of the estate.

7. …Permitted development rights were removed for works to the roof at properties within the estate of housing in order to ensure control could be exercised on such proposals, and the Council's delegated report on the current scheme refers to the wish to avoid extensions or alterations that would dilute the character of the area.

13. The appellant has drawn my attention to other dormers at properties. I saw that in the vicinity of the appeal property there are some houses with front dormer windows, which appear to be as part of the original design of such houses and the estate where they sit comfortably within the group of buildings and wider area where they sit. The examples of dormers permitted at properties further away in Worthing are of little relevance to this appeal since it is evident that the Council determined those proposals were acceptable having regard to the host property and the area in which they lie; I have determined the current appeal on its own merits in the context of the area within which the property lies, and my findings remain unchanged by those examples.

The Worthing Local Plan 2023 was at draft submission stage when this appeal was determined, however the policies of the draft submission local plan were included for consideration in this decision and the same principles and overarching aim of these policies remains the same.

The current proposal is for a hipped roof dormer to the rear, of 3.6m wide, set in 1m from the sides and positioned 1.1m up from the eaves. The refused scheme (that was the subject of the dismissed appeal) comprised a large box dormer of around 5.2m wide, positioned 0.3m up from eaves and set in between 10 and 30cm from the sides.

The approved application (AWDM/1199/24) for a small gable dormer to the rear, was considered to address the concerns identified in the refused scheme, due to a substantial reduction in scale and bulk and a significantly improved design and form that matched the existing dormers in the area and the existing dormer to the front of the application property. Whilst it was noted that the approved gable dormer would still be visible from some viewpoints (predominantly from the car park to the rear and from surrounding roads), the significantly reduced scale of the dormer, its position on the roofslope and matching gable design to the front dormer were considered to limit its visual impact on the surroundings. The small gable dormer was not considered to result in significant harm to the character of the area and repeated the original design of dormers for the estate.

Although the dormer proposed by the current application is smaller and an improved design compared to the original refused flat roof scheme, it still does not match the existing small gable dormers that are characteristic of the estate. The hipped roof design, wider form and larger scale of the proposal differs considerably from the small gable dormers and would be significantly out of keeping with the prevailing character and original design features of the estate. The dormer would no longer match the approved front dormer (a key element of the previous consent) and would dilute the character of the area, and undermine the original design for the estate, causing harm to the visual amenities of the locality.

Policy DM5 of the Worthing Local Plan specifically refers as follows in relation to multiple applications:

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c) To ensure that the quality of approved development is not materially diminished between permission and completion, where appropriate, the Council will resist subsequent planning applications that would impact negatively on the design and quality of the approved scheme.

The proposal for a larger hipped roof dormer that does not match design, form or scale of the other small gable dormers on the estate, would be considered to be in direct conflict with the above policy and would lead to the quality of the previous approved development being materially diminished, having a negative impact on the area.

For the reasons above the proposal would be considered to result in significant harm to the visual amenities of the locality and undermine the original design and character of the estate.

Residential Amenity

The most affected properties are the neighbours opposite the site, to the rear at No.14 and 16 Sunflower Street and to the north side at No.6 Celandine Road

The original rear dormer application AWDM/0582/22 was refused due to its impact on residential amenity due to the following reasons:

2. The proposed dormer due to its scale, form, position and close proximity to No.6 Celandine Road would appear dominant and oppressive in outlook and overbearing to the occupiers of this property, representing an intrusive form of development and having a significant and highly detrimental impact on neighbour amenity. The proposal is therefore contrary to saved Policies H16 and H18 of the Worthing Local Plan, Policy 16 of the Worthing Core Strategy, Policy DM5 of the Draft Submission Local Plan (As Modified), Supplementary Planning Guidance 'Extending or altering your home' and the policies of the revised National Planning Policy Framework.

3. The addition of a dormer window to the rear would provide elevated views of the rear gardens of No.14 and 16 Sunflower Street and exacerbate existing levels of overlooking to an unacceptable level, resulting in a loss of privacy for these occupants and having a detrimental impact on their amenity. The proposal is therefore contrary

to saved Policies H16 and H18 of the Worthing Local Plan, Policy 16 of the Worthing Core Strategy, Policy DM5 of the Draft Submission Local Plan (As Modified), Supplementary Planning Guidance 'Extending or altering your home' and the policies of the revised National Planning Policy Framework.

Reason for refusal 2 of the refused scheme had been overcome for the small gable dormer approved under AWDM/1199/24 as that dormer was positioned further away from the edge of the roof, both to the side and up from eaves level, and was significantly reduced in scale. The side elevation of the dormer proposed by the current application is similar in terms of bulk, height and position on the roofslope when viewed from No.6 Celandine Road and is not considered to appear dominant or oppressive in outlook for these occupiers.

Reason for refusal 3 of the refused scheme (AWDM/0582/22) concerned overlooking and loss of privacy to No.14 and 16 Sunflower Street due to the elevated views of the rear gardens of these properties. The Inspector's decision concluded that;

The proposed rear dormer would lead to additional windows at higher level, allowing new and more elevated views towards houses. This increase in windows would lead to a material loss of privacy, as well as an appreciable perception of more overlooking in the area. This impact upon the living conditions of existing occupants would be combined with an increase in massing at high level which, with the close spacing of houses and gardens, would be dominant to outlook for properties.

The previous application for a small gable dormer to the rear reduced the impact of overlooking as this was restricted to a single small dormer only, and the officer report for the same, referred as follows in relation to reason 3:

'The situation on site now is different to that which existed at the time of this decision. Four roof lights were added to the rear elevation utilising permitted development rights and following a revised application (for a front dormer) in 2023. Therefore there are at present existing openings (roof lights) to the rear which have already introduced opportunities for overlooking at this level and although due to the angle of roof lights these views are more restricted than from a standard window, the fact that there are now windows at this level is a material consideration. The identified impact in relation to Reason 3, was previously compounded by the mass of the large box dormer that was considered dominant in outlook and would increase the perception of overlooking. The current proposal is for a much smaller gable dormer with only small windows and this would not result in the same oppressive outlook or level of overlooking that would have occurred as a result of the large box dormer.'

The impact of overlooking was considered to have been overcome for the previous small gable dormer of the approved scheme. Whilst the current application increases the width of the dormer and introduces another opening, the resulting impact in terms of overlooking is not considered to be significantly intensified, given the existing roof lights to the rear and approval of a single dormer in this position.

The proposed dormer is not considered to have a significant detrimental impact on the residential amenities of adjacent occupiers.

REFUSE for the reason:-

1. The proposed rear dormer due to its width, hipped roof design, scale and form would fail to respect the prevailing character of the surrounding area, or assimilate with the small scale gabled design of the existing front dormer and other dormers in the immediate area, thereby diminishing and diluting the original design features of the estate and appearing as an uncharacteristic, intrusive and visually discordant addition to the property that would cause significant harm to the visual amenities of the locality, having a negative impact on the area. The proposal is therefore contrary to Policy DM5 of the Worthing Local Plan, Supplementary Planning Guidance 'Extending or altering your home' and the revised National Planning Policy Framework.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.

Is recommendation contrary to letter(s) of representation? N/A

Case Officer:	Amanda Haslett	Date: 02/09/25
Authorised by:	Peter Barnett	Date: 2 September 2025