



Appeal Decision

Site visit made on 6 April 2022

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 26th April 2022

Appeal Ref: APP/M3835/W/21/3283781

Broomhill, Mill Lane, Salvington, Worthing BN13 3DH

- 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 & Mrs MacDonald against the decision of Worthing Borough Council.
 - The application Ref: AWDM/0339/21 dated 26 February 2021, was refused by notice dated 27 May 2021.
 - The development proposed is garage conversion and first floor roof extensions to create a self-contained holiday let.
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Decision

1. The appeal is dismissed.

Procedural and Preliminary Matters

2. The appeal submission was dated 28 September 2021 and was submitted as a failure of the Council to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission. However, the Council determined the application on 27 May 2021 and a copy of the decision notice had been included with the Council's documentation. There is one reason for refusal and this states:

The proposed holiday accommodation by virtue of the necessity to raise the ridge height of the roof, provision of additional dormers including a poorly designed flat roofed dormer to the western elevation, and provision of an amenity area enclosed by a close boarded fence is not considered to be of good quality architectural design that reflects local character and would result in a development of a scale and design that would appear incongruous in the area. The proposal therefore fails to comply with policy 16 of the Worthing Core Strategy.

3. I have therefore considered the appeal as an appeal against a refusal of planning permission, as the decision was issued before the appeal was submitted.
4. At the time of my site visit, a number of external changes had been made to the existing garage to facilitate residential use of the building. However, my decision is based on the scheme plans before me.
5. The Appellant has made a number of assertions regarding the nature of works which might be undertaken as permitted development. I have taken these into

account but there is insufficient information before me to reach a definitive view on those works; my decision is therefore based on the scheme works before me, for which planning permission is sought.

Main Issue

6. The main issue in this appeal is the effect of the proposal on the character and appearance of the local area.

Reasons

7. The appeal property is a large detached property with a detached garage standing forward of and to the side of the main property. It is within a predominantly residential area, including a large variety of detached dwellings, with access off a narrow, unmade road. A number of the properties have detached garages standing forward of the main house; because of their scale these are seen as ancillary and unobtrusive buildings in relation to the individual houses. The general pattern of development which contributes to the verdant and open character and appearance of the local area is of well-spaced detached houses set on generous plots and set back from the frontage. The open land on the other side of Mill Lane is within the South Downs National Park.
8. The proposal would raise the ridge height of the roof and introduce two dormer windows to the east (front) elevation and a flat roofed dormer to the west (rear elevation). A number of windows would be added to each elevation. The frontage area would be provided with a patio and a parking area and the patio area would be enclosed with a close boarded timber fence on top of a dwarf brick wall. The intention, as stated on the application forms, would be for the extended and converted building to be used as a holiday let.
9. The Council has confirmed that there is no objection in principle to the introduction of a proposed holiday let in this location. I have no reason to take a different view, and the proposed use could be addressed by condition, were planning permission to be granted.
10. However, I am concerned that the proposed works, and in particular the proposed raising of the roof and the two front dormers would result in a much more prominent building in the street scene. The building, taking into account the raising of the roof and the front and rear dormers proposed, would appear 'top heavy' and the additional bulk and massing would be visually obtrusive. The building would no longer be seen as a modest and ancillary unit to the main house in the street scene.
11. Furthermore, and whether or not permitted development, the enclosure of the frontage space, taken together with all the works proposed, particularly at roof level, would result in the building appearing to be a separate dwelling unit. The scale of the unit and the small plot size would appear incongruous in the street scene where the majority of properties are much more substantial, set back from the frontage and on good sized plots.
12. I therefore conclude that the proposal would harm the verdant and open character and appearance of the local area. It would conflict with Policy 16 of the Worthing Core Strategy and the National Planning Policy Framework, and in particular Section 12, both of which amongst other things seek a good quality of design which respects the local context.

Other Considerations

13. There is a large tree in the front garden protected by a Tree Preservation Order, but it would not be affected by the proposed development. Were no other matters of concern, and planning permission were to be granted, a condition could be imposed to ensure its protection during the construction works. The Council also raised no concerns in this regard.
14. Concerns have been raised regarding the loss of privacy from the proposed dormers for the neighbours at No 1 Woodland Avenue to the north and set at a higher level; their rear boundary runs around the side and the rear of the existing garage. There is dense planting along this boundary and moreover, were there no other matters of concern and planning permission were to be granted, conditions could be imposed regarding the requirement for obscure glazing to the relevant windows. The Council also did not raise this as a reason for refusal.
15. The Appellant has raised a number of concerns regarding the processing of the application, but my decision is based solely on its planning merits.

Conclusion

16. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR