



Appeal Decision

Site visit made on 26 January 2023

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th February 2023

Appeal Ref: APP/M3835/D/22/3311443

301 Brighton Road, Worthing, BN11 2HL

- 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 Miss Sara Abraham against the decision of Worthing Borough Council.
 - The application Ref AWDM/1447/22, dated 30 August 2022, was refused by notice dated 21 October 2022.
 - The development proposed is described as a ground floor extension to front of house.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposal on the appearance of the host dwelling and this section of Brighton Road. The second main issue is the effect of the proposal on the living conditions of the occupiers of 299 Brighton Road (No.299), with particular regard to visual impact, daylight and sunlight and the living conditions of the occupiers of 303 Brighton Road (No.303), with particular regard to privacy.

Reasons

3. The appeal property is located within a row of similarly designed detached and semi-detached two storey properties between Thalasa Road and Brougham Road. The dwellings have plain tiled hipped roofs; projecting single/two storey bay window projections with flat roofs; rendered walls; and a number of them have flat roofed two storey side extensions. Whilst some of the detailing varies and a number of extensions have been constructed there is nonetheless a strong sense of uniformity in their appearance when viewed from the street scene.
4. The dwellings within this row have broadly consistent front building lines, although the appeal building sits slightly further forward than the buildings on either side. The dwellings are set back from the street scene behind generous sized front gardens which are enclosed by low walls. These gardens provide a strong sense of uniform space around the buildings, which are clearly visible from the street scene, including the coastal foot and cycle path on the opposite side of Brighton Road.

5. Conversely, the detached dwelling at the western end of the row has an uncharacteristic gable roof and a flat elevation facing Brighton Road. However, this dwelling fronts onto Thalasa Road and its southern side building line is consistent with the row of dwellings fronting Brighton Road.
6. Elsewhere along this stretch of Brighton Road and along Thalasa Road there are groups of consistently designed and sited dwellings with strong front bay window features, often under pitched gable roofs. Some of these dwellings have been extended at the front and these extensions have respected the host properties and blended into the street scene with varying degrees of success. This has largely depended on the size, form, projection and designs of the extensions and the uniformity in the design and front building lines of the groups of dwellings in which they are located. Rather than set a precedent, they highlight the need to assess each proposal on its individual merits and in light of the prevailing planning policies.
7. Together and amongst other things saved policy H16 of the Worthing Local Plan 2003 (LP), policy 16 of the Worthing Core Strategy 2011 (CS), and policy DM5 of the Submission Draft Worthing Local Plan (as modified) (DLP) seek to ensure that new development demonstrates good quality architecture and responds positively to the important aspects of local character. The scale, design, materials and site coverage of extensions should be satisfactory both in relation to the host dwelling and the predominant characteristics of adjoining properties and the area as a whole.
8. Paragraph 130 of the National Planning Policy Framework 2021(Framework), similarly seeks to ensure that new development is of high-quality design, reflects the distinctive character of the area and addresses the character and scale of the surrounding buildings.
9. The Worthing Supplementary Planning Guidance 'Extending or Altering Your Home' advises that front extensions are usually highly visible and can drastically alter the appearance of the house. Also, that where there are consistent building lines, their disruption can become obtrusive in the street scene.
10. The proposed projecting front extension would sit directly in front of the existing projecting bay and would project in excess of three metres beyond the existing front building lines of the host and other dwellings within this row. Whilst the wall around the first floor balcony would remain visible, the existing characteristic projecting bay feature would be lost.
11. The proposed projecting extension would dominate the front of the host dwelling and would be unduly prominent from the street scene, where its stark, plain flank walls would be clearly visible. It would intrude into and disrupt the spacious open garden environment and setting to the row of dwellings. Overall, due to its form, depth and design of the proposed projecting extension would fail to respect and would unacceptably detract from the appearance of the host building and the row of dwellings. This harm would materially outweigh the benefits for the appellant and their family that would result from the proposed extension.
12. For these reasons, I conclude on the first main issue that the proposal would unacceptably harm the appearance of the host dwelling and this section of

Brighton Roads. It would conflict with LP Policy H16, CS Policy 16, DLP Policy DM5, the SPD and paragraph 130 of the Framework.

Living conditions

13. The proposed projecting front extension would be sited close to the main ground floor front window at No.299. It would project in excess of three metres beyond the adjacent rear ground floor front wall of this adjacent dwelling. The flank wall of the proposed extension would be in excess of three metres in height and would be clearly visible above the existing boundary fence. Due to its combined proximity, height and depth the flank wall of the proposed extension would have an enclosing and visually overbearing impact on the outlook from the adjacent ground floor front window and garden area at No.299. This would unacceptably harm the living conditions of the occupiers of No.299.
14. Due to its height, depth and proximity the projecting front extension would also result in some loss of daylight and sunlight within the room served by the adjacent front window at No.299. Despite this, the adjacent front room at No.299 would continue to receive good levels of daylight and southerly/south westerly sunlight due to its orientation. Accordingly, in itself, this would not amount to a reason for dismissing this appeal, although it would exacerbate the over bearing impact the proposal would have on the outlook from the adjacent room and front garden area.
16. As stated in CS Policies H16 & H18, DLP Policy DM5 and advised in the SPD, extensions should not result in an unacceptable degree of overlooking, overshadowing, have an overbearing effect or result in an unacceptable reduction of amenity. Paragraph 130 of the Framework seeks to provide a high standard of amenity for existing and future users.
17. With regard to privacy the proposal does not include any new windows in the eastern flank elevation of the dwelling. The existing secondary study window would become a secondary kitchen. Accordingly, the proposal would not result in an unacceptable loss of privacy for the occupiers of No.303.
18. I conclude on the second main issue that the proposal would not unacceptably harm the living conditions of the occupiers of No.303, with particular regard to privacy. Conversely, it would unacceptably harm the living conditions of the occupiers of No.299 due to its visually overbearing impact and associated loss of daylight and sunlight. Accordingly, it would conflict with CS Policies H16 & H18, DLP Policy DM5, the SPD and paragraph 130 of the Framework.

Conclusion

19. The conclusions on both main issues amount to a compelling reason for dismissing this appeal, which the imposition of conditions would not satisfactorily address.

Elizabeth Lawrence

INSPECTOR