Development Control – Committee Report

Application Number: ADC/0033/11 **Recommendation - Permit Application**

Site: **100 Old Fort Road Shoreham-by-Sea West Sussex BN43 5HB**

Proposal: **Extensions to front and roof, plus other alterations, to form a 3- storey flat-roofed 'contemporary-style' dwelling, including front first-floor balcony and rear second floor terrace**

The Application

The application relates to an extended detached chalet-style bungalow located on the south side of Old Fort Road with direct beach access at the rear.

The proposals are to enlarge and re-model the dwelling to create a contemporary-style six-bedroom house. The ground floor would not be further extended. At first-floor level, a projecting flat-roofed front extension with integral bay window is proposed, to add a separate dining room to the existing first-floor livingroom and kitchen (currently partly within the roofspace). Above the original main structure, an entire second floor would be added to provide a master bedroom with ensuite bathroom and south side terrace.

The proposed front extension would, as amended, be 6.3m wide and project from the original roof line by 5m-6.2m. The second floor, as amended, would be 10.3m wide, aligning with the width of the existing gabled roof, with a depth of between 5.7m (east) – 7.9m (west) aligned off the leading edge of the original sloping roof at the front. This top storey would be 2.6m in height, resulting in an overall height of the house of 8.1m.

The property has previously been extended and altered under the following permissions:-

- ADC/0021/07 – Single-storey front and east side extension and alterations and two-storey rear extension (including first floor roof terrace with side. Delegated approval 13.03.07
- ADC/0319/09 – New boundary wall and greenhouse to front, and revisions to ADC/0021/07 including side screens, solar panels, additional rooflights and windows. Approved by Committee 19.10.09

Directly to the east is a two-storey traditional pitch-roofed house (No.102) sited 1m from the common side boundary. This house has previously been extended with a rear sunlounge with a balcony above (west side).

To the west is No.98, another two-storey pitch-roofed house with a flat-roofed rear extension with terrace and sunroom above (east side). This property has permission to be extended and remodelled. There are two extant planning permissions, the first being ADC/0461/08 for a part two-storey, part single-storey (with balconies) front extension, including new roof with room in roof with rear (2nd floor) balcony, with an overall front projecting two-storey element of 7.7m. The overall approved height was 8.1m.

The second permission (ADC/0502/10) was granted by the Committee at their last meeting and was for enlargement and remodelling of No.98 into a large contemporary-style flat-roofed six-bedroom house. It would result in the dwelling being a three-storey 'tiered' house with front and west side extensions (including rear balcony with spiral stairs). This permission includes a part two-storey, part single-storey front extension of 6.2m in depth, with a three-storey glazed entrance, resulting in an overall height of 8.8m

Design and Access Statement

The applicant's Design and Access Statement states that the objective is to transform the existing building from a small holiday dwelling to a high-quality modern family home. It states that the building has been extended considerably and the remaining original roof with eyebrow dormer now appears as a anachronistic remnant. The context of Old Fort Road is very mixed with a wide variety of roof forms and building styles. Scale varies from bungalows to nearby two and three storey houses. The building line on the beach side is more consistent than in other places although there is still considerable variation.

It states that the proposal fits into the domestic scale of Old Fort Road in a number of ways, with the overall building design being broken down into smaller distinct elements which are unified by a common design approach and shared materials. The first and second floors are set back progressively with the top floor distinguished by a change of material to rear as a separate roof storey. The overall height keys in well to the existing ridge lines and corresponds in scale to nearby houses such as No's 129 & 131 where third stories have been consented, as well as new contemporary three-storey houses which have been built on Old Fort Road.
The proposal extends upwards to create a third floor over approximately the same area as the existing pitched roof. At first floor a new volume is created centre on the plan to create a separate dining room adding approximately 85sqm. The plan of the ground floor is unaltered except for the addition of the new stairs. At first floor level the new dining space has a window to address the approach to the house and a west facing window to catch the summer evening light. It is also lit by a high level east facing window and a strip rooflight where it joins the second floor volume. The main stairs continue to the new master bedroom and south facing terrace. The views are controlled by louvred visibility screens. The circular stairs are a strong sculptural form that will unite the internal spaces of the house.

It contends that overall the design achieves an elegant and refined modernism that creates an individual and intriguing solution to a unique location. In many ways it is reminiscent of the early days of Shoreham Beach where highly individual designs coexisted creating a dynamic and exciting streetscape entirely appropriate to its seaside setting.
The external landscaping has been carefully considered as part of an earlier application. Designed to create a successful ornamental and vegetable garden with planted walls and screened trees. The building will be highly energy efficient and is designed to take advantage of passive energy. It is also intended to use renewable energy by incorporating photovoltaic cells to replace and exceed the energy currently generated by the wind turbine.

Consultations and Representations

Consultations/Comments

Third Parties: 9 letters/emails have been received.

5 letters are objections from or on behalf of the residents of No's 98, 102 & 104 Old Fort Road, and from two addresses in Shoreham town centre, No.5A East Street, and The Mews House in Rope Walk. The main concerns raised by the objectors are:-

- Overdevelopment of the site;
- Loss of a character chalet with attractive ‘eyebrow’ feature; and
- Poor design.

The neighbour to the east (No.102) feels that the proposed second floor would dwarf their house causing loss of light particularly in the afternoon. They feel the existing floor area has already compromised their privacy and the inclusion of the second floor will affect it more so. They feel that the scale of the proposed extensions will be disproportionate to the existing bungalow and will be overbearing when viewed from their property.

A planning consultant acting for the owners of the neighbouring house to the west (No.98) raises the following:-

- Loss of privacy and daylight;
- Proposals are massively out of scale with the original building and streetscene in general;
- Front extension projects beyond the building line, and its balcony will result in loss of privacy to the kitchen and porch of No.98;
- A precedent will be set for other properties to extend in a similar fashion;
- Proposed canopy will add clutter to the sidewalk;
- Proposed second floor results in a building of excessive mass and bulk with an increased height that will be overbearing and oppressive, and reduce daylight and overlook their bedrooms and side windows;
- When viewed from the opposite side of Old Fort Road there will be no views through the houses, resulting in a ‘terracing’ effect;
- No light assessment has been submitted;
- No reassurance that the proposals will not infringe enjoyment of No.98 under Article 8 of the Human Rights Act 1998;
- The design of the building is reminiscent of a power station which would fit in more comfortably on an industrial site than a residential street;
- The current application will exacerbate existing issues that have been created as a result of previous permissions including loss of privacy from the terrace and access stairs due lack of privacy screen previously conditioned; loss of light to stairs and bedroom; and additional noise and disturbance from building work.

The 4 letters of support for the application are from residents of No’s 90 & 105 Old Fort Road and No.4 Feversham Close and from an architect at the Adur Business Centre, Ropetackle. They state that:-

- The redesign is very much in keeping with other properties that have been modernised in Old Fort Road;
- The design is architecturally outstanding, striking, without being overbearing;
- It is stunning and interesting;
- The design is entirely in tune with the theme of individually-designed properties which can be seen along the entire beachfront of Shoreham Beach; and
- It will serve to enhance the quality of houses in Old Fort Road.

The architect at the Adur Business Centre feels that the design has been harshly criticised. He feels that the proposals are similar to other schemes approved, No.124 (under construction) a three-storey house with balconies to the south and much glazing to the north, and No.63 Old Fort Road redevelopment with a pair of three-storey semi-detached houses. The large scale is acceptable for a large foreshore site, and the proposals are a brave, contemporary modernist design. Shoreham Beach is one of the few areas within the South of England where brave modernism should be championed in architecture, where all the best buildings are modernist. When compared with the other developments along Old Fort Road, it is consistent with the scale and height and gross internal area of other recent developments.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising:
Development Control Standard No.3 'Extensions and Alterations to Dwellings'
PPS 1 'Delivering Sustainable Development' (ODPM 2005)

Planning Assessment

Policies

Policy AH7 of the Local Plan states that extensions and alterations should be designed so as not to result in an unacceptable degree of overlooking, a loss of natural light or an overbearing effect on neighbouring dwellings. They should be of sympathetic design and materials to the original dwelling and the area in general.

The Council's Development Control Standard No.3 states that front extensions should not usually extend significantly beyond the building line or abut side boundaries. In the case of semi-detached or detached dwellings, front extensions will only be allowed where the extension can be successfully assimilated into the streetscene and not unduly affect neighbours.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be accepted.

Visual amenity

The main concerns with the proposed extensions are whether the additional mass in the form of the projecting first-floor extension at the front and the third storey would be visually harmful by reason of being excessively out of keeping in scale and form in the streetscene.

There is an eclectic mix of building types and designs on the southern side of Old Fort Road. For the most part, there is no uniform height, footprint or ground floor building line. An increasing number of dwellings have been remodelled or rebuilt in a piecemeal and individualistic fashion and, more recently, 'contemporary' designs are predominating among the schemes submitted. A number of the adjacent dwellings have projecting front garages, some with high pitched roofs, and there are examples of three-storey dwellings in the road. No.92 Old Fort Road, a two-storey house, lies 50m west of the application site. It was granted permission by the Committee in 2007 for first-floor extensions at the front which have brought the house well in front of the established first-floor building line of its neighbours.

There was a concern that the additional bulk of the present proposals as seen from the east of the building would appear overly dominant within the streetscene. However, the use of varied materials and amendments to the design are considered to allay those fears. The first-floor projecting dining room would be 6.2m in depth (as amended), aligned to the front of the existing

front groundfloor extension. The dining room would now have a ‘stepped’ front elevation with the bay window being incorporated into the form rather than projecting out in front of the building. No.102 directly to the east is a two-storey house which does not project in front of a natural line between it and the application site. A small flat-roofed garage is located in the front garden (adjacent to the site boundary) but it has little effect in terms of screening the proposed first-floor front extension. The applicant has gone to lengths to ensure that the extensions have been designed so that the first and second floors are tiered backwards, receding away from the road (and beach, at the rear), much like the traditional ‘ocean liner’ terraced designs of original modernist architecture.

The use of contrasting materials, such as a rendered first floor and a zinc-clad second floor, would provide additional articulation to the east side massing, as would the change in form of the front elevation with the circular turret encasing the stairwell. The use of timber detailing around the proposed windows and on balconies (proposed and existing) would respond well to the change in form of the building, and it would create an interesting motif that would help integrate the additions to the existing building, preventing them from appearing out of keeping with the overall design of the house.

The application dwelling is sited between 2 two-storey houses (No’s 98 & 102), and currently has a ridge height that is 0.4m and 0.5m lower than its neighbours respectively. The proposed additional floor would increase the overall height of the building, but only by 0.8m, and would result in it being only 0.3m – 0.4m higher than the roof ridges of the adjacent existing houses. However, as compared to the enlargement just permitted at No.98, it would be 0.7m lower. The overall width of the upper floors would not increase and consequently the separation between the houses would be retained, maintaining views between the properties and preventing a more cramped appearance.

Residential amenity – outlook

The neighbours either side raise concern about the additional bulk resulting in an overbearing and oppressive effect on their outlook.

The applicant has taken these objections into consideration and has made a number of amendments to the scheme. The projecting front dining room extension at first floor has been reduced in depth, by integrating the former balcony and creating a bay window. The front elevation has been stepped by 1.2m so as to have less of an impact on the outlook from the front of No.102. The main room affected at the front of No.102 isa lounge that has a dual outlook to the front (north), at a greenhouse and garage, and to the rear (south) towards the beach. The proposed front extension of No.100 would be 4.8m away and it would project in front of the building by 7.2m. Given that the room is served by a second more primary outlook to the south, and that the front outlook is already particularly compromised by the built form of the owners garage and greenhouse, it is not considered that the affects on outlook would be so unacceptable that they would warrant refusal.

The neighbours to the west, currently have a utility room at the ground floor and a WC at first floor closest to where the proposed front extension would be. There is also a front porch leading to the main entrance of the dwelling. The separation between the proposed projecting dining room would be 5.8m and the projection would be 6.2m. Given the most affected rooms are not habitable rooms, it is not considered there would be a harmful effect on outlook at the front of No.98.

The proposed second floor would be aligned with the eaves of the existing front roof plane, and it would have a depth of 6.7m. It would not project in front of the front building line of No.98 but would be 2m in front of No.102. The second storey would, however, be set back some 6m behind the three-storey glazed front entrance atrium recently permitted next door at No.98.

The tiered design style has been used previously on other properties where they have attempted to extend right up to the boundary. Nevertheless, in cases where the proposed extensions are inset from the boundary by a sufficient amount, this tiering would not necessarily be required. In the present instance, the proposed second floor would be set well back from the ground floor and the first floor; it would retain a separation of 4.6m to the house to the east (No.102) and 2.2m to the west (No.98). It is considered that it would not be overbearing or oppressive.

Residential amenity – daylight

The neighbours either side have both raised loss of daylight as a concern. However, the front projecting extension is to the north of the properties where there would be little effect on daylight to the front rooms of No's 98 and 102. The additional storey is located directly above the existing gabled roof and it does not project past the rear building line of either of the adjacent houses. It would therefore have very limited impact on daylight levels to (or outlook from) the rear rooms of these houses.

No.98 has one window at the side of the house which serves the existing stairwell but this is directly adjacent to the highest point of the existing side gable. The stairs are not a habitable room and the effect of overshadowing from the proposals to this window would not warrant refusal.

Residential amenity – privacy

The applicant has amended the designs so that the front balcony is set back further and is incorporated as a bay window. As the fronts of dwellings are generally on public view from the road, it is considered that privacy is not such an important issue as compared to the rear. In the present case, it is considered that the amended scheme would not result in overlooking of the front of No.102 due to the solid flank wall to the east of the bay window, and the louvred west side window would prevent overlooking to an unacceptable degree of the front of No.98. The east side window serving the proposed first-floor dining room is at high level and would not result in overlooking of the front rooms of No.102.

The amended plans also show a vastly reduced rear terrace. The terrace area would be 0.9m deep and 4.8m in width. It would be set well back from the roof of the lower floor by 1.8m, which would aid screening of views of the neighbouring gardens. The built form of the ensuite bathroom to the west would prevent direct views towards the west (No.98) and a louvred privacy screen would aid in obscuring views to the east (No.102).

Effect on proposed extensions permitted at No.98

The recent permission ADC/502/10 would greatly increase the size of the existing house at No.98 and, whilst the effects of the proposals on this permission are a material consideration, the weight attributed to such effects is less than in respect of an existing building as the permitted proposals may not be implemented. The addition of more fenestration in the west side of No.98 as a result of enacting the permission would be in the form of an additional bedroom and bathroom at ground floor level, a light well serving open plan dining and breakfast areas on the first floor, and a bathroom on the second floor. The additional ones at first and second floor are merely secondary windows which will be obscurely glazed or well screened to rooms which have primary outlook towards the south and north. It is not considered that the proposals would unduly affect the dwelling (No.98) should the proposals permitted under ADC/0502/11 be built. The ground floor rooms of No.98 would have their outlook towards the existing flank wall of the application dwelling and it is considered that these would not be further compromised by the second floor proposed at No.100.

Human Rights Act

The Human Rights Act requires the Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The main body of this report identifies the extent to which there is any identifiable interference with these rights, and whether they are considered proportionate.

Other matters

Concerns recently raised about non-compliance with a planning condition requiring a privacy screen on a previous permission are not relevant to the determination of the present application. The applicant has been asked to erect the screen within a 6 week period otherwise a breach of condition notice will need to be issued.

The applicant states that the existing wind turbine is to be removed and a series of solar panels are proposed to be added to the flat roof of the proposed extended dwelling. He states that the solar panels will exceed the energy generation of the wind turbine. The existing wood burning stove is to be retained and the associated flue is shown on the amended plans. It is not considered that the addition of the solar panels or flue would be unacceptable visually.

Recommendation

Subject to consideration of any representations received in respect of the amended plans, APPROVE for the reason that:-

The proposed development would not detract from the local environment and, as amended, can take place without resulting in unacceptable detriment to the residential amenities of neighbouring properties. It would consequently not conflict with the policies of the Adur District Local Plan (AG1, AH7).

Subject to:-

- C1Ci (Standard time limit)
- C12Ai (External materials for walls, roof, window screens and terrace screens of extensions to be approved)
- This permission relates to the following approved plans:-
  Drawing 1101/A/011, Location and Block Plan, date stamped received 28.01.11
  Drawing 1101/A/001, Ground Floor Plans, date stamped received 28.01.11
  Drawing 1101/A/002 Rev 02, First Floor Plans, date stamped received 21.03.11
  Drawing 1101/A/003 Rev 01, Upper Floor Plans, date stamped received 21.03.11
  Drawing 1101/A/006 Rev 01, North Elevations, date stamped received 21.03.11
  Drawing 1101/A/005 Rev 01, South Elevations, date stamped received 21.03.11
  Drawing 1101/A/007 Rev 02, East Elevations, date stamped received 21.03.11
  Drawing 1101/A/004 Rev 02, West Elevations, date stamped received 21.03.11
  Drawing 1101/A/040, North / South Context, date stamped received 21.03.11

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