The Planning Inspectorate

Appeal Decision

Site visit made on 11 February 2021

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 March 2021.

Appeal Ref: APP/Y3805/D/20/3263485
53 Gordon Road, Shoreham-by-Sea, BN43 6WF

- 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 Fletcher against the decision of Adur District Council.
- The application Ref AWDM/1223/20, dated 4 August 2020, was refused by notice dated 29 September 2020.
- The development proposed is described as the erection of a '*single-storey side extension*'.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a single-storey side extension and pitched roof above first floor rear projection at 53 Gordon Road, Shoreham-by-Sea, BN43 6WF in accordance with the terms of the application, Ref AWDM/1223/20, dated 4 August 2020, subject to the following conditions:

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 20798-01 Rev C and 20798-02.

    3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The description of the development given in my formal decision reflects the description that was given by the Council on their decision notice and which was repeated by the appellant on the appeal form. This reflects the entirety of the proposed works compared with the description that was given on the original application form and used in the banner heading above.

3. The application was amended through the submission of revised plans, which I have relied upon.

Main Issue

4. The Council has raised no concern regarding the proposed alteration to the roof over the existing first floor projection to the rear of the appeal property. I have no reason to deviate from this position. The main issue therefore is the effect of the proposed single-storey side extension on the living conditions at 55 Gordon Road, with particular regard to visual impact and light.

Reasons

5. The appeal property is a two-storey, semi-detached dwelling with a two-storey rear outrigger that is mirrored by the attached neighbouring building at No 51. A similar arrangement is repeated by the neighbouring semi-detached pair at Nos 55 and 57. No 53 has an existing infill, lightweight extension to the side of the outrigger. This projects up to and above the side wall that runs along the boundary shared with No 55, to a depth of approximately 4m. The proposal is to replace this with a brick built, lean-to side addition that would project a further approximate 3m, bringing it flush with the rear wall of the outrigger. The new addition would be built off the boundary wall, raising its height by around 850mm, slightly lower than the height of the existing side addition.

6. The Council's officer's report correctly describes the appeal property as a semi-detached dwelling under its heading *Proposal, Site and Surroundings.* However, elsewhere in the report it is described as being attached to No 55, which is incorrect. Furthermore, the Council has relied upon guidance contained within their Supplementary Planning Guidance (SPG): *Development Management Standard No.2 Extensions and Alterations to Dwellings* which states that where dwellings have been built with projecting sections it would not usually be acceptable to build an extension infilling the space between the projection and the boundary with an attached dwelling. Given the detached nature of No 55 with the appeal property, this part of the SPG does not directly apply, although I recognise the objectives of the guidance in seeking to safeguard neighbouring amenities.

7. No 55 is set approximately 1m away from the common boundary with the appeal site. Adjacent to the appeal site at ground floor, No 55 has rear facing patio doors, together with side facing windows and a door in the outrigger. Given the detached relationship between these two properties, the space to the side of the outrigger is larger than would be typical for terraced houses of similar form and layout.

8. The appellant has submitted a Daylight and Sunlight Report dated November 2020 prepared in accordance with the British Research Establishment's *Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice 2011.* The findings of this report have not been challenged by the Council. I note that it too bases its findings on as assumption that Nos 53 and 55 are attached. Notwithstanding, the window arrangements for No 55 are properly considered and it concludes overall that the change to daylight affecting these openings would be unlikely to be noticeable, thereby meeting the BRE guidance. Without substantive evidence from the Council to the contrary, I have no reason to doubt these findings. It also finds that there would be no impact at all on direct sunlight to the rear windows of No 55, which is unsurprising given the orientation of the properties.

9. In my assessment the outlook from the patio doors and the side facing window nearest to these would be little different to the existing arrangement and, given the single-storey eaves height of the building along the boundary, I am not persuaded that the addition would reasonably be seen as overbearing, as suggested by the Council. The additional depth proposed to the side extension would undeniably be a change in the outlook from the neighbour's internal living areas and would impact more upon the aspect from the window positioned at the deepest part of the outrigger. However, given the amount of space that exists to the side of No 55, I am not persuaded that the impact would be significant.

10. Overall, I am satisfied that the proposal would not appear visually intrusive when seen from No 55 or that it would harmfully impact on levels of light. I therefore find no conflict with Policy 15 of the Adur Local Plan 2017 insofar as it seeks to avoid any unacceptable impact on adjacent properties from new development.

Conditions

11. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area, a condition is required to control the external materials to be used.

12. The Council has suggested some very vague wording to attempt to control further windows or openings and the use of obscure glazing. However, no precise details are given. I consider that it would be very unlikely that any windows would be added to any of the proposed works in positions that would impact neighbouring occupiers, or without having serious consequences for the occupants of the appeal property. I do not consider that any such condition is therefore necessary.

Conclusion

13. For the reasons given, I conclude that there would be no harm to the living conditions at 55 Gordon Road. Accordingly, in the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR