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Appeal Decision

Site visit made on 25 March 2008

by Sheila Holden BSc MSc CEng MICE MRTPI FIHT

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

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Decision date:
11 April 2008

Appeal Ref: APP/M3835/A/07/2058360
28 Mersham Gardens, Goring-by-Sea, Worthing, West Sussex BN12 4TQ

- 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 Kevin James Charles Todd against the decision of Worthing Borough Council.
- The application Ref WB/07/0859/FULL, dated 5 July 2007, was refused by notice dated 10 September 2007.
- The development proposed is loft conversion incorporating a dormer window to the rear and roof extension to form new gable end.

Decision

1. I allow the appeal and grant planning permission for a loft conversion incorporating a dormer window to the rear and roof extension to form new gable end at 28 Mersham Gardens, Goring-by-Sea, Worthing, West Sussex BN12 4TQ in accordance with the application Ref: WB/07/0859/FULL, dated 5 July 2007 and the plans submitted therewith subject to the following conditions:

   [i] The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

   [ii] The materials to be used in the construction of the external surfaces and roof of the loft conversion hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed loft conversion on the character and appearance of the area.

Reasons

3. Mersham Gardens is a small well planned residential estate characterised by semi-detached houses of matching designs set around a green. The properties which date from the 1930s have hipped roofs, bay windows and are well spaced giving a strong sense of rhythm to the area's appearance. However, the area is experiencing change and a number of these houses have already been altered by converting the hipped roof to a gable end allowing the insertion of rear dormer windows. The alterations to the roofs have already eroded the symmetry of the properties and affected the appearance of the spacing of the buildings within the wider street scene.

4. The Council contends that these changes have damaged the character and appearance of the area. However, as they have been carried out under "permitted development rights" they have been outside the control of planning legislation. The proposal to undertake similar alterations at no. 28 differs only in so far as this particular property has already been extended at the rear and therefore further changes require planning permission. On my site visit I saw that a gable end and dormer window was under construction at no. 27, the adjoining property.

5. The creation of gable ends significantly changes the appearance of the buildings and alters the relationships between them. In my view this is harmful where it has been carried out to one half of a pair of semi-detached properties destroying the symmetry of the building and resulting in a lop-sided appearance. I consider this to be more damaging to the overall appearance of the street than changes arising from reduction in the gaps between the buildings. The proposal for no. 28 would restore the symmetry of roof of this pair of houses. In my view this would improve the appearance of this particular building and would not lead to an unacceptable reduction in the gap between it and the neighbouring property. I therefore conclude that the proposed alterations would not harm the character and appearance of the area and would comply with Policies DEV1 and CH1 of the West Sussex Structure Plan and Policies BE1 and H16 of the Worthing Local Plan, all of which are still current and seek high quality development that respects its setting.

6. I note that the council consider that the proposed dormer would effectively be a large extension with a flat roof at second floor level, and some neighbours have expressed concerns about overlooking. However, it is the gable end rather than the flat roof of the extension that would be visible from the wider street scene. The dormer window itself will not significantly increase overlooking of neighbouring properties given the separation distances between the buildings and the length of nearby gardens. For these reasons, and having regard to all other matters raised, I conclude that the appeal should be allowed. I will impose a condition requiring matching materials in the interests of the appearance of the building.

Sheila Holden
Inspector