The Planning Inspectorate

Appeal Decision

Site visit made on 5 June 2015

by S Poole BA(Hons) DipArch MPhil MRTPI

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

Decision date: 7 July 2015

Appeal Ref: APP/Y3805/D/15/3022030
37 Highview, Sompting, Lancing, West Sussex BN15 0QW

- 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 J Chew against the decision of the Adur District Council.
- The application Ref AWDM/1673/14, dated 24 November 2014, was refused by notice dated 13 January 2015.
- The development proposed is described as "rooms in the roof with dormer on the rear of the property and barn ends up".

Decision

1. The appeal is dismissed.

Procedural Matter

2. This is a retrospective planning application as the development described above has been undertaken.

Main Issues

3. The main issues in this case are the effects of the proposal on:

   (i) the character and appearance of the host property and the surrounding area; and

   (ii) on the living conditions of the occupiers of neighbouring properties, with particular regard to outlook and privacy.

Reasons

Character and appearance

4. The appeal property is a 2-storey detached house located next to the entrance to Highview from Halewick Lane. It forms part of a late twentieth century development predominately comprising houses similar in size and proportions to the appeal property but with variations in detailed design. When planning permission was granted for Highview some permitted development rights were removed by way of a planning condition. As a result of this the houses retain a high degree of visual consistency and create a pleasant and coherent environment, matters to which I attach significant weight.

5. The appeal scheme includes a flat-roofed dormer that occupies the majority of the rear roof slope of the appeal property following the replacement of the hipped barn ends to gables. Not only is the dormer disproportionate in scale to the property but it is highly conspicuous in views along Halewick Lane. As a consequence of its bulk and siting it is an overly prominent and incongruous addition that is both unsympathetic to the host property and detrimental to the appearance of Highview and Halewick Lane.

6. For these reasons I conclude that the appeal scheme has an unacceptable effect on the character and appearance of the host property and the surrounding area. It is therefore contrary to the National Planning Policy Framework (2012) which seeks high quality design and states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

7. Whilst in itself the replacement of the hipped barn ends with gables is in-keeping with the appearance of the area, this does not overcome my concerns in respect of the main aspect of the appeal scheme, the dormer.

Living conditions

8. Immediately to the rear of the appeal property is 7 Hillbarn Avenue which has rear windows facing the site and a private garden abutting the site. The dormer introduces additional elevated windows which enable the rear garden of No. 7 and its neighbour to be overlooked.

9. Due to its siting and design the appeal scheme results in reduced in privacy that, in my judgement, is of a degree that has an unacceptable effect on the living conditions of the occupiers of both neighbouring properties. For these reasons the scheme fails to comply with Policy AH7 of the Adur District Local Plan (1996) which states that extensions to existing houses will be expected to be designed so that they do not result in an unacceptable degree of overlooking.

10. Despite the siting and bulk of the dormer I am satisfied that neighbouring occupiers retain adequate outlook. This does not however overcome the concerns outlined above.

Conclusion

11. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR