Planning Inspectorate

Appeal Decision

Site visit made on 22 January 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2025

Appeal Ref: APP/M3835/W/24/3349477
45 Loxwood Avenue, Gaisford, Worthing, West Sussex BN14 7RF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
- The appeal is made by Simon Convery against the decision of Worthing Borough Council.
- The application Ref AWDM/0548/24 was approved on 25 June 2024 and planning permission was granted subject to conditions.
- The development permitted is rooms in roof consisting of side dormers and rear hip to gable-end.
- The condition in dispute is No. 1 which states that:
  The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in a subsequent condition imposed on this decision notice.

Reference/Drawing Number	Version	Date Rec
PROPOSED PLANS & ELEVATIONS	DENRA/1993/2 REV A	05.06.2024
EXISTING & PROPOSED R OOF PLAN	DENRA/1993/3	20.06.2024
LOCATION PLAN		30.04.2024
BLOCK/SITE LAYOUT		30.04.2024
EXISTING PLANS & ELEV ATIONS	DENRA/1993/1	30.04.0024

- The reason given for the condition is 'For the avoidance of doubt and in the interests of proper planning'.

Decision

1. The appeal is allowed and the planning permission Ref AWDM/0548/24 for proposed loft conversion with side dormers and front and rear hip to gable-end at 45 Loxwood Avenue, Gaisford, Worthing, West Sussex BN14 7RF granted on 25 June 2024 by Worthing Borough Council, is varied by deleting condition 1 and substituting it for the following condition:

1)	Reference/Drawing Number	Version	Date Rec
	PROPOSED PLANS & ELEVATIONS	DENRA/1993/2	30.04.0024
	EXISTING & PROPOSED ROOF PLAN	DENRA/1993/3	20.06.2024
	LOCATION PLAN		30.04.2024
	BLOCK/SITE LAYOUT		30.04.2024
	EXISTING PLANS & ELEV ATIONS	DENRA/1993/1	30.04.0024

Preliminary Matters

2. The appeal is made directly following a conditional grant of planning permission. This type of appeal includes the powers for the Inspector to consider the matter afresh and deal with the application as if it has been made to them in the first

instance. The Inspector also has the powers to amend the description of the development should it be considered necessary.

3. The appellant seeks to replace the approved drawings with the scheme that was originally submitted with the planning application. The approved drawing retains the existing front hipped roof design whereas a gable at the front of the building was originally proposed. Whilst the two schemes are visually different, they do not involve a fundamental amendment in terms of what is being sought and so the overall nature of the development would not change.

4. The original drawing was not technically before the Council when it made its decision. However, in this case the Council has obviously previously seen the original proposal and I have a general idea from the officer report as to why they sought the amendment. Furthermore, the Council had an opportunity to submit a Statement and comment on the matter through the appeal process and chose not to do so. There were no interested party representations received on either scheme.

5. I am therefore satisfied that as part of this appeal and having regard to the Wheatcroft Principles, I can consider the design of the extension as originally proposed.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the building and wider area.

Reasons

7. The appeal site is located within a residential area. Whilst two storey dwellings with hipped roofs is the predominant building type on this part of Loxwood Avenue, there is not uniformity, and the houses offer a range of type, size and design.

8. This variety is exemplified by the appeal property and its neighbouring dwellings. The appeal property itself is a modestly sized, two storey detached dwelling. It has a main hipped roof and two storey front bay windows which also have a hipped roof. In contrast, to the south, is a chalet type bungalow with front gable, side roof gable and flat roof front dormer. To the south of this are two bungalows with main hipped roofs and front gabled projections.

9. On the northern side of the appeal property is a semi-detached two storey dwelling with main hipped roof and two storey front bay windows with gable above. Opposite the appeal site are similar two storey dwellings with hipped roofs and front gable projections. However, the main roofs on a number of these houses have been altered through a variety of side roof dormers or in one case, a side hip-to-gable extension. This further exemplifies the variety of built form in the immediate vicinity of the appeal site and in particular the different roof shapes.

10. From the Officer Report it appears that the key issue for the Council in seeking to retain the existing hipped roof on the appeal building was to ensure that it sat comfortably alongside other houses in the street with front hipped roofs.

11. In replacing the appeal property's main front roof hip with a gable, the proposal would become the only two storey dwelling in the immediate vicinity with that shape of roof. However, given that the building's overall size and shape already

differs from other buildings around it; and given both the variety and existence of gable features on many of the surrounding buildings, the overall effect would not be harmful to an area already characterised by a mix of built forms.

12. The hipped roof over the bay windows would become truncated as a result of the new front gable. This would not however be unduly harmful to the building given that it would be a relatively minor feature within the context of the enlarged building. Of equal or greater prominence would be the side dormers, to which the Council has not objected. As noted above, existing dwellings in the area already display a mix of roof styles and so with that prevailing context in mind the proposed changes would sit with sufficient comfort in the street scene.

13. Accordingly, I find that the proposed alterations would not cause harm to the character and appearance of the building or wider area. As such, it accords with Policy DM5 of the Worthing Local Plan 2023 which generally seeks to ensure the quality of the built environment and in particular, amongst other things, that new developments respect the prevailing character of the area.

Other Matters

14. A previous planning permission for extensions to the property was granted in 2019 but this permission has now lapsed. It predated the current Worthing Local Plan 2023. As I am unaware of the former policy context and the extent to which it may differ from the current one, this previous permission has no bearing on my decision.

15. I have not had further regard in this decision to any concerns over how the Council may have handled the application as this is an administrative matter to be taken up directly with them. I have focused on the planning merits of the scheme in regard to the main issues of the case.

Conclusion

16. I have deleted condition 1 and imposed a new condition 1, listing the approved plans, which is necessary in the interests of certainty. I have also amended the description of development to reflect the change in the approved plans. All other aspects of planning permission AWDM/0548/24 remain unaltered.

17. For the reasons given above, having considered the development plan as a whole, and all other relevant material considerations, I conclude that the appeal should succeed.

Stewart Glassar

INSPECTOR