HOUSEHOLDER PLANNING APPEAL

PLANNING APPLICATION: AWDM/1482/15

FOR TWO STOREY SIDE EXTENSION TO NORTH ELEVATION PLUS HIP TO GABLE ROOF EXTENSION AND REAR DORMER

AT 3 ERRINGHAM ROAD, SHOREHAM BY SEA, WEST SUSSEX

ON BEHALF OF MR AND MRS SAXBY

4th FEBRUARY 2016

Appeal submitted by Allison Keech MRTPI

Keech Planning

50 Connaught Avenue. Shoreham by Sea

Keechplanning@gmail.com

Contents

		Page
1.0	Background and planning history	3
2.0	Planning Policies	7
3.0	Appeal Case	10
4.0	Conclusion	15

Appendix A: Decision notice

Appendix B Letter from Mr & Mrs Saxby

Appendix C Email from Planning Case Officer December 2015

1.0 BACKGROUND AND PLANNING HISTORY

1.1 A householder planning application was submitted to Adur District Council and validated on the 12th October 2015. The application description is:

Two storey side extension to north elevation plus hip to gable roof extension and rear dormer.

1.2 The application was refused on the 18th January 2016 for the following reason:

Reasons for Refusal

01. The proposed extension, by reason of its size, prominence and position on the boundary, would be contrary to the Council's supplementary planning guidance on residential extensions (Development Control Standard No.3), and would be out of character with and harmful to the street scene. The proposal is therefore contrary to saved policy AH7 of the Adur District Local Plan and the relevant paragraphs of the National Planning Policy Framework relating to good design.

1.3 The decision notice is attached as **Appendix A.**

The Property

1.4 The property subject to the appeal is a two storey semi-detached house built during the 1930's. It is located within the built up area of Shoreham by Sea, just north of the Upper Shoreham Road. This property and its semi-detached neighbour (1 Erringham Road) are the first houses on the western side of Eringham Road. The appeal site has a front garden and drive way and is thus set back from the road and has a good sized rear garden.

1.5 Erringham Road contains a range of styles and designs of properties. Along the western side are several two storey semi-detached houses as well as detached properties. The opposite side of the road also contains a mix of dwelling types with a number of chalet bungalows. There is some distance between the application site and the properties facing on to the Upper Shoreham Road due to length of the rear gardens. Overall Erringham Road and the

general locality is characterised by mature houses and gardens set along attractive residential roads.

1.6 Erringham Road travels north from the Upper Shoreham Road and then bends round to the west. After 1 and 3 Erringham Road, travelling northward, here is another pair of semi-detached properties (5 and 7 Erringham Road). These are set further back from the front building line of 1 and 3 Erringham Road. The next property after that (1 Adur Avenue) is set back again from the road. Therefore, there is a staggered layout to the properties along the western side of the road. This is shown in the two photographs below:

Photograph 1 Appeal site



Photograph 2



Planning Application

1.7 The planning application is to extend the house to create more space on the ground and first floors and provide new floor space in the roof. There is an existing single storey extension on the ground floor to the side and to the rear. The front of the existing house is shown below:

Photograph 3 Appeal site



1.8 In order to create a useable space and functional bedroom area on the first floor, the proposed expansion has been designed to include an extension to the side of the house at first floor level. This will enable adequate space for the stairs as well as a bathroom and bedroom.

1.9 The design of the development as originally submitted for planning permission included a large open terrace to the rear dormer window and a full gable end to the roof of the side extension at first floor. This resulted in the local planning authority case officer emailing the applicant's architect with a number of concerns on 12 November 2015. These included the following:

- The two storey extension is built right up to the boundary. It would be very prominent in the street and out of character.

- The side extension will have a full gable end which is out of keeping in the street.
- The rear dormer is too large and includes a terrace which would be out of keeping and likely to lead to overlooking.

1.10 The proposed development was then amended to take on board the officer's comments. A further set of plans were submitted in December 2015. This was accompanied by a letter written by the applicant/house owners, Mr & Mrs Saxby, dated 13th December 2015. This is attached as **Appendix B** and referred to in the next section.

1.11 The amended plans addressed a number of the officer's concerns including reducing the size of the dormer window (in depth) and removing the terrace. The plans also showed a half hip to the first floor extension. However, as stated above, in order to ensure there is useable space on the first and third floors, the side extension has remained. This matter is addressed in the next section.

1.12 The local authority case officer wrote an email to the appellant's architect on 21st December 2015 (attached as **Appendix C**) stating that he would not be able to support the side extension as it would visually close the gap between the appeal site and the neighbouring property. The other amendments made to the extensions were considered to be acceptable.

1.13 There was one letter of objection to the planning application. This was from the neighbour of the adjoining property (1 Erringham Road). The objection was based on the issue of the terrace and the loss of privacy. However, this matter has now been amended and the terrace removed.

Planning History

1.14 As a means of background, the following applications have been approved at 3 Erringham Road:

- Single storey rear extension – 2005 (ref: SU/241/05/TP/22231) - Approved
- Single-storey side/rear extension – 2008 (ref: ADC/0139/08) - Approved

2.0 PLANNING POLICIES

2.1 The Development Plan for Adur District Council is:

- The Adur District Local Plan was adopted in 1996. It is a district wide plan and covers a ten-year period from 1996 to 2006. The saved policies form part of the Development Plan.
- The saved policies of the West Sussex Minerals Plan 2003.
- The West Sussex Waste Local Plan 2014

2.2 Adur District Council has prepared the Proposed Submission Adur Local Plan 2014 for publication. The Plan was made available for representations from 20th October 2014 to 1st December 2014. There are no further updates on the Council's website. Therefore, whilst the Plan is in an advanced state, it was not been submitted to the Secretary of State and has not been through an Examination. The Local Plan will not cover that part of Adur District which lies within the National Park

2.3 Adur District Council has a number of Supplementary Planning Guidance Documents and other documents which are regarded as being a material consideration in the determination of planning. These include:

- Development Control Standard No. 2: Space Around New Dwellings
- Development Control Standard No. 3: Extensions and Alterations to Dwellings

National Planning Guidance

2.4 The National Planning Policy Framework was published in March 2012. It sets out the Government's planning policies for England and how these are expected to be applied. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The purpose of the planning system is to contribute to the achievement of sustainable development. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

2.5 For decision-taking this means

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

2.6 Section 7 – Requiring Good design states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Saved Policies Adur Local Plan 1996

2.7 Part 3 of the Local Plan contains The Aim of the Local Plan and its Strategy. Policy AG1 relates to the location of development and states that development will normally be permitted within the built up area boundary.

2.8 Part 9 of the 1996 Local Plan contains policies of Housing and Policy AH7 below relates to householder proposals:

POLICY AH7 Extensions and alterations to existing houses and bungalows will be expected to be designed so that:- (a) proposals would not result in an unacceptable degree of overlooking, loss of natural light or overbearing effect on neighbouring dwellings; (b) design and materials are sympathetic to both the original dwelling and the area in general; (c) the proportion of the garden area taken by the proposal would not be excessive having regard to the character of the area; (d) access and car parking provision is acceptable under Policy AT12, and (e) it accords with the standards adopted by the District Planning Authority.

Adopted Standards

2.9 The Council has adopted Development Control Standard No. 3: Extensions and Alterations to Dwellings. This document is referred to in chapter 9 of the Local Plan – Housing (paragraph 9.33). However, there is no date on the front of the publication currently available on the Council's website [1].

2.10 Paragraph 2.5 of the Standard No. 3 states:

The most important basic principle is that any extension should be in keeping with the appearance, scale, design and character of both the existing dwelling and street scene generally.

2.11 Paragraph 3.7 states:

Side extensions should be set back at least 1m from the side boundary. This is particularly important in the case of two-storey extensions since, if adjacent dwellings were both extended up to the side boundary, it would create a "terracing" effect which would destroy the existing character of the area.

[1] http://www.adur-worthing.gov.uk/media/media,98785,en.pdf

3.0 THE APPEAL CASE

3.1 The reason for refusal of the planning application is outlined in paragraph 1.2 above. Although not specifically stated in the reason for refusal, it is clear that it relates to the two storey side extension element of the proposed extensions. This is confirmed in the planning officer's email dated 21st December and attached as **Appendix C**.

3.2 The focus of this appeal is therefore on the two storey side extension. The case officer, in his delegated planning report (15th January 2015) does make reference to the rear dormer having been reduced in size but still remains a wide feature. However, the appeal case will not deal with the merits of the rear dormer window as this has been amended in scale and design to take on board the concerns of the case officer. It is considered acceptable in terms of design and scale and will not cause any loss of privacy to neighbouring properties.

3.3 The appeal case will consider the following:

- Whether the two side extension is out of character with and harmful to the street scene and thus contrary to the Council's Standard No. 3 and Local Plan policy.
- The precedent set by other two storey side extensions that have been built up to the boundary within the immediate vicinity.
- The balance between the potential impacts the development will have on the street scene and the benefits of providing adequate family accommodation in a sustainable location within the built up area.

Out of Character and Impact on Street Scene

3.4 The single reason refusal states that due to the size, prominence and position on the boundary, the proposed side extension would be out of character and harmful to the street scene. The planning case officer, in his emails to the appellant's architect, made no mention of the size or prominence of the side extension although this matter is raised in the Delegated Officer Report of 15th January 2015. As is shown from the submitted plans as amended, the extension in terms of bulk, height, design and width is subservient and in keeping with the host dwelling. It is set slightly back from the front porch and hallway of the existing building and is set even further back from the front living room and building line of the dwelling. The proposed side extension is not considered to be prominent in terms of its

scale against the existing dwelling, nor in terms of its presence within the street scene. Indeed, it will not be as prominent in the street scene as seen from the north compared to the extension in the roof approved and built at 7 Erringham Road (see photograph 1). In addition, the amended plans show a half hip to the roof of the extension thus reducing any impact or bulk of the extension.

3.5 Therefore, it remains to be considered whether the side extension is out of character with and harmful to the street by reason of its position on the boundary. The Development Control Standard No.3 guidance recommends that side extensions should be set back at least 1m from the boundary, the reason being that should an adjacent dwelling also extend up to the side boundary, it would create a "terracing" effect which would destroy the existing character of the area.

3.6 The key word here is 'destroy'. Can the terracing effect created by the two storey side extension destroy the existing character of the area? The consideration now as to whether the side extension at 3 Erringham Road would destroy the existing character of the area should the residents of 5 Erringham also wish to develop a two storey side extension up to the boundary.

3.7 As also illustrated within this statement, the properties along the western side of Erringham Road are stepped back from each other and the road. As shown in photograph 4, the next door property (5 Erringham Road) already has an existing two storey extension with a sloping roof and this is built up to the boundary. The house is also stepped back from the appeal site. However, there is no terracing effect and even if the neighbouring property decides to alter its side extension along the lines of proposed development at number 3, the stepping back of each dwelling along this side of the road will allow for extensions to be built up to the boundary without destroying the existing character of the area. The fact the houses are staggered means that there is not a total or complete closure of the gaps between the two properties.

Photograph 4 Appeal site



3.8 It is therefore considered that the proposed two storey side extension is not contrary to Policy AH7 of the adopted Local Plan or the Development Control Standard No. 3.

Precedent set by other two storey extensions

3.9 The Council's Standard No. 3 has no date on the publication but it is considered to have been an adopted document for a number of years and is referenced in the 1996 Local Plan. It is assumed that it is at least 20 years old. Therefore, it would have been in existence when a number of other two storey side extensions were approved. A number of these are of particular relevance in illustrating that the Council are not consistent when applying this policy. This is particularly illustrated at a property called Durhamside, The Street, Shoreham by Sea which is a 10-minute walk from the appeal site. It is shown below in the photographs.

Photograph 5 Durhamside, The Street



Photograph 6 Durhamside, The Street



Photograph 7 The location of appeal site and Durhamside, The Street



3.10 A search of the planning history of the site reveals that a two storey extension was approved in 2007 (planning application reference ADC/0151/07). The Planning case officer's report

dated 8th May 2009[2] stated that '*the extension is subservient in scale and design and will not create a terracing effect which would be detrimental to the street scene'*. However, when comparing this extension and that of the appeal site it is considered that the development at Durhamside is much bulkier and has a greater impact on the street scene and will no doubt create a terracing effect should the neighbouring house be extended to the side.

Balance between Impacts and Benefits

3.11 Following submission of their planning application, the appellants, Mr and Mrs Saxby wrote to the Council on 13th December 2015 setting out the reasons for their application. The letter is attached as **Appendix B.** The appellants clearly state the benefits of them being able to extend the property. The extension will allow them extra space within their property and is central to them being able to afford to stay in Shoreham by Sea. The cost of property within the town has grown significantly in the last few years. According to research in May 2015 in Property Wire[3] house prices have increased, on average, by a third across British seaside towns over the past decade. As well as other towns, Shoreham by the Sea recorded the largest average price growth in the last 12 months, with increases of 20%, four times the average increase for all seaside towns in the past year which was 5%. This means that in real terms, people are finding the cost of moving house within Shoreham by Sea a struggle.

3.12 The benefits of allowing a modest two storey side extension to the property to enable a family to stay within their locality and without which, they would not be able to afford to buy a larger house for their family; outweigh the impacts of the side extension on the street scene.

[2] This maybe a typing mistake as all other signatures on the report are dated 2007.
[3] http://www.propertywire.com/news/europe/uk-seaside-towns-prices-2015052510545.html

4.0 CONCLUSION

4.1 In conclusion, it is considered that the two storey side extension would not, by virtue of it being developed up to the boundary line with 5 Erringham Road, create a terracing effect and thus have a detrimental impact or 'destroy' the street scene. It is not contrary to the policies within the adopted Local Plan.

4.2 The appeal site is set forward of the neighbouring property that is already built up to the boundary with a full sloping roof. As the houses are staggered, this means there is not a total or complete closure of the gaps between the two properties.

4.3 The Council has not been consistent when applying the Standard Guidance on developing up to the boundary and a number of examples are evident within the immediate vicinity.