TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78

APPEAL BY MR & MRS C JENKINS
AGAINST THE REFUSAL OF
PLANNING PERMISSION

BY
ADUR DISTRICT COUNCIL

AT

50 WEST WAY, LANCING, WEST SUSSEX, BN15 8LY

FOR
ROOMS IN ROOF WITH FRONT DORMER (SIDE HIP TO GABLE ROOF
EXTENSION, FIRST-FLOOR SIDE WINDOW AND REAR DORMER TO BE BUILT AS
PERMITTED DEVELOPMENT).

LPA REFERENCE NO
AWDM/0215/17

WRITTEN STATEMENT OF APPEAL
ON BEHALF OF THE APPELLANT

PREPARED BY PLANRIGHT UK LTD
MAY 2017

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Appendix 1 – List of other 'Approved' front dormers within the immediate area

1.0 INTRODUCTION

1.1 This appeal is made against the refusal of a householder planning application (AWDM/0215/17) for rooms in roof with front dormer (other works included within the scheme comprise a hip to gable roof extension with rear dormer - the LPA consider that these were permitted development and were therefore not considered as part of the assessment of the overall scheme) The application was refused under delegated powers on 25th April 2017.

1.2 The planning application for the works detailed above was received by Adur District Council and validated on 9th February 2017.

1.3 There were no comments received from neighbouring properties.

1.4 Lancing Parish Council objected to the original scheme on the premis that the front dormer was overbearing in nature and out of character of the area. However, when the amended scheme was presented they withdrew their objection (these are the plans that were subsequently refused by the LPA).

1.5 The application was refused for the following reasons:

1. The proposed front dormer extension by reason of its position on the roof slope, size, 'bulk', massing and design would be poorly related in visual terms to the scale and proportions of the existing bungalow and owing to the prominent siting of this dwelling on a wide corner would constitute an intrusive addition to the street scene, out of keeping with and harmful to the established character of surrounding development. It would therefore conflict with saved policies AG1 and AH7 of the Adur District Local Plan, Policy 15 of the Adur Submission Local Plan, the Council's adopted SPG 'Extensions and Alterations to Dwellings' and the NPPF.

2.0 SITE AND SURROUNDINGS

2.1 The application relates to a single-storey semi-detached property on the north-east junction of West Way and Boundary Road.

2.2 The surrounding context is characterised mainly by bungalows, although there are some two storey dwellings to the east of the appeal site. The architectural features and materials of the prevailing street scene are fairly uniform. There are several

examples of properties with front dormers within the immediate vicinity - with at least 16 front dormers in West Way alone. A list of those that have had planning permission in the previous 10 years are included within Appendix1. The properties on the west side of Boundary Road with front dormers can be seen from the appeal property.

3.0 PLANNING HISTORY

3.1 AWDM/0215/17 - to which this appeal relates

4.0 PLANNING POLICY

4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications and appeals to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

4.2 The approved Development Plan in relation to this site, for the purposes of the Act, is the Saved Local Plan (ADC 1996): and the Adur Submission Local Plan. The relevant policies are AG1, AH7 from the Saved Local Plan and Policy 15 of the Adur Submission Local Plan. The submission plan has not yet been formally adopted.

4.3 The National Planning Policy Framework (NPPF) is a material consideration as is the adopted Development Control Standard No.3 'Extensions and Alterations to Dwellings'.

5.0 APPELLANT'S CASE

5.1 The LPA's report states that: *The proposal comprises upgrading of the existing housing stock located within the built-up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effects on the character and appearance of the dwelling and its surroundings.*

5.2 The LPA refused the application on one ground. Reason 1 states:
The proposed front dormer extension by reason of its position on the roof slope, size, 'bulk', massing and design would be poorly related in visual terms to the scale and proportions of the existing bungalow and owing to the prominent siting of this dwelling on a wide corner would constitute an intrusive addition to the

street scene, out of keeping with and harmful to the established character of surrounding development. It would therefore conflict with saved policies AG1 and AH7 of the Adur District Local Plan, Policy 15 of the Adur Submission Local Plan, the Council's adopted SPG 'Extensions and Alterations to Dwellings' and the NPPF.

5.3 The prevalent character of the area is residential made up of a variety of style of dwelling, albeit built within a similar time period, many of which appear to have been altered and extended.

5.4 The LPA considered the extensions to have an impact on the visual and residential amenities of the locality. They acknowledge in their report that there are other front dormers close by but the existence of these similar style roof alterations do not justify allowing the appeal proposal.

5.5 Policy AG1 of the Adur Local Plan (Saved Policies) relates to development within the built up area, whilst policy AH7 relates to extensions and alterations to existing houses and bungalows and requires the design and materials to be sympathetic to the original dwelling and the area in general. Policy 15 of the Adur local Plan (submission document) relates to the quality of the environment and public realm and requires development to be of a high architectural quality and respect and enhance the character of the site and prevailing character of the area.

5.6 After advice from the LPA, the appellant submitted amendments (on which the decision was made) reducing the size of the front dormer to reduce the mass of the development. However, the officers recommended refusal based on their view that the revisions would still not relate sympathetically to the original building and would be detrimental to the visual amenities of the locality.

5.7 The existing bungalow is situated on a prominent corner plot facing south-west onto West Way. The attached pair does not have roof alterations. The property is modest in size with internal space which requires improvement in order to meet this young families growing needs. The appellants, who have lived at the property for several years, have forged good relationships with their neighbours and enjoy living in an area with a good sense of community. It is acknowledged by those families who live in the area that the properties need upgrading and a short walk up and down both

West Way and the surrounding roads give many examples of properties that have been altered to meet modern space requirements including rooms in the roof. Property is very expensive and moving is simply not an option for the appellants who have 2 children. Currently, the property has 2 bedrooms with the youngest child sleeping on an undersized cot bed in the master bedroom as the second bedroom is not large enough for 2 beds, the second bedroom also has doors which open onto the garden which is not ideal (the appellant acknowledges that this is not a planning issue that the Inspector can take into account). In order to accommodate their needs, the only option is to create sleeping accommodation within the roof space.

5.8 The front dormer has been reduced in order for it to remain under the ridge and above the decorative tiled canopy above the ground floor windows. The windows line up with the openings beneath and when viewed from the street it would be in scale and proportion with the modest proportions of the host dwelling. Although it is acknowledged that it would alter the original appearance of the dwelling, it is not, in the appellants opinion, to be so significantly out of proportion to cause irreparable harm to the street scene considering there are other examples of larger front dormers in the immediate vicinity.

5.9 Both the appellant and the LPA raise the example of no 80 West Way which is also on a corner plot. The LPA, in their Report, state that this front dormer was considered acceptable as it created symmetry with the attached dwelling which had an existing front dormer and therefore the proposal would not cause visual harm. However, numerous examples of front dormers within the local area are single dormers on pairs of semi-detached bungalows. Therefore the question is raised as to how did these front dormers gain planning permission if it is only considered acceptable to allow a front dormer when the attached pair already has a similar dormer in order to redress the balance? Although this is not the Inspectors remit to answer this question, it is the appellants view that these single dormers do not cause harm to the prevailing character of the area and therefore, given the quality of the appeal proposal there would be no **additional** harm caused to the area should the Inspector allow the appeal scheme.

5.10 It is the appellant's view that the Inspector may wish to take into consideration this existing example of similar roof alterations in the context of the appeal site and surroundings.

6.0 Other Matters

6.1 The LPA do not consider that the proposals would have an adverse impact on neighbouring residential amenity and we respectfully request that the Inspector takes a similar point of view when making a decision on the appeal.

7.0 Conclusion

7.1 The site is within the built-up area where sustainable residential development, in principle, is acceptable. The proposed extensions would not harm either the character of the bungalow or its appearance within the street scene. The immediate setting is varied in character and there are numerous other examples of similar front dormers. The appellant remains of the view that the proposed alterations would not cause any additional harm to the immediate area within which it is situated. In this regard the proposals accord with Policies AG1 and AH7 of the Local Plan (saved policies) and Policy 15 of the Local Plan (Submission) Document.

7.2 There would be no harm to the occupiers of either adjacent property.

7.3 It is the view of the appellant that the policies cited within the Officers report are complied with and it is respectfully requested that the Inspector will agree with the appellant and allow this appeal on all levels.

Appendix 1

List of planning application approved for front dormers within the immediate area as listed on the LPAs website (dating from present back to 2001). (NB there are no refusals of planning permission that the appellant is aware of).

117 West Way – AWDM/0113/17
248 Brighton Road – AWDM/1515/16
16 Ingleside Crescent – AWDM/1871/15
37 Boundary Road – AWDM/1655/14
38 Boundary Road - AWDM/0235/14
23 Kings Road – AWDM/0028/14
106 West Way – AWDM/1163/13
80 West Way – AWDM/0794/13
116 West Way – ADC/0058/11
232 Brighton Road – ADC/0181/10
25 Boundary Road – L/134/05/TP
21 Boundary Road – L/15/01/TP