The Planning Inspectorate

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For official use only (Date received)
20-Jul-2011 12:53

HOUSEHOLDER PLANNING APPEAL (Online) FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our helpline on 0117 372 6372. **To help you fill in this form correctly please refer to the enclosed guidance leaflet "How to complete your planning appeal form".**

WARNING : Your appeal **and** essential supporting documents **must** reach the Inspectorate within 12 weeks of the date shown on the Local Planning Authority's decision notice. **If your appeal and essential supporting documents are not received in time we will not accept the appeal.**

APPEAL REFERENCE: APP/Y3805/D/11/2157117

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr C Witham
Organisation name (if applicable)	

B. AGENT DETAILS

Name	Mr A Rogers
Organisation name (if applicable)	
Your reference	102/01

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA	Adur District Council
LPA reference number	ADC/0077/11
Date of application to LPA	02 Mar 2011
Date of the LPA's decision	28 Apr 2011

D. APPEAL SITE ADDRESS

Address
7 Slonk Hill Road
SHOREHAM-BY-SEA
West Sussex

Postcode BN43 6HX Grid Reference: Easting 05226299 Northing 01064631

1. Is the appeal site within a Green Belt? Yes ☐ No ☑

2. Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes ☑ No ☐

3. Are there any health and safety issues at, or near the site which the Inspector would need to take into account when visiting the site? If so please describe them below Yes ☐ No ☑

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form? Yes ☑ No ☐

Re-positioning of existing front dormer and additional front dormer

Area of floor space of proposed development (in square metres) 1

F. REASON FOR THE APPEAL

This reason for this appeal is that the LPA has (please tick which applies)

1 Refused planning permission ☑

2 Refused permission to vary a condition(s) ☐

G. GROUNDS OF APPEAL

** See separate documents **

CHOICE OF PROCEDURE

There are 3 possible choices:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances before selecting your preferred option by ticking the box.

1. THE WRITTEN REPRESENTATIONS PROCEDURE ☑

This is normally the simplest, quickest and most straightforward way of making an appeal. The 'Householder Appeals Service' written procedure is particularly suited to small-scale developments.

2. THE HEARING PROCEDURE ☐

This procedure is likely to be suited to more complicated cases which require detailed **discussion** about the merits of a proposal. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. Although you may indicate a preference for a hearing, the Inspectorate must also consider that your appeal is suitable for this procedure.

Please answer the question below.

a) Is there any further information relevant to the hearing which you need to tell us about? If so please explain below. YES ☐ NO ☐

3. THE INQUIRY PROCEDURE ☐

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar, as the parties to the appeal will usually be legally represented and expert witnesses may be called to give evidence. Although you may indicate a preference for an inquiry the Inspectorate must also consider that your appeal is suitable for this procedure against the indicative criteria.

Please answer the questions below.

a) How long do you estimate the inquiry will last? (Note: We will take this into consideration, but please bear in mind that our estimate will also be informed by others' advice and our own assessment.) No. of days ☐

b) How many witnesses do you intend to call? No. of witnesses ☐

c) Is there any further information relevant to the inquiry which you need to tell us about? If so, please explain below. YES ☐ NO ☐

H. (part one) SITE OWNERSHIP CERTIFICATES

We need to know who owns the appeal site. If you do not own the appeal site or if you own only part of it, we need to know the name(s) of the owner(s) or part owner(s) and be sure that you have told them that you have made an appeal.

You must tick below which of the 'certificates' applies.

If you are the **sole** owner of the **whole** appeal site, certificate A will apply:

CERTIFICATE A A ☑

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner of any part of the land to which the appeal relates:

OR

CERTIFICATE B B ☐

I certify that the appellant (or the agent) has given the requisite notice (see the *Guidance leaflet*) to every one else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

Owner's name	Date the notice was served (this must be within the last 21 days)

CERTIFICATES C & D C/D ☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance leaflet* and attach it to the appeal form.

H. (part two) AGRICULTURAL HOLDINGS CERTIFICATE

We need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b).

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding: A ☑

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below: B ☐

Tenant's name	Date the notice was served (this must be within the last 21 days)

I. ESSENTIAL SUPPORTING DOCUMENTS

If we do not receive both your appeal documents by the end of the 12 week appeal period, we will not accept your appeal.

You must send the documents listed below with your appeal form. Please tick the boxes to confirm the documents are enclosed.

1 A copy of the original **planning application** sent to the LPA. ☑

2 A copy of the **LPA's decision notice.** ☑

J. OTHER APPEALS

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

K. NOW SEND...

● 1 COPY to us at:	● 1 COPY to the LPA	● 1 COPY for you to keep
The Planning Inspectorate Customer Support Unit Room 3/15 Eagle Wing Temple Quay House 2 The Square Temple Quay Bristol BS1 6PN	Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.	

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

L. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **householderappealform@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 2606, Bristol, BS1 9AY.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number:

APP/Y3805/D/11/2157117

Please ensure that a copy of your appeal form and any supporting documents are sent to the local planning authority.

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* The Documents Listed Below Were Uploaded With The Appeal Form *
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==========  GROUNDS OF APPEAL  ==========
TITLE:       Grounds of Appeal 1
DESCRIPTION: Grounds of appeal
FILENAME:    Appeal-7 slonk hill.doc


==========  ESSENTIAL SUPPORTING DOCUMENTS  ==========
TITLE:       01. A copy of the original planning application sent to the LPA.
DESCRIPTION: Application Form
FILENAME:    Appeal-7 Slonk Hill, form.pdf

TITLE:       02. A copy of the LPA's decision notice.
DESCRIPTION: Decision Notice
FILENAME:    appeal-7 slonk hill, decision.pdf
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Grounds of appeal to the Adur District Council refusing planning permission for the re-positioning of existing front dormer and additional front dormer at 7 Slonk Hill Road, Shoeham-by-Sea, West Sussex, BN43 6HX

Application Number ADC/0077/11

The reason for refusal states:-
'The proposed additional dormer and repositioning of the existing dormer would not relate sympathetically to the existing building and it would be out of keeping with and detrimental to the character and appearance of the area and make it difficult, if permitted, for the LPA to prevent similar additions to other dwellings, the cumulative effect of which would detract seriously from the area. It would therefore conflict with the policies of the Adur District Local Plan (AG1, AH7).

Adur District Local Plan policy AG1 states:-

The built-up area boundary is shown upon the Proposals Map which distinguishes between the countryside and costal beaches in the District and the principal existing or potential built-up areas.

Within the boundary, development will normally be permitted, subject to other policies in this Local Plan and to it not detracting from the existing local urban environment.

Outside the boundary, development will only be permitted in exceptional circumstances and subject to policies elsewhere in this Local Plan. There will be an even stronger presumption against development in certain particularly sensitive areas of countryside as specified in policies AC2, AC3 and AC4.

Response to policy AG1

The proposed dormer and the repositioned dormer are within the built up area boundary. Other than policy AH7, there are no other policies the LPA have cited in their reason for refusal.

Adur District Local Plan policy AH7 states:-

Extensions and alterations to existing houses and bungalows will be expected to be designed so that:-

a) proposals would not result in an unacceptable degree of overlooking, loss of natural light or overbearing effect on neighbouring dwellings;
b) design and materials are sympathetic to both the original dwelling and the area in general;
c) the proportion of the garden area taken by the proposal would not be excessive having regard to the character of the area;
d) access and car parking provision is acceptable under policy AT12; and

e) it accords with the standards adopted by the District Planning Authority.

Under a) there will be no unacceptable degree of overlooking, loss of natural light or overbearing effect on neighbouring dwellings as the existing dormer will only be moved 500mm closer to No 9 Slonk Hill Road, and the new dormer will be positioned some 3.8m from the edge of the roof gable to No.5 Slonk Hill Road, rather than the 5.5m of the existing dormer, thereby only 1.7m closer to that property. Both of these distances will not result in any demonstrable unacceptable degree of overlooking, loss of natural light or overbearing effect on either of the neighbouring dwellings.

The design and the materials of the dormers will be the same as those currently existing; thereby the dormers will be sympathetic to the original dwelling and in consequence the area in general. The proposal therefore conforms to b) of the policy.

c) & d) do not apply to this development.

With regard to e) the Standards adopted by the District Planning Authority seem to be relating to 'Development Control Standard No. 3'
Within this document there is a section 'Dormers and Roof Extensions'

The new dormer is of the same design and proportions as the existing dormer which was previously granted permission by the Adur District Council and a large amount of the roof is still clearly visible, other matters raised in para 3.11 of the Standards do not appear to apply to the proposed development, the proposal therefore conforms with this paragraph of the Standards.

The windows are of a similar style and proportion to those existing, and two smaller dormers have been proposed rather that one larger one, thereby complying with para. 3.12 of the Standards.

Although less than 22m from the neighbouring properties a site visit will clearly identify that no unacceptable overlooking will occur from the proposed new dormer or the resiting of the existing dormer. The proposal thereby conforms to para 3.13 of the Standards.

It is considered that the proposal respects the scale, character and appearance of the existing dwelling and in fact complements the appearance of the dwelling. The proposal therefore conforms to para. 3.14 of the Standards.

It is contended that the proposal accords with the adopted Adur District Local Plan.

Under part 3 of the Adur District Local Plan para 3.2 **Aim of the Local Plan** it states to conserve and improve the Districts Natural & Built Environment, whilst making provision for the needs of those who live and work in the District, improving their quality of life.....

The application will provide separate bedrooms for the 2 children, male and female. This in all common decency is the right thing to do. In order to achieve this, it is necessary to subdivide the existing bedroom and of course provide natural light. Dormer windows are therefore necessary to achieve rooms of adequate proportions for the occupants. This will then require that the existing dormer is moved by 500mm. in order to install the new dormer.

The result of providing the separate room for the children would be to improve their quality of life.

The Adur District Local Plan goes on to say, still within Part 3 under Strategy of the Local Plan 'To enable development in defined built-up areas consistent with meeting the needs of residents and businesses.....

It is clear therefore that the Adur District Local Plan seeks to not only improve the quality of life to residents in Adur, but also help them to meet the needs of residents. It therefore is inconsistent with these aims to refuse the planning application.

The reason for refusal states that the proposed dormer and the repositioning of the existing dormer would not relate sympathetically to the existing building.

The repositioning of the existing dormer is achieved by moving it only 500mm to the west of its current position. It is argued therefore that the repositioned dormer could not relate detrimentally to the character and appearance of the area.

The new dormer is of the same proportions and design as the existing dormer and it is located between the repositioned existing dormer and the gabled tier front projection of the existing ground floor.

From the west it is screened from view by the existing dormer, and from the east it would view as one dormer and would appear to view as the existing dormer. The only real change would be from the front elevation, namely an additional dormer between the existing repositioned dormer and the gable tiered front projection on the ground floor.

However, there is limited opportunity to view the property from the front as opposite the dwelling is a tree belt which screens the A27 trunk road from view.

When travelling along Slonk Hill Road from the east the property is glimpsed from the side, and when approaching the property from the west, there is a kink in the road, with No. 13 Slonk Hill Road blocking the view of the application site. It is only when No. 13 is passed that No. 7 can start to be viewed.

No. 7 is on a lower setting than the pavement, however, this does not alter the fact that the additional dormer together with the repositioned dormer would not be overly dominant, or out of character with the locality.

The locality comprises predominantly bungalows, some with and some without dormers. The dormers that exist are generally flat roofed. No's 14 & 16 Slonk Hill Road have flat roofed dormers which are particularly prominent in the street scene.

It is contended that the proposed pitched roof dormers would in fact contribute in a positive manner to the amenities of the locality.

The design is perfectly acceptable as it reflects that of the existing dormer and it is considered it complements the existing dwelling. Further, the Local Planning Authority has not refused the design of the dormer.

The new dormer together with the existing repositioned dormer result in a sympathetic and well balanced design and provide the internal separation of the bedroom to allow an additional bedroom, thereby conforming to basic human rights of the children's privacy.

'....out of keeping with and detrimental to the character and appearance of the area.....' It is not considered the proposal would be out of keeping etc. particularly given the fact that other dormers exist in the area.

'...make it difficult, if permitted for the Local Planning Authority to prevent similar additions to other dwellings, the cumulative effect of which would detract seriously from the area.'

It is believed that each application is considered on its own merits. Therefore this part of reason for refusal simply does not stand.

A site visit will clearly show that the repositioned dormer and the new dormer will not be detrimental to the character and appearance of the area and the proposal would not be unsympathetic to the existing building. For the reasons highlighted above, the Inspector is thereby respectfully asked to dismiss the appeal.