Appeal Decision

Site visit made on 3 March 2009

by Rob Huntley BSc MRTPI

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

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Decision date:
31 March 2009

Appeal Ref: APP/Y3805/A/08/2090208
3 Coastguard Cottages, Old Fort Road, Shoreham-by-Sea, West Sussex, BN43 5HR

- 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 N Lovegrove against the decision of Adur District Council.
- The application Ref ADC/0363/08, dated 12 July 2008, was refused by notice dated 9 September 2008.
- The development proposed is the construction of a first floor extension.

Decision

1. I allow the appeal, and grant planning permission for construction of a first floor extension at 3 Coastguard Cottages, Old Fort Road, Shoreham-by-Sea, West Sussex, BN43 5HR in accordance with the terms of the application, Ref ADC/0363/08, dated 12 July 2008, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

   3) No development shall take place until details of the balcony forming part of the development hereby permitted (including materials to be used) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the property and the street scene in this part of Old Fort Road and The Burrells.

Reasons

3. The appeal property forms the eastern part of an 'L' shaped single storey wing connecting a pair of 2 storey houses fronting Old Fort Road (Nos 1 and 2 Coastguard Cottages) with a third 2 storey house fronting The Burrells (No 1 The Burrells). It occupies a prominent corner position at the junction of these two roads, facing across its open front garden area towards the beach, with an intervening open space encircled by one-way roads. The residential

development in the area, including in Old Fort Road and The Burrells, exhibits considerable variety in style, form, scale and use of materials.

4. The proposed extension would involve creating a first floor room above the corner element of the single storey wing connecting the 2 storey buildings to the west and north. The modest rectangular built form proposed would be beneath a simple hipped roof and would be flanked by retained single storey elements to the west and north. This would, to my mind, introduce a welcome increase in scale in this prominent location, providing a design feature which would appropriately emphasise and turn the corner between Old Fort Road and The Burrells. It would not, in my opinion, introduce a discordant or inappropriately dominant feature into the street scene.

5. I note that policy CH1 of the *West Sussex Structure Plan 2001-2016* (SP) seeks to maintain and enhance local character and distinctiveness, and SP policy DEV1 promotes high quality design, including through the use of distinctive buildings and landmarks. Policy AG1 of the *Adur District Local Plan 1996* (LP) directs development generally to built up areas (in which the appeal property lies) and LP policy AH7 sets out criteria against which domestic extensions are to be assessed, with items (a), (b) and (e) being of particular relevance in this case. I agree with the Council that the appeal proposal would not result in any unacceptable degree of overlooking or loss of natural light. The materials proposed would be sympathetic to the original dwelling and the area in general. I therefore consider that the proposed development would accord with items (a) and (b) of LP policy AH7.

6. Item (e) of LP policy AH7 seeks compliance with adopted standards and in this context the Council has drawn attention to its *Development Control Standard No3 – Extensions and Alterations to Dwellings* (DCS3), and in particular the Appendix to that document which deals with garden areas. The Appendix to DCS3 provides that the rear garden area to be provided for a 2 bedroomed terraced property should be 50 sqm, but the text at paragraph 2.4(b) implies that the intention is to ensure that domestic extensions do not result in an unacceptable reduction of available garden space, so as to retain space for the use of occupants and to avoid a cramped appearance. The appeal property has a small yard at the rear and a more extensive garden area at the front and side facing Old Fort Road and The Burrells, extending to about 145 sqm. These would not be diminished by the appeal proposal and the addition of a balcony as proposed would add a small area of external amenity space. I consider that, although open to view from public areas, the garden space at the front of the appeal property does provide an adequate area of outdoor amenity space useable by the occupants. I also consider that the proposed development would not result in a cramped appearance and that the objectives of DCS3, as applied by policy AH7, would be complied with.

7. I have found that the proposed development would not give rise to an adverse effect on the appeal property or the street scene in Old Fort Road or The Burrells and that local distinctiveness would be promoted. As a result I find no conflict with the relevant provisions of the development plan, or with DCS3.

Other Matters

8. The occupants of No 1 The Burrells have expressed the view that the proposed development would cause loss of light to that property and that the extension

proposed would create a precedent potentially leading to the roofline of other parts of the single storey building being raised. I was able to view the appeal property from the south facing first floor landing window of No 1 The Burrells. I noted that views towards the south are obstructed by the existing pitched roof of the appeal property, but I have no doubt that the proposed development would reduce the incidence of direct sunlight at this window, and at the adjoining bathroom window. However, neither of these windows serve habitable rooms and, like the Council, I consider that the reduction in sunlight would not be so significant as to be unacceptable.

9. I have indicated above that I consider that the form and scale of the first floor extension proposed is acceptable and that its location would appropriately emphasise the corner where The Burrells meets Old Ford Road. These factors would not necessarily apply to any future proposal to raise the roofline of other elements of the single storey building forming parts of Nos 2 and 3 Coastguard Cottages. Any future application would be decided on its own merits and, therefore, I do not consider that allowing this appeal would set any precedent for further development involving raising the roof level in this location.

10. The appellant has referred to the extensive variety of development styles in the vicinity and has drawn attention to particular recent developments nearby. I have indicated above that I agree that significant variety in design is a characteristic of the general area, but none of the examples referred to are directly comparable to the appeal proposal and they have therefore not influenced my decision.

Conditions

11. The Council has suggested 2 conditions which should be imposed, in addition to the standard "time limit" condition. I agree that a condition requiring the use of matching materials is necessary and reasonable to ensure the satisfactory appearance of the extension and I have imposed such a condition. I agree that a condition requiring the submission and approval of the details of the proposed balcony structure would also be appropriate and necessary because of the importance of this element to the quality of the design and its prominent location. I have therefore imposed a modified version of the condition suggested by the Council to secure this.

Conclusion

12. I have taken account of all other matters raised in the representations, and for the reasons I have set out above I have concluded that the appeal should be allowed.

Rob Huntley

INSPECTOR