



Appeal Decision

Site visit made on 19 July 2010

by **David Harmston FRICS DipTP MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
20 July 2010

Appeal Ref: APP/C3810/D/10/2129809

9 Sark Gardens, Ferring, Worthing, West Sussex BN12 5QB

- 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 Brad Cox-Horton against the decision of Arun District Council.
- The application (Ref: FG/5/10), dated 11 January 2010, was refused by notice dated 19 April 2010.
- The development proposed is described as: *'Single-storey front and rear extensions. Roof alterations to create first floor accommodation including new half hips to gable end walls & dormer windows to front and rear elevation (resubmission of FG/117/09).'*

Decision

1. The appeal is dismissed.

Procedural Matter

2. For the avoidance of doubt, the plans that I have considered in relation to this appeal are those entitled *'Proposals 10 B'* (incorporating Revisions A and B) and *'Proposals 11 C'* (incorporating Revisions A, B and C). Both drawings are dated December 2009 with the final revisions thereto dated 3 March 2010.

Main Issues

3. The main issues in this appeal are, firstly; the effects of the development on the character and appearance of the area and, secondly; whether it would cause an unacceptable loss of privacy to the occupiers of the nearby dwellings.

Reasons

4. The proposal is to substantially alter and extend the existing detached bungalow with an enlargement of the roof area to provide two additional bedrooms with an additional bathroom and other accommodation. In practice the whole roof would be reconstructed and increased in bulk, scale and height so that a large chalet-bungalow containing a total of five bedrooms on the site would be created, including two small extensions to its front and rear.
5. The area in which the appeal site lies is characterised by the presence of detached bungalows. The dwelling is located at the end of a cul-de-sac and is prominent in Sark Gardens. It is visible in the streetscene and open to general view from a number of vantage points. For this reason the development, with its substantial and bulky replacement roof and dormer window, would be seen as an obvious and harmful visual intrusion into the attractive residential area

surrounding the site. My attention has been drawn to a number of developments within the locality where bungalows have been increased in size by works to their roof or at first floor level. However, the predominant form of building within the area close to the appeal site remains that of bungalows in their original form. I acknowledge that some properties have been altered and extended so that in a few cases accommodation has been provided at roof level. These are exceptional and the overall character and appearance of the area, and particularly that in Sark Gardens itself, is determined by the overwhelming majority of bungalows that have not been so altered.

6. The proposed development would involve an increase in the height of the roof and the formation of two large dormer windows in the front elevation of the building. This would radically alter the appearance of the dwelling and would introduce a discordant and incongruous feature into the streetscene facing towards a group of modest, detached bungalows. The building would take on much of the character of a substantial, two-storey house when viewed from Sark Gardens. As such, in my view, and in terms of the first main issue, the development would be in conflict with Saved Policies GEN7 and DEV19 of the Arun District Local Plan (2003). For these reasons the proposals are unacceptable on this issue.
7. On the second main issue, three dormer windows are proposed in the rear elevation of the property to serve habitable rooms. Overlooking towards the adjoining properties in Tamarisk Way and Beehive Close would be inevitable. Particularly, the garden and windows in the rear elevation of No 6 Tamarisk Way would be about 20-metres away and uninterrupted views into this property from the first floor of the extended property would be possible.
8. Within intensively developed residential neighbourhoods such as this, where buildings are often set on small plots with short gardens, some issues of intrusion will often exist. However, within this area where bungalows predominate, overlooking between dwellings and gardens is usually kept to a minimum by fencing and natural screening providing a good degree of privacy. Only in a few instances does habitable accommodation exist above ground floor level. The proximity and juxtaposition of the appeal property to No 6 Tamarisk Way are such that the introduction of the proposed windows serving habitable rooms at this height would be very unneighbourly and would lead to a serious loss of privacy, in my view. This would be in conflict with the provisions of Saved Policy DEV19(iii) of the Local Plan.
9. It has been pointed out that No 6 Tamarisk Way has rooflights in its rear elevation. However, these do not appear to serve a habitable room and are fitted flush to the roof. I distinguish them from the dormers proposed in the appeal development as they do not pose the same opportunities for overlooking. In any event, I am considering the appeal proposals on their own planning merits. I have noted all the points made in favour of the development but nothing outweighs my conclusions above and the reasons for them.

David Harmston

Inspector