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Appeal Decision

Site visit made on 22 December 2008

by Wm C Cunningham BSc(Hons) MA MCP MRTPI

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

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Decision date: 27 January 2009

Appeal Ref: APP/M3835/A/08/2088040
92 Ringmer Road, Worthing West Sussex, BN13 1DY

- 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 G. Hide against the decision of Worthing Borough Council.
- The application Ref WB/07/1464/FULL, dated 23 November 2007, was refused by notice dated 14 July 2008.
- The development proposed is a two storey extension and single storey rear extension.

Procedural Matter

1. The above description of the proposed development is as provided on the application form. As accepted at my site inspection, a full description should be as stated on the Council's decision notice:- "*Change of use of land formerly reserved for the use of electricity sub station to use as garden in connection with 92 Ringmer Road, construction of a two storey side extension and single storey rear extension*".

2. I noted at my site inspection that the change of use of the western part of the appeal site has been implemented. I have therefore dealt with this element of the appeal proposal as a retrospective application to authorise an existing situation. No objection has been raised against this change of use in the reason for refusal or in the written submissions and I have therefore no reason other than to conclude the change of use element of the proposed development is acceptable. As the change of use is separate and severable from the rest of the development proposed I have issued a split decision.

3. The appeal has been determined on these bases.

Decisions

Change of use of land

4. I allow this part of the appeal, and grant planning permission for the change of use of land formerly reserved for the use of electricity sub station to use as garden in connection with 92 Ringmer Road at 92 Ringmer Road in accordance with the relevant terms of the application, Ref WB/07/1464/FULL, dated 23 November 2007, and the plans submitted with it.

Construction of extension

5. I dismiss this part of the appeal.

Main Issue

6. The main issue in this case is the impact of the proposed extension on the street scene through siting, scale and design.

Reasoning

7. The appeal property is the northern of a pair of semi detached houses on the east side of Ringmer Road. It is within an area of similar semi-detached and terraced houses in a relatively spacious suburban layout. The element of the appeal proposal that would involve built development would comprise a mainly two storey side extension about 4.6m wide on the north flank elevation of the appeal property that would extend about 2m to the rear of the existing house. A single storey structure about 2m deep with a fully glazed roof is also proposed across the rear elevation of the existing property. At first floor level the front of the proposed side extension would be set back about 1m from the main front elevation of the existing house and it would have a ridge roof about 0.7m lower than the existing roof. At ground floor level it would project about 0.8m in front of the main front elevation.

8. Although it would remain behind the line of bay windows on the ground floor front of the appeal property and adjoining properties to the south, the ground floor of the proposed extension would project across its full width materially in front of the main building line of these properties. I consider it would represent an overly bulky and visually intrusive built element in the street scene that would tend to draw attention to and exaggerate the width of the proposed side extension relative to the existing house. It would thus negate attempts made in the overall design of the side extension to make it subservient in visual impact terms to the main house. In this respect the proposed extension would not comply with the relevant provisions of Policies DEV1(a(2(iii))) and CH1(a) of the West Sussex Structure Plan 2001-2016 nor with Policies BE1 and H16 of the Worthing Local Plan 2003 and would be unacceptable.

9. The proposed extension, when viewed from Ringmer Road, would bring the northern elevation to within about 1m from the common boundary with the building to the north (Nos 96 & 98). Notwithstanding some inconsistency between the appeal plans on the alignment of this common boundary, it would appear that a gap of between about 3.2m and 4m would be retained between the extended appeal property and Nos 96 & 98. This relationship would be consistent with property spacing in the immediate locality and would be acceptable, as would the siting, scale and design of the proposed extension, save for the ground floor front part as considered in paragraph 8 above.

Other Matters

10. All other matters raised in the written representations have been considered, including the effect the proposed extension would have on the living conditions of adjoining occupiers with particular reference to privacy, daylight and visual impact.

11. Apart from a bathroom window at first floor level on the north-facing flank wall of the proposed extension, views from which could be controlled by the

imposition of a suitable condition, there are no windows proposed that would result in undue overlooking of adjoining properties.

12. The proposed extension would be to the south of, and between about 3.2m and 4m from, the adjoining building that is occupied as two flats (Nos 96 & 98 Ringmer Road). It would present its mainly gabled north elevation to the flank elevation of that building. No technical evidence has been submitted to demonstrate the extent to which natural light at windows within that adjoining flank elevation would be affected, windows that I understand are in any event to non habitable accommodation such as a bathroom, hallway and landing. From the appeal plans and my site inspection I do not consider the appeal proposal would have an unacceptable impact on the levels of natural light experienced within adjoining properties.

13. The rear elevation of the proposed extension would be visible from properties to the east over distances of about 40m. It would reduce the width of the existing gap between the appeal property and the adjoining building to the north (Nos 96 and 98) and may at limited times of the year impact on vies of the sunset. Given the distances involved I do not however consider these impacts would be other than minor.

14. These other matters do not outweigh the main considerations that have led to my decisions.

Wm C Cunningham

Inspector