The Planning Inspectorate

Appeal Decision

Site visit made on 14 October 2013

by Thomas Shields DipURP MA MRTPI

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

Decision date: 28 October 2013

Appeal Ref: APP/Y3805/D/13/2204713
5 Riverside, Shoreham Beach, Shoreham-By-Sea, West Sussex, BN43 5RU

- 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 Ms Rosalind Turner against the decision of Adur District Council.
- The application Ref AWDM/0605/13, dated 20 May 2013, was refused by notice dated 3 July 2013.
- The development proposed is the construction of a sun room on existing roof terrace.

Decision

1. The appeal is dismissed.

Procedural matter

2. Prior to its determination by the Council the application was amended by the submission of a revised plan, Rev 14 A, upon which the council was able to consult and consider. For clarity, this is the plan I have used in reaching my decision.

Main Issues

3. The main issues in this appeal are the effect of the proposed development on the character and appearance of the host dwelling and the area, and upon the living conditions of occupiers of 4 Riverside with particular regard to outlook, and light.

Reasons

Character and appearance

4. 5 Riverside is a semi-detached 2 storey dwelling house constructed as one of a group of nine dwellings, all of which share similar layout and design characteristics, including an inverted L-shape in relation to the Riverside road frontage, and large roof terraces over the single storey elements to the houses. Some of these properties have been altered over time, including from the addition of conservatories/sun rooms to the terraces. However, the overall distinctive design, layout and character and appearance of this group of dwellings remain intact, and contribute positively to the character and appearance of the wider area.

5. The roof terrace of No 5 is at the northern end of the dwelling. The north parapet wall of the terrace also forms the top part of the tall dividing boundary

wall, rising from ground level between No 5 and the neighbouring property 4 Riverside.

6. The sun room is proposed to be constructed in glass with a powder coated aluminium frame, with flat felt roof and glass lantern roof light. It would extend across the full width of the terrace and project outwards by approximately 3.3 metres. A wood burner flue is also proposed which would extend upwards from the rear of the proposed flat roof.

7. I agree with the appellant that the flat roof design and the use of the proposed construction materials would be compatible with the character and appearance of the host dwelling and the surrounding area. However, in my opinion the depth of the rear projection produces an overall size and massing which would take away most of the open terrace, and would appear as a prominent and conspicuous first floor extension, detracting from the design of the dwelling, and the character and appearance of the surrounding area.

8. I acknowledge that there are two other sun room additions nearby which I was able to see at the time of my site visit. However, they are less visible than the proposal, leave adequate roof terrace area so as to retain the original design and character of the dwelling, and hence do not result in an extension which would be unduly dominant. Accordingly, the existence of these other sun rooms adds little weight in support of the appeal proposal.

9. For the above reasons, I find that the proposed development would harm the character and appearance of the area, and thereby conflicts with the aims and objectives of Policies AG1 and AH7 of the Adur District Local Plan (1996) (LP) which together seek to ensure that extensions are of a design which are sympathetic to the original dwelling and the area, and do not detract from the existing local urban environment. These policy objectives are consistent with, and supported by, the overarching principles of the National Planning Policy Framework 2012 (the Framework).

Living conditions

10. Given that the height of the sun room would be at eaves level, I consider that the depth of the rear projection along most of the dividing boundary wall with No 4 would adversely affect the outlook from the nearest first floor window of that property. Also, it would have an overbearing and enclosing effect on the occupiers of that property in relation to the use of the courtyard area.

11. I agree with the appellant that the use of obscure glazing would provide a solution to potential overlooking and loss of privacy to No 4, given that the sun room would be able to be used throughout the year. However, in my view the amount of obscure glazing necessary to safeguard privacy for this proposal would visually emphasise the loss of outlook, and the overbearing and enclosing effects I have described above.

12. Having regard to the orientation and layout of properties, the intervening spaces between them, and together with the path of the sun during the year, the sun room would in my opinion result in only a marginal loss of daylight and sunlight to the rear courtyard and windows of No 4. Accordingly, I attribute only limited weight to this concern; however it nonetheless weighs against allowing the appeal.

13. For these reasons I find the proposed development would harm the living conditions of occupiers of 4 Riverside with regard to outlook and light. As such, it would conflict with the aims and objectives of LP Policies AG1 and AH7 which together seek to ensure that extensions do not result in an unacceptable degree of loss of natural light, or overbearing effect on neighbouring dwellings. These policy objectives are further supported by the provisions set out in the Framework.

Other matters

14. I agree with the appellant that the sunroom would be likely to result in less noise intrusion than the existing open terrace, that it may result in some solar gain, and it would provide more useable and adaptable accommodation for the occupants. However, in my opinion the harm I have identified would not be outweighed by these benefits.

15. I have had regard to all other third party concerns raised by the occupiers of the neighbouring properties at 2 and 4 Riverside, but they do not affect my findings on the main issues outlined above, nor would they lead me to reach a different conclusion.

Conclusion

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

Thomas Shields

INSPECTOR