FULL STATEMENT OF CASE:

Site Address:

87 Sea Lane
Worthing
West Sussex
BN12 4PR

Planning Application Reference:

AWDM/0697/23

Description of Development:

Proposed ground floor extension, loft conversion consisting of roof lights to south and west elevations and removal of existing chimney (part retrospective).

Reference plans and documents:

Design and Access Statement.
Location and block plan.
Existing floor plans and elevations – DENRA/1959/1.
Proposed floor plans and elevations – DENRA/1959/2.

For clarity, the description of 'part retrospective' only applies to the removal of existing chimney and not to the remaining description of the development.

The council's reasons for refusal are set out in two sections.

The first section refers to the removal of the chimney with the second section giving concerns of the proposed extension.

It's worth noting that the planning application did include a loft conversion to the main house, but no reference has been made to this in the reasons for refusal. I can only assume this is because the loft conversion is within the existing roof space with no roof extensions and therefore being permitted development. (I will address permitted development rights further-on in this statement).

The council states that the proposal is contrary policies DM5 and DM24 of the Worthing Local Plan together with the relevant paragraphs National Planning Policy Framework (NPPF).

The council also states that the proposed development would be contrary to the council's Supplementary Planning Guidance (SPG) Extending or altering your home.

The following are relevant extracts from the policies stated:

Policy DM5 – Quality of the Built Environment:

All new development (including extensions, residential annexes, alterations, ancillary development, change of use and intensification) should:

> Be of high architectural and design quality and respect and enhance the character of the site and the prevailing area. This will include consideration of proportion, form, design, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping.

Policy DM24 – The Historic Environment:

Development in Conservation Areas will be required to be of a high standard of design and materials so as to respect, preserve and enhance the character and appearance of that area, and preserve important features. Conservation Area Character Appraisals will be used to assess applications within designated Conservation Areas and opportunities will be taken to preserve and enhance these areas and to implement the recommendations of Conservation Area Management Plans.

Supplementary Planning Guidance (SPG) Extending or altering your home:

You can make certain types of minor changes to your home without needing to apply for planning permission. These are called "permitted development rights".

In some local areas permitted development rights are more restricted. If you live in a Conservation Area, you will still need to apply for planning permission for certain types of work which do not need an application in other areas.

Worthing Borough Council may have removed some of your permitted development rights by issuing an Article 4 direction. This happens when the character of an area of acknowledgment importance would be threatened.

Alternatively the Council may have removed some of your permitted development rights by a condition on the original approval for the house or estate.

National Planning Policy Framework (NPPF):

The NPPF seeks to secure high quality design and makes clear that poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions should be refused.

Presumption in favour of the development:

The council makes reference to the special architectural and historic interest in this local interest building and to the group of three No. 87, 89 and 91 Sea Lane.

To describe the group of three, No. 87 and 91 are a mirror image of each other and are both on corner plots. No. 89 is located between these two building and is of a different design.

There is a lot of attention focused on the removal of the chimney at No. 87 (that was on a rear section of roof not fronting a highway) with comments stating that this was out of character with the said group of three houses.

On further investigation, it appears that external additions have been carried out to No. 89 and 91 that is out of character and appearance to the said group of three buildings. Regarding the subject of the council's refusal and this appeal, these appear to have been overlooked.

91 Sea Lane:

In 2004 a planning application was approved for the erection of two conservatories to the rear elevation. (I understand that this works was never implemented).

A rear ground floor extension with a depth of 4m has been built with what looks like a balcony over. (There is no council records relating to this).

A triangular section of this ground floor extension projects beyond the side face of the existing building fronting Ilex Way.

On the front elevation fronting Sea Lane, there is a large original chimney of architectural interest that has been extended in the region of 2m in height. (There is no council records relating to this)

This is totally out of character with the same original chimney on the front elevation of no. 87.

89 Sea Lane:

In 2022 a planning application was approved for single storey rear extension, extension to garage and alterations to enlarge existing first floor balcony to rear. (The works is currently under construction).

1 Ashurst Drive:

Other than the said group of three houses, another property within the conservation area, (just south of No 87) has completely replaced all the roof tiles changing the colour from grey to red. (There is no council records showing this).

87 Sea Lane:

Regarding permitted development rights, 87 Sea Lane has not been issued with an Article 4 direction.

Being in a conservation area the restriction on permitted development rights are as follows:

i. On designated land, no permitted development for rear extensions of more than one storey.
ii. On designated land, no cladding of the exterior.
iii. On designated land, no side extensions.
iv. No extension forward of a principle elevation.

Being on a corner plot, one could argue the property inherits two principle elevations fronting Sea Lane and Ashurst Drive.

The proposed ground floor extension is at the rear of the house with a depth of 4m and is less than 4m in height. The extension is also not forward of the principle elevation facing Ashurst Drive.

The loft conversion to the main house roof is internal with no roof extensions. The introduction of roof windows are not on a principle elevation and would be Conservation roof windows with black external profiles and glazing bar. They would also sit flush with the roof tiles with no projection.

The chimney was removed for the very reason that internal fireplaces below were removed to improve room size and layout, this being the kitchen and bathroom. It also assisted in the internal layout of the proposed loft conversion. The chimney being redundant and in a state of repair was therefore removed.

The chimney was on a rear section of roof and not a principle section of roof.

Considering the works carried out in relation to the group of three houses being No. 87, 89 and 91, especially the rear extension and alterations to the chimney at No. 91, this should not be deemed as an erosion of architectural and historic interest.