Appeal Decision

Site visit made on 6 May 2009

by Megan Thomas **BA Hons in Law, Barrister**

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

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Decision date:
29 May 2009

Appeal Ref: APP/Y3805/A/09/2094900
56 Cokeham Road, Sompting, W. Sussex BN15 0AG

- 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 Lee Galton against the decision of Adur District Council.
- The application (Ref ADC/0373/08), dated 21 July 2008, was refused by notice dated 28 August 2008.
- The development proposed is rooms in roof.

Decision

1. I dismiss the appeal.

Main issues

2. There are two main issues. The effect of the proposal on the character and appearance of the host dwelling and the surrounding area, and the effect on the living conditions of the occupants of 54 and 58 Cokeham Road with regard to privacy.

Reasons

Effect on character and appearance of host dwelling and area

3. 56 Cokeham Road is a semi-detached bungalow. It is coupled with 54 Cokeham Road and together they form an L-shaped building. 56 makes up the foot of the L-shape and is at the western end. It has a single storey extension at the rear. It is located within a row of similar properties on the north side of Cokeham Road opposite a parade of shops and commercial premises with flats above. It has a front garden with no off-street car parking.

4. A flat roofed dormer structure is proposed on the western roof slope facing the neighbouring semi-detached bungalow which is 58 Cokeham Road. A second flat roofed dormer is proposed on the eastern roof slope which would face the conservatory and garden of 54. This proposed dormer would join a third dormer in the northern roof slope facing the garden of the appeal site. The vent pipe would be altered by extending it a minimum of 900mm above the proposed window openings.

5. All the dormers would be a similar size. In visual terms, they would take up a large part of the existing roof of 56 as they would be close to the existing ridge line and extend downwards close to the existing eaves line. They would appear bulky and would dominate the appearance of the bungalow from the rear making it look top heavy and box-like.

6. I note that the Council have Supplementary Planning Guidance in the form of Development Control Standard no.3 on *Extensions and Alterations to Dwellings*. This indicates that the extension of a hipped roof into a gable end on a semi-detached dwelling would not usually be considered favourably. In this case, the proposed western dormer would create a gable end and, when viewed from Cokeham Road, it would unbalance the appearance of 54 and 56 and be prominent in the streetscene.

7. On my site visit, I noted other dormer windows constructed in the roofs of bungalows in the area. Some of these were not, in my view, well-designed or sympathetic to their host dwellings. Their existence is not a good reason for allowing further unsympathetic development in the area and in any event, I have determined this appeal scheme on its own particular merits.

8. I appreciate that there are permitted development rights available to a householder to enlarge his dwelling by adding to, or altering, the roof. In this case, the scheme before me would involve the alteration of a soil or vent pipe and so it could not be constructed under permitted development rights. Notwithstanding that, I have taken into account the nature of the roof enlargement that could be achieved if all the tolerances and conditions under the Town and Country Planning (General Permitted Development) Order 1995 (as amended) were implemented. However, those considerations do not outweigh the harm I have identified to the character and appearance of the host dwelling and the area by this particular scheme judged on its own merits.

9. Accordingly, I conclude that the proposal would unduly harm the character and appearance of the host dwelling and the surrounding area and would be contrary to policies AG1 and AH7 of the Adur District Local Plan 1996.

Effect on living conditions of neighbours

10. The proposed dormer windows on the northern and eastern roof slopes would have windows which would look directly onto either the conservatory or garden of 54 Cokeham Road. Even if these were fitted with obscured or frosted glass and their ability to open was restricted, the occupants of 54 would have a strong perception of being overlooked. The close proximity of those proposed dormers to the garden of 54 would result in a substantial loss of privacy for its users.

11. The proposed dormer on the western elevation nearest to 58 Cokeham Road would allow some oblique views of the garden and conservatory of 58 but the extent of the overlooking would not be so harmful on its own to form a basis on which to dismiss this appeal. Notwithstanding that, I conclude that the proposal would result in an unacceptable loss of privacy for the occupants of 54 Cokeham Road and would be contrary to policy AH7 of the Adur District Local Plan 1996.

12. Having taken into account all representations made, I dismiss the appeal.

Megan Thomas
INSPECTOR