The Planning Inspectorate

Appeal Decision

Site visit made on 4 August 2022

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2022

Appeal Ref: APP/Y3805/D/22/3301461
13 Queens Place, Shoreham-by-Sea, West Sussex, BN43 5AA

- 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 Jon Austin against the decision of Adur District Council.
- The application Ref AWDM/0795/22, dated 10 May 2022, was refused by notice dated 15 June 2022.
- The development proposed is a single storey side infill/rear extension, rear dormer, front roof lights.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on a) the character and appearance of the host property and the locality and b) living conditions for neighbours.

Reasons

Character and appearance

3. The appeal property is a two storey mid terrace Victorian dwelling of modest scale, a pleasing simple front elevation with a small two storey bay, and all being reflective of many along the side of Queens Place. The locality is of established residential character and the terraced properties exude a quiet charm and an interesting sense of place. The appeal scheme is as described above.

4. The site lies within the Shoreham Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This is reflected within Policy 17 of the Adur Local Plan (LP).

5. To the rear of some of the local properties there is evidence of change and a number of 'box' dormers do exist including on the adjoining property albeit that property is set higher as a whole. I do not know the full planning background to these structures. However, from my perspective I would wish to ensure that good design prevails and historic character is maintained. I simply could not reconcile the proposed poorly-integrated, over-large, top-heavy dormer structure which would dominate the roof slope and the rear of the house as

being a reasonable addition. It would be jarring on the eye and detract from the aesthetic qualities of both the host property and the wider scene.

6. I conclude that the proposal would run contrary to the aims of S72(1) of the Act and with LP Policy 17. Furthermore LP Policy 15 is also relevant. It seeks, amongst other matters, well designed development that would protect the character and visual quality of an area, respect local distinctiveness and have appropriate architectural form. This is reflected in the advice and objectives of the Council's 'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings' (SPG) publication albeit that document is guidance and cannot be expected to cover every eventuality. Given the nature of the scheme I conclude that the proposal would conflict with the relevant development plan policies and the pertinent aims of the SPG.

Living conditions

7. I deal with the appearance of the dormer above, and certainly it would not add to the visual pleasure of neighbours. However, I am not persuaded by the concerns expressed relating to overlooking. I say this given good separation distances but also the existing array of mutually facing windows which means that there will generally be some intervisibility in a neighbourhood such as this.

8. On another point, I am concerned that because of the size, positioning and orientation of the ground floor extension there would be undue impingement upon the outlook of neighbours to the north. Some daylight would be lost and my assessment is that they would feel hemmed-in by the development.

9. LP Policy 15 and the SPG are again relevant. Taken together and amongst other matters they seek to protect the amenities of neighbours. Given the foregoing I would conclude that the appeal scheme would run contrary to this policy and the pertinent objectives of the SPG.

Other matters

10. I understand the Appellant's wish to increase accommodation and to introduce adaptability not least for possible working from home. I note that there would be flexibility on precise choice of external materials. I appreciate there are some other roof alterations in the locality; in my opinion for the most part they do not provide a positive contribution to the scene and I am not persuaded that in the present local and national planning policy regime they should be seen as a benchmark or precedent and, in any event, I must assess this case on its own merits. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issues identified above.

11. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect and enhance the qualities of the natural and built environment as well as to safeguard heritage assets; development plan policies which I cite mirror these. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal which I shall not allow would lead to less than substantial harm to the significance of the designated

heritage asset, however public benefits would not outweigh this harm. Furthermore, there are no other benefits, including to the Appellant, which to my mind would be of a scale to outweigh the harm to the Conservation Area which I have identified.

Overall conclusion

12. For the reasons given above I conclude that the appeal proposal would have unacceptable effects on the character and appearance of the host property and the locality as well as on living conditions for neighbours. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR