Application Number: ADC/0090/08 **Recommendation – APPROVE**

Site: **29 Church Street, Shoreham-by-Sea BN43 5DQ**

Proposal: **Single-storey rear extension**

The Application

This is a revised application following the refusal of a previous application in December 2006 and the subsequent dismissal of an appeal (ADC/0358/06).

The application property comprises a two-storey end-of-terrace house located on the west side of Church Street, opposite the churchyard and adjoining a paved pedestrian alleyway linking Church Street and Middle Street. No's 1 and 2 Old Swan Cottages front onto the north side of the pedestrian alley. It has a large garage at the rear, accessed from Middle Street.

The previous application was refused because the proposed flat-roofed extension, by reason of its large size and unsympathetic design, would have detracted from the historic character and appearance of the existing dwelling and Conservation Area and represented an overdevelopment of the property which only has a very small rear garden (paved patio).

Following this refusal, the subsequent appeal was dismissed. The main concern of the Inspector was that the flat-roofed extension would be hard up against the 1.85m high flint wall on the southern side of the public alleyway and would be significantly higher (being shown protruding 0.5m above the top of the wall) and would therefore "appear as cramped and incongruous development detracting from the appearance of the dwelling and the wall itself, which makes a significant contribution to the Conservation Area. Similarly, the proposal would harm the setting of 2 listed cottages north of the alleyway."
However, in respect of the rear garden size falling well below the Council's minimum standard, the Inspector stated that "reduction in the patio size would not be out of keeping with the compact character of the housing and would cause no harm to the living conditions of the property occupiers or their neighbours".

The present application plans show the proposed extension reduced in height by lowering its floor level to below that of the house so that it would not protrude above the top of the flint boundary wall alongside the alleyway. The roof lantern shown on the plans has now been deleted. The depth of the extension remains at between 2.9m and 3.5m (the rear wall being angled) and the width is still 4m. It would be rendered externally on its rear wall, to match the house with the flat roof covered in lead sheeting.

Consultations and Representations

Adur District Conservation Advisory Group: Comment that it is overdevelopment of site and that any extension would detract from the integrity of the building.

Third Parties: 2 letters of objection have been received in relation to the original plans from residents of No's 1 & 2 Old Swan Cottages on grounds of:-

- Gross overdevelopment of the property.
- Detrimental to the Conservation Area.
- The roof lantern will be visible above the flint wall and will detract from the attractive view of the church and twitten.
- The roof of the proposed flat roof extension and roof light will be visible from adjacent sitting room therefore reducing natural daylight.
- Development will have a harmful affect on the character and appearance of the property.
- Previous application was refused.

In relation to the amended plans further representations have been submitted by the above objectors raising the following issues: -

- Objection still stands the development will have a harmful affect on the character and appearance of the property contrary to planning policies and guidance.
- The removal of the lantern is welcomed but objection still stands as this is further gross overdevelopment in the Conservation Area.

[NB. the resident of No.2 Old Swan Cottages has requested to speak at the Committee meeting]

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 9WSCC 2005): LOC1, CH4-5, DEV1.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AB4, AB11, AH7 and Appendix 11 including 'Development Control Standard No.3 'Extension and Alterations to Dwellings'
PPS1 'Delivering Sustainable Development' (ODPM 2005)
PPG15 'Planning and the Historic Environment' (DoE 1994)

Planning Assessment

Policies

The property is located within the Conservation Area and makes a strong contribution to the historic character and appearance of the area. There is a statutory duty to have regard to the desirability of preserving or enhancing the

character or appearance of conservation areas, as required by policies AB4 and CH4. The adjacent buildings to the north, on the opposite side of the passageway, are grade II listed (No's 1 and 2 Old Swan Cottages). There is a similar duty with regard to preserving the setting of listed buildings, as reflected in policies AB11 and CH5.

Residential amenity

The previous application, with a higher roof on the extension, was not considered likely to have resulted in unacceptable detriment to the residential amenities of the cottages to the north in terms of loss of light. The current scheme represents an improvement on the previous scheme as it is shown lower and behind the top of the existing flint wall. Although the extension would be visible over the wall when the site is viewed from within the first floor rooms of the adjacent dwellings, there is not considered to be any adverse impact with regard to loss of light or loss of outlook.

The previously refused application ADC/0358/06 was resisted partly because it was considered that the very small existing rear courtyard garden (approx 25sqm) would have been reduced to such a diminutive size (13sqm) as to be unacceptable. The Council's minimum standard is 50sqm. However, despite this great shortfall, the Inspector disagreed and took the view that it would "not be out of keeping with the compact character of the housing and would cause no harm to the living conditions of the property occupiers or their neighbours".

Impact on Conservation Area and visual amenity

The Inspector considered that the only significant issue is the visual impact of the extension on the Conservation Area and the setting of the two listed cottages north of the site. The previous appeal decision concluded that the proposed extension would have had a harmful affect on the character and appearance of the dwelling, on the Conservation Area and on the setting of the listed cottages, due to its position hard against the flint wall and, in particular, because it was significantly higher than the flint wall.

Amended plans have been received which show the height of the extension not exceeding the height of the adjacent flint wall, achieved by excavating its floor level into the ground, and the roof lantern has been deleted. Therefore, in public views, from the public alleyway and from the street, the extension would not be visible and not have a detrimental impact on the setting of the adjacent listed buildings as seen by the public.

From ground level, the current proposal would be screened totally by the existing flint wall and therefore not be visible to the public. It would be visible when viewed from first-floor front windows of the adjacent Old Swan Cottages but that is not considered sufficient reason to refuse the application.

Recommendation

APPROVE for reason that:-

The proposal would preserve the character and appearance of the Conservation Area and would not detract from the setting of the nearby listed buildings. It can take place without adversely affecting the residential amenities of nearby dwellings and, although the rear courtyard of the property would be reduced to a very small size, this would cause no material harm to living conditions and not be out of keeping in this town centre location. The proposal consequently accords with the relevant policies of the Adur District Local Plan (AB4, AB11, AH7) and the adopted West Sussex Structure Plan 2001-16 (CH4-5, DEV1).

Subject to:-

1. C1Ci (Standard time limit)
2. C12Ei (External rendering to match existing) (amended)
3. C14Aii (Permission relates to amended plans received on 4 April 2008)
4. No part of the extension hereby permitted shall exceed the height of the adjacent flint wall on the north boundary of the property and it shall be constructed as shown on the drawing No.11133b

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