



Appeal Decision

Site visit made on 15 February 2023

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 21.02.2024

Appeal Ref: APP/M3835/D/23/3329550

72 Vale Avenue, Offington, Worthing BN14 0BZ

- 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 John Ward against the decision of Worthing Borough Council.
 - The application Ref: AWDM/0372/23 dated 8 March 2023, was refused by notice dated 27 June 2023.
 - The development proposed is loft conversion including hip to gable roof extension and 2 storey rear extension with internal alterations and rooflights to front elevation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (Framework) was revised in December 2023. Although some of the paragraph numbering has changed, I do not consider that there are any material changes in the Framework, pertinent to this appeal proposal. It is not therefore necessary to seek the views of the Appellant or the Council on the revised Framework.

Main Issues

3. The main issues in this appeal are:
 - a) the effect of the proposed development on the character and appearance of the existing property and on the local area, including the setting of the South Downs National Park, and
 - b) The effect of the proposed development on the living conditions of the neighbours at No 70, with particular regard to outlook, overlooking and loss of privacy and loss of light.

Reasons

Issue a) Character and Appearance

4. The appeal property is a semi-detached bungalow on the west side of Vale Avenue and within a predominantly residential area. The land slopes down from west to east so the properties on the west side of the road, including the appeal property are set above the road level. A number of the surrounding properties have been extended and altered to include accommodation at first floor level. However, with a few exceptions, these do not intrude on the street

scene views and the local area has a regular pattern of modest semi-detached bungalows.

5. The proposed development would incorporate a hip to gable roof extension together with a two storey rear extension and roof lights to the front roof slope. There are a number of examples of hip to gable extensions along the road, including the adjoining property, as well as rear dormers and front rooflights. As a result of the other similar developments undertaken in the locality, I do not consider that the hip to gable roof extension and front roof lights would detract from the character and appearance of the property or the street scene.
6. The main rear extension would be set in from both sides and particularly the side closest to the boundary with No 70 but would comprise a substantial extension over two storeys. As a result of the significant increase in massing over two storeys and its extensive flat roof, it would appear very bulky and over dominant in relation to the form and proportions of the existing dwelling. The large windows proposed at first floor level would exacerbate the over dominant form of the rear extension and would result in a top-heavy extension out of proportion to the more modest form of the existing dwelling.
7. There would be limited views of the rear extension from the front of the dwelling, but in such views, the bulk and massing of the proposal would be visually discordant and would not respect the character and appearance of the local area. Views of the extension would also be gained from neighbouring gardens and properties. In such views the size and form of the extension would appear over prominent and further detract from the character and appearance of the local area.
8. I therefore conclude that the proposed extension would result in material harm to the character and appearance of the existing property as well as of the local area. This would conflict with Policy DM5 of the Worthing Local Plan, the Council's Supplementary Planning Guidance *Extending or altering your home* and the Framework, and in particular Section 12, all of which, amongst other matters, seek a high quality of design which respects the local context.
9. The Council's reason for refusal also refers to harm to the setting of the South Downs National Park (National Park) and paragraph 182 of the Framework refers to development *within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas*. The rear of the property is close to the boundary with the National Park, but the rear gardens of the appeal property and neighbouring properties are separated from the Park by a wide and dense strip of trees and planting. There is therefore a clear visual divide between the residential development along this side of Vale Avenue and the National Park and as demonstrated in the photographs submitted by the Appellant, in many views the rear of the property would be screened by the intervening planting. The proposed development would be set within the context of existing residential development, and I have no compelling evidence before me to indicate that there would be uninterrupted views of the proposed extension from within the National Park. I do not therefore find that the proposal would be harmful to the setting of the National Park and would not conflict with the advice in Paragraph 182 of the Framework. My finding in this respect does not therefore add to the harm I have already concluded.

Issue b) Neighbours' Living Conditions

10. No 70 is the adjoining property on the northern side, with a high slatted fence along the boundary. The property has a single storey gabled extension to the rear at the northern end of the property. The proposed extension at the appeal property is set away from the shared boundary. However, the height of the extension over two storeys combined with its depth would create a very solid flank wall in terms of height and massing, that would be overbearing and oppressive for the neighbours both in terms of the outlook from their rear facing windows as well as from within their rear garden, closest to the house.
11. I have taken into account the information provided by the Appellant regarding the impact of the proposed extension on daylight to rear facing windows in the neighbouring property. No detailed technical assessment has been undertaken in terms of the impact on individual rooms and areas. However, given the height of the proposal and that the extension would be to the south of the neighbouring property, I conclude that it would result in some material loss of light to the rear facing windows in the adjoining property, at least at certain times of the day and year.
12. The introduction of first floor accommodation would increase the amount of overlooking with a resultant loss of privacy but some overlooking is to be expected in suburban locations. Were no other matters of concern and planning permission were to be granted, it would be possible to impose conditions to ensure that some of the proposed windows were in obscure glass, such as the side facing window serving the dressing room and rear facing window serving a bathroom.
13. I therefore conclude that the proposed development would materially harm the living conditions of the neighbours at No 70, with particular regard to loss of outlook and loss of light. This would conflict with Policy DM5 of the Worthing Local Plan, the Council's Supplementary Planning Guidance *Extending or altering your home* and the Framework, and in particular paragraph 135 f), all of which, amongst other matters, seek a high quality of design which respects the amenities of existing and future occupants.
14. No 74 to the south of the appeal property is deeper in plan than the existing appeal property over two floors and with its main windows facing towards the rear. As a result, I do not consider that the proposal would have an unacceptable impact on the living conditions of these neighbours. The Council also found no harm in this regard.

Other Considerations

15. The Appellant has drawn my attention to a number of other extensions as permitted and undertaken in the local vicinity. Each proposal must be considered on its individual merits, but in so far as the information has been made available to me, I have taken these other permissions and developments into account. However, none of these other examples appear directly comparable with the proposal before me and do not therefore persuade me to a different conclusion under either of my main issues.

Conclusion

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

L J Evans

INSPECTOR