14 March 2024

Application number:	AWDM/0777/23
Site:	Land North of 37 Western Road North, Sompting, West Sussex BN15 9UX
Proposal:	Application for Variation of Condition 2 (approved plans) and Conditions 5 (no openings in South elevation) of previously approved AWDM/1645/22. Amendments: to allow for a rear dormer.

Site:

The Adur Local Plan Proposals Map identifies that the site is within the defined built up area for Sompting. **There are no specified planning policy constraints of designations that are applicable to the site or the to the area in which the land is located.**

Currently the site compromises double garage along with mature hedging and fencing.

The proposals frontage on Western Road North is adjacent to crosswalk for pedestrians. Nearby to the site, immediate North, is the Ball Tree Surgery with partly single and two storey building and windows on second storey of the Ball Tree Surgery situated on side visible to the rear of the proposed site and hosts dwelling site of No 37. The surgery's parking lot is adjacent to the back boundary of the application site. The dwelling located to the South of the site hosts dwelling of No 37. A 30-unit 3 story apartment building is located directly across from the site that include similar design with use of dormers that is visible from Osbourne Drive.

Approach, Proposal and Design:

The application AWDM/0777/23 were in place to seek approval for a rear dormer. A full length dormer has been proposed - underlining that any amendment required can be considered for an approved design. Amendment to size of the dormer along with positioning, size and type of window can also be amended in order to overcome any issues that was given on the decision letter. Unfortunately no acceptance in revision to the design or additional design option of extending to the rear with a single storey was considered for the plot at the time when matters were identified.

The current landowner whom was not made aware of the conditions of the approved planning application at the time of the purchase of the land considering additional bedroom due to their family size. The approved application AWDM/1645/22 includes 2 parking spaces for a 1 bedroom property. The applicant has underlined that the reading of the proposal gave an impression to allow extending due to nature of allocation of parking spaces along with the current number of bedroom.

Analyses of the decision:

The proposal would give rise to overdevelopment, with the dormer being a large- scale, incongruous feature which would be detrimental to the character and appearance of the bungalow as approved and the surrounding built environment. It would result in overlooking

and an unneighbourly impact to the adjacent bungalow. The proposal is therefore contrary to Policy 15 of the Adur Local Plan, Development Management Standard No.2 'Extensions and Alterations to Dwellings' and the National Planning Policy Framework.

Within the document Development Management Standard No.2 'Extensions and Alterations to Dwellings' under the effect on neighbouring properties it would be ideal to underline the following;

Privacy - the proposal should not result in direct overlooking of rooms in neighbouring properties, nor excessive amounts of overlooking of garden areas.

Daylight - any proposal should not reduce the daylight to neighbouring properties to an unacceptable extent.

In comparison to the proposal the 45 degree angle from the proposed window to the adjacent garden of NO 37 are in the loss of a distant view and this should overcome a valid reason for refusing the application. Especially without a revision to the submitted design that has been reflected as 'large scale' or nor consideration of a single storey rear extension instead. Neither there is a direct overlooking of rooms within the neighbouring properties either the reasons given are not to be found effective enough as further consideration and 'amendment' to the proposal was not accepted.

Looking at the comments under 'residential amenity' within the decision letter, it clearly underlines that there are no properties directly behind the proposed property to be affected.

Received representative:

Only representation was forwarded by the occupier of 37 Western Road North and the following has been underlined and taken into consideration by the Local Authority.

1. Object to rear dormer, overlooking house and garden.
2.The owner bought their bungalow adjacent to the site on the basis that this would be a single storey bungalow only.

The proposed development are not a factor of overlooking of no 37 and the angle of the windows allows distant view to the far end of the adjacent garden. Also the 2 storey buildings on end of the carpark off the Ball Tree Surgery and the surgery itself has windows positioned facing the property 37 and these were in place prior to their purchase.

It has been underlined by the local authority that the owner of the no 37 bought their bungalow on the basis that this would be a single storey bungalow only. This should not be a valid reason or if it is considered as a valid reason, then it should be underlined that the applicant has purchased the land with understanding of having an option to extend the property for an additional bedroom to accommodate their family.

Summary:

The reason for this application, the pre consultation of the prior to the application suggested that a form of dormer might be considered acceptable however after submission the outcome was very clear that a right to revise a proposal where reasons given can be clearly addressed with further amendment and it is obvious that the proposal to be then acceptable with its form and design was declined by the local authority.

If the local authority was aware of the form of the proposal to be acceptable without any further amendments to the proposal then it should be to clearly stated at the beginning of the email exchange that we have had with the officer. We are fully aware that planning can

only consider a valid application and make their comments then but the ‘reasons’ stated on the decision letter is addressable but yet was not allowed to be an option.

As stated on this letter, the documents to support the refusal reflect on many aspect for development to be acceptable. As without any special conditions, these proposed changes to the property fall under permitted developments or considered to be lawful.

The applicant feels the application was not treated fairly as reflection of timeframe, financial aspect of purchasers of No 37 was considered but similar reasons given for the purpose of this amendment was not a consideration at all.

As there are no other representations received and also the consulted parties have not raised any objection to the proposal we are hoping to have full support to the application that may require and allow amendment to proposed design for validation.

Derya Teke

Agent acting on behalf
of the applicant