ED63
ELEMENTAL DESIGN

PLANNING APPEAL STATEMENT

Application AWDM/0377/22 - 37 Adur Avenue, Shoreham By Sea, BN43 5NL

Application	AWDM/0377/22
Proposal	Addition of first floor extension and new roof to form a two storey house
Address	37 Adur Avenue, Shoreham By Sea
Appellant	Mr James Brown
Agent	Andy Ramus
Date	11-05-2022

Executive Summary
This is a Statement of Case in relation to planning application reference, AWDM/0377/22, for the remodelling of an existing bungalow to form a 2 storey house.
The purpose of this statement is to address and respond to the Council's reason for refusal.

The statement identifies the evolution of the scheme and describes the design approach, in addition to providing material supporting arguments and justifications, demonstrating that the proposal is sound in all respects and concluding that in absence of any public interest and demonstrable harm, the appeal should be allowed.

Reasons for Refusal

01. The first floor addition to form a two storey building in this case is unacceptable in that it does not relate sympathetically in design, form and scale with the existing character of the locality and would be detrimental to the environment, therefore conflicting with the policy 15 of the Adur Local Plan.

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6 Summary & Conclusion

1 Site location, description and character of area

Site location



Figure 1:- 37 Adur Avenue (Application site)

1.1 The appeal site is located at 37 Adur Avenue, Shoreham By Sea, which is a residential street running between The Street, and Erringham Road, and parallel to Upper Shoreham Road in North Shoreham. It is a detached, hipped roof bungalow with off street parking to the front and garden to the rear, within a residential street of both bungalows and two storey dwellings.

1.2 Shoreham By Sea is a suburban area on the coast of West Sussex.

1.3 The site's position within the street is detailed below *(Location plan and Google maps image)*.

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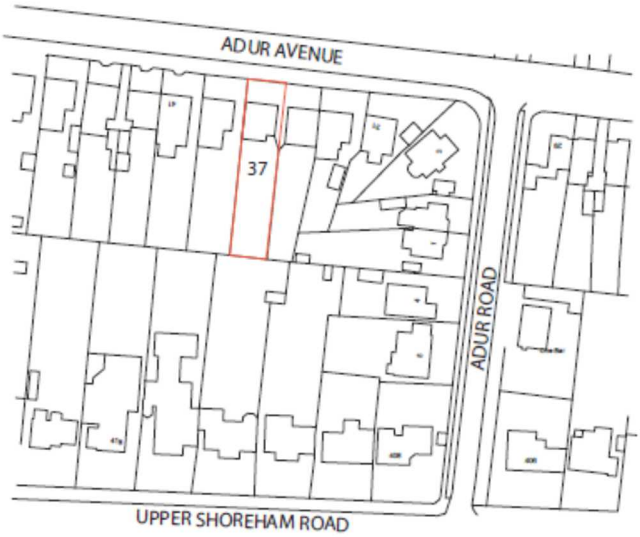

Figure 2-Location Plan



Figure 3-Google Maps Image, application site within red curtilage. (Note 2 storey houses opposite and along to the right)

Urban form, character and design style of the area

1.4 There are numerous 2 storey dwellings within the street scene, (notably, opposite but one from the application site), mixed with both detached and semi detached bungalows, and chalet bungalows.



Figure 4- Opposite the application site, on the north side of Adur Avenue

1.5 This is demonstrated by the images below, which are all located within the Adur Avenue locale. The diversity of style and form is noted, as is the variation in scale and number of storeys.



Figure 5:- 46 Adur Avenue



Figure 6:- 49 Adur Avenue


Figure 7:- 70 Adur Avenue


Figure 8:- 58 & 60 Adur Avenue

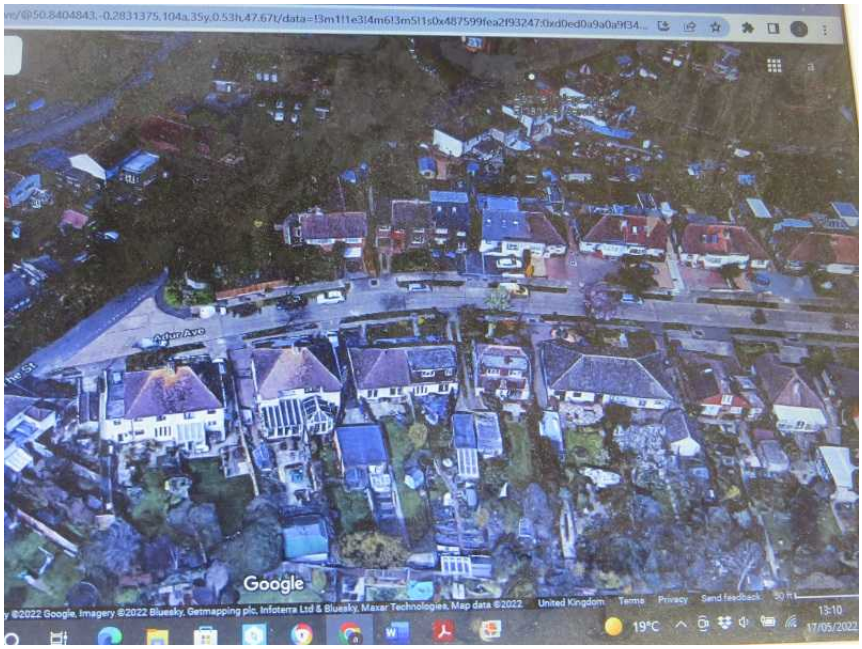

Figure 9 -Google Maps image-Western end of Adur Avenue, showing mix of houses and bungalows.

1.6 The varying styles and scales, ranging from a mixture of 2 storey houses, bungalows, and chalet bungalows, in the western end of Adur Avenue, to bungalows and chalet bungalows in the central part, and 2 storey dwellings at the eastern end, are clearly evidenced above. Attention is drawn to how the styles juxtapose, often from dwelling to dwelling.

Uniformity and non-uniformity of streets

1.7 Variations within the Adur Avenue street scene are not uncommon, there is not an overall amalgamating or cohesive characteristic, as shown by the images above.

Topography

1.8 Considering the topography of the street, it is noted that Adur Avenue rises from west to east, and to the north also. The heights of the buildings vary continuously, with some of the higher buildings being situated in and around the appeal site. However, this is not a 'hard and fast rule' and there are also lower, and higher buildings towards the west of the appeal site.



Figure 10:- Looking east from the application site. Note 2 storey house a few doors along.

1.9 Overall, the heights of the dwellings vary throughout Adur Avenue, and are not directly related to the topography.



Figure 11:- Note number 35 stepped above the application site at 37

1.10 There are also examples of 'backland development', which further add to the non-uniformity of the street, more so in terms of layout (*see location plan*).

Roof Types

1.11 There are varying examples of roof form in Adur Avenue, with full gable ends, barn ends, Sussex gables, detached and semi-detached, bungalows, chalet bungalows and two storey houses, there is no single roof form dominating, (as previous images show).



Figure 12:- View from application driveway, looking north (Note 2 storey house opposite).

Building lines

1.12 The street runs approximately east to west. There is a loose and informal building line, evidenced in the Google maps image

1.13 The appeal site is a hipped roof detached bungalow, located on the south side of Adur Avenue. It features two hip ends to the front and rear elevations with a short ridge. It is render finished, with white uPVC framed windows, the existing curved bays either side of the front door are disguised by a UPVC glazed frontage, giving a continuous look to the facade.

2 Planning history, design approach and evolution of the scheme

2.1 No previous planning applications registered for this address.

Design Approach

2.2 In order to explore a more appropriate, functional layout with practical spaces not restricted by the roof slope, a decision was made to explore a remodelling of the bungalow, adding an extra storey to accommodate the clients family needs, and future proof for eventualities of either children staying on once they're grown, or parents needing looking after in their later years.

2.3 The approach is simplistic, honest, and uncomplicated in its design, but with clean finishing and 'contemporary feel', with a roof form and materials that relate to the locality, (The roof design replicates the existing roof, bar the rear quarter section at the south east corner). The design does not seek to create a focal point on the street scene, nor does it seek to make a statement.

2.4 The alteration at the front of the property, creates an inner porch, bringing the property in to a cohesive overall design similar to the 2 storey properties to the east in Adur Avenue. The centre point of the roof would remain unaltered.

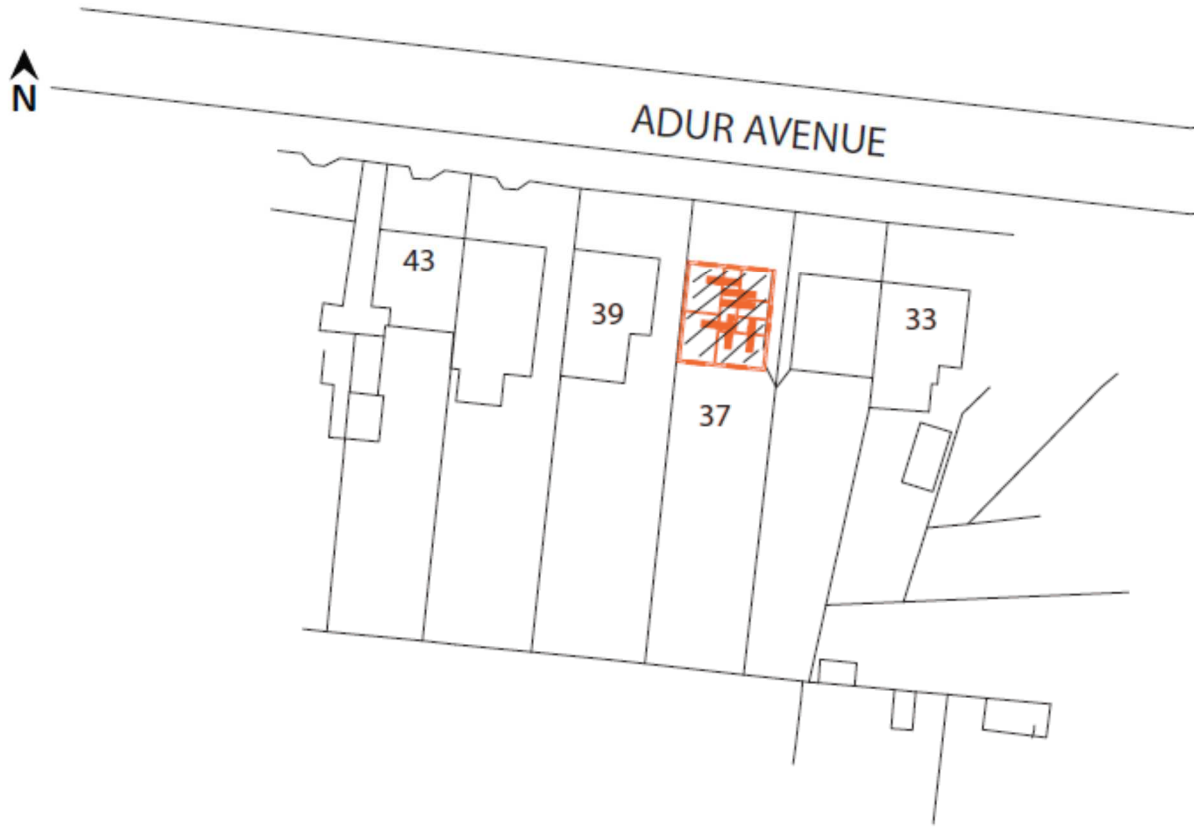

Figure 13- Site block plan.

2.5 The internal arrangement provides a functional layout, allowing the building to be adaptable and accessible for current and future residents.

2.6 Overall the proposal would allow for four functional bedrooms at first floor level, whilst improving the living / dining room / kitchen arrangement. An accessible GF bedroom would be retained. It is important to the owners to have the bedrooms all on one floor as is the case with most parents with young children.

Future adaptability

2.7 The Covid-19 pandemic has placed further emphasis on the time spent in the home. The appellant's wish for the proposal to be adaptable for both them and future occupants, should one of the bedrooms be required for office / home working use.

2.8 Irrespective of the easing of lockdown, it is expected that employers may dispose of permanent office space and place a greater requirement on flexible / home working.

2.9 Accordingly, we request that the above is considered in the Inspector's assessment and the benefits regarding the practical space of the rearrangement to the occupant's requirements are noted.

3 Our response to the reason for refusal (assessment of proposal)

3.1 The current application under appeal was refused by Adur District Council on for the following reasons:-

01. The first floor addition to form a two storey building in this case is unacceptable in that it does not relate sympathetically in design, form and scale with the existing character of the locality and would be detrimental to the environment, therefore conflicting with the policy 15 of the Adur Local Plan.

3.2 The following polices are referenced in the reason for refusal:

Relevant Planning Policies and Guidance
Adur Local Plan 2017 Policy 15
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).
Development Management Standard No.2 "Extensions and Alterations to Dwellings" and the National Planning Policy Framework.' See below:-

Development Management Standard No. 2- Extensions and Alterations to Dwellings

Planning Principles-
The effect on neighbouring properties
2.2 Proposals will not be granted planning permission if they have an unacceptably adverse effect on neighbouring properties. The main detrimental effects could be related to:
- *Privacy - the proposal should not result in direct overlooking of rooms in neighbouring properties, nor excessive amounts of overlooking of garden areas.*
- *Daylight - any proposal should not reduce the daylight to neighbouring properties to an unacceptable extent.*
- *Outlook – **the fact that a neighbour may be able to see an extension would not in itself make a proposal unacceptable**, the outlook of neighbouring properties should not be dominated by the extension since this could be overbearing and oppressive. However, the loss of a distant view would not normally be considered a valid reason for refusing an application.*

3.3 From the front of the site, the only main difference is the extra storey, which, as stated in the officers report, (see officers report below), is not an isolated situation within Adur Avenue:-

Development Control – Delegated Officer Report (Extracts)
Application Number: AWDM/0377/22

Planning Assessment

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Visual and Residential Amenity

'It is acknowledged that there are other two storey developments within Adur Avenue'

'Objections have been received from local residents and there are concerns expressed with regards to loss of privacy and overbearing impact. First floor windows would overlook adjacent rear gardens and the infill section to the rear would bring this part of the building closer to the adjacent boundary. Yet this is not uncommon in a residential locality such as this and no direct overlooking would occur in this case. There are also adjacent examples of bungalows with loft conversions and rear windows in the roof space. ***This impact is not considered to warrant a refusal on this ground in this case. The neighbouring property to the rear is at a distance of greater than 22 metres therefore no loss of privacy will occur as a result of the development.'***

……

Impact on the street scene

3.4 Considering the LPA's report, the concerns cite- *' it does not relate sympathetically in design, form and scale with the existing character of the locality and would be detrimental to the environment'.*

3.5 Quite apart from the fact that there are 2 storey houses opposite, north of the application site, and just a few doors along on the south side also, as well as at the west end of the road, consideration should be given to the fact that an extra storey can be built under permitted development, (and indeed, has been by approved Adur Planning, at 15 Buckingham Mews), as such, it was decided to go through householder planning instead, (with a design similar to many of the other 2 storey dwellings in the road), so as to arrive at a better design concept than PD rights allow under their restrictive rules. (See Planning Portal directions below).

Building an additional storey on to your house is considered to be permitted development (not requiring planning permission) subject to the following limits and conditions, and an application for the Local Authority's prior approval.

If these limits and conditions are not met, then an application for Householder/Full Planning Permission will be required.

- Is not a building containing one or more flats, or a flat contained within such a building
- Was constructed between 1 July 1948 and 5 March 2018
- Has not already had additional storeys added to it
- Is not on Article 2(3) land* or a site of special scientific interest
- Was not changed to be used as a house (from a previous non-residential use) under permitted development rights.

Limitations on the proposed development:

- Number of additional storeys:
  - One storey can be added to a single storey house
  - Two storeys can be added if the house has more than one storey.
- Height increases:
  - The house cannot exceed 18 metres in total height
  - Each added storey cannot add more than 3.5 metres to the total height
  - If not detached (e.g. terrace or semi) the total height cannot be more than 3.5 metres higher than the next highest building that the house is attached to, adjoins, or is in the same row as.
- The additional storeys must be constructed on the principal part* of the house
- The additional storeys must not exceed three metres in height or the height of any existing storey in the principal part* of the house (measured internally from floor to ceiling)
- Engineering operations must only include works within the existing curtilage of the house to strengthen existing walls and foundations
- The materials used must be of a similar appearance to those used in the construction of the exterior of the current house
- Windows must not be placed in any wall or roof slope forming a side elevation of the house.

3.6 Evidenced example:-

Development Management - Delegated Officer Report Application Number: NOTICE/0018/20
Site: Recommendation – *Prior Approval Required and Approved*
15 Buckingham Mews, Shoreham-By-Sea

Proposal: Householder application for permitted development for prior approval for enlargement of a dwellinghouse by construction of an additional storey to a height of 2.6m above the existing ridge.
(Extracts from report)-

'Proposal, Site and Surroundings- The application relates to a mid terrace two storey house in Buckingham Mews, a cul de sac off Ravensbourne Avenue. The terrace steps up in height from south to north, resulting in three different ridge heights across the terrace. The application is proposing to construct an additional storey on No.15 as development permitted by Schedule 2, Part 1, Class AA of the GPDO, as amended in 2020. The new floor will raise the ridge height 2.6m above existing.'

*'**The extension would match the style and appearance of the existing dwelling in terms of materials and window size and positioning**. The principal elevation, while a storey taller, would therefore be in keeping with existing external appearance in terms of design and architectural features. No side elevation fronts a highway in this case.'*



Figure 14:- 15 Buckingham Mews extra storey under construction, looking south.



Figure 15:- 15 Buckingham Mews construction, looking north.

3.7 With PD rights in mind, how the building would be viewed from street level is not a condition of these rights, and with 2 storey properties in the foreground, background, and to the east and west, we respectfully submit that the proposed design is a good deal more sympathetic than the application at 15 Buckingham Mews which Adur Planning approved.

3.8- 37 Adur Avenue **Application Number: AWDM/0377/22 (Extract)**

Visual amenity

The street comprises both bungalows and houses, however the site lies on the south side of Adur Avenue within a row of detached bungalows. The principle of the additional storey with roof could not be supported in this case.

The dwelling would be adjacent to bungalows on either side and would represent an alien feature harmful to the character and appearance of the street scene. The scale of the development along with its two storey character, being detached and a different property type from those adjacent would give rise to harmful development. It would be inconsistent with the single storey development in this section of the street.

3.9 By duplicating the existing roof, albeit with the rear east quarter section infilled, any overlooking would be little different to the bungalow having a roof extension with dormers. (The east elevation side windows are bathroom windows, and would be obscured glass).

3.10 We therefore consider the Council's point that the extra storey, *'would represent an alien feature harmful to the character and appearance of the street scene.',* cannot be reconciled against the fact they have allowed just such an application at 15 Buckingham Mews, in what might be considered a much more harmful and out of keeping addition to the street scene.

3.11 It is not reasonable to discount the presence of the two-storey dwellings to the north, east, and west, of number 37.

3.12 We refute that- *'The first floor addition to form a two storey building in this case is unacceptable in that it does not relate sympathetically in design, form and scale with the existing character of the locality and would be detrimental to the environment, therefore conflicting with the policy 15 of the Adur Local Plan.'*

3.13 The surrounding properties would read in sympathetic context to the appeal site when considering the close proximity of existing 2 storey dwellings, and the continuous variation of roof types, giving an overall eclectic look to the street scene.

Planning Principle

3.14 The principle of development can be supported as it upgrades a dwelling within the built up area boundary. For consideration is the impact of the proposals on the character and appearance of the area and the impacts of the development on neighbour amenity.

Prevailing character of the area / allegedly out of keeping

3.15 There are numerous examples of varying heights and designs throughout the immediate vicinity, and this is characteristic of the area. (see images previous and below)



Figure-16

3.16 ***'Other Matters***
Although concern has been raised with regards to parking and the potential for increased vehicular movements and parking, ***this scale of development and the activity associated are in keeping within this residential street****. There is off street parking to the property frontage and any additional parking requirements can be met on street without any concern for highway safety.'*

3.17 It is also noted that there are existing trees, boundary treatments and intervening residential curtilage and cars which would lessen any *alleged* impact. Further, it is noted the proposed roof bears similarities with others in the area and would not be incongruous to the locality.

4 Policy Assessment

4.1 The policies referenced in the Council's reason for refusal were as follows:

Adur Local Plan 2017 Policy 15
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (July 2021)

Principle
The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the area.

The officers report states that:-
'Objections have been received from local residents and there are concerns expressed with regards to loss of privacy and overbearing impact. First floor windows would overlook adjacent rear gardens and the infill section to the rear would bring this part of the building closer to the adjacent boundary. Yet this is not uncommon in a residential locality such as this and no direct overlooking would occur in this case. There are also adjacent examples of bungalows with loft conversions and rear windows in the roof space. ***This***

impact is not considered to warrant a refusal on this ground in this case. The neighbouring property to the rear is at a distance of greater than 22 metres therefore no loss of privacy will occur as a result of the development.'

5 Summary & Conclusion

5.1 Summarising, we feel that the remodelled dwelling would relate well to the Adur Avenue locale, allowing the family to maximise the potential of the existing dwelling without detriment to the immediate locality and wider street scene.

5.2 We do not agree that the design- *'does not relate sympathetically in design, form and scale with the existing character of the locality and would be detrimental to the environment'.* Notwithstanding our viewpoint, we do not agree that the Council's alleged harm would in itself justify a reason for refusal and we believe this has been firmly evidenced throughout this statement.

5.3 The alleged impact should be balanced against the positive attributes of the development which optimises the potential of the site, contributes to improved housing stock, and, is appropriate to the established residential location.

5.4 With good access to local facilities and local transport, the proposal also promotes adaptability, with suitable standards of amenity for existing and future users.

5.5 In summary, we would ask that the Inspector considers the following;
. The proposal would optimise the potential of the site.
. The proposal provides a residential development at an appropriate density.
. The scheme would contribute to improved housing stock.
. The proposal has been designed with respect to the host building and would not harm the visual amenity of the area.
. Would provide a functional layout with flexible spaces suitable for either bedrooms or home working.

5.6 In conclusion, the proposal presents clear planning merits that should be recognised and given positive weight. When balanced against all other material considerations, the cumulative, positive planning benefit of the proposal is of a sufficient level to confidently justify a positive decision, even if it were alleged there was some level of visual harm (which, for the avoidance of doubt we do not agree there would be).

5.7 Any alleged harm is clearly outweighed by the provision of a scheme that represents sustainable development and will meet the needs of the appellants.

5.8 Respectfully, we request the appeal is allowed.