Planning Inspectorate

Appeal Decision

Site visit made on 30 April 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 June 2025

Appeal Ref: APP/Y3805/W/25/3359366
Elreg House, 58 Rosslyn Road, Shoreham-by-Sea, West Sussex BN43 6WP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Anthony Brown against the decision of Adur District Council.
- The application Ref is AWDM/0525/24.
- The development proposed is a first floor extension above existing ground floor rear wing to create 5 new care rooms.

Decision

1. The appeal is allowed and planning permission is granted for a first floor extension above existing ground floor rear wing to create 5 new care rooms at Elreg House, 58 Rosslyn Road, Shoreham-by-Sea, West Sussex BN43 6WP in accordance with the terms of the application, Ref AWDM/0525/24, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is a detached building located within a residential road of detached and semi-detached buildings. The appearance and style of buildings in Rosslyn Road not are uniform but the palette of external materials and the relatively small variations in building heights give it a cohesive and pleasant character.

4. Elreg House, while it has one of the largest footprints in the road, is not unduly prominent within the street scene. This is due to the combination of its external finishes matching neighbouring buildings; it being one and half storeys in height; and that its rear extensions are single storey.

5. In removing the existing conservatory and outbuildings, the proposed scheme would reduce the footprint of built form on the site. This would create a more spacious context, particularly on the western side of the building. However, this would not have a wider visual benefit as these structures cannot readily be seen from outside of the site.

6. In contrast, the proposed first floor extension would be evident from outside of the site. The new structure would be seen when approaching Rosslyn Road from Rosslyn Avenue. From the gap between the side of the appeal building and rear of

15 Rosslyn Avenue the building's increased size would be apparent. However, the additional roof structure would sit below the height of the main roof, be set away from the road and any views would generally be brief and fleeting.

0. Views of the rear of the appeal site are more evident when positioned further south along Rosslyn Avenue. Despite some existing built form and planting interrupting views across the adjacent rear gardens, the extension would be clearly visible, particularly when viewed between the rear of 85 Gordon Road and the side of 17 Rosslyn Avenue.

1. That works would be on the western side of the building and not extend the full length of the existing rear projection would help to mitigate some of the impact from this vantage point. Furthermore, its height would be subservient to the main building and its roof form would not be out of keeping with the main roof. Together with the use of a matching roof tile this would help to anchor the extension within its setting, particularly as it would largely be seen against a backdrop of buildings/roofs.

2. From Gordon Road, it might be possible to obtain brief glimpses of the appeal site from between the existing houses, but views of the proposed extension would be difficult to discern. The extension would be visible from properties in Gordon Road but the separation distances would ensure there was no impact on living conditions of these neighbours. More generally the scheme includes raised cill heights and obscure glazing to protect the privacy of neighbours.

3. Overall, the proposal would be visible from outside of the site and where it would be seen it would not be read as a particularly small addition to the existing building. However, by the same token, the measures which have been employed to limit its effect would ensure that it would not appear overly dominant or visually obtrusive. As such, neither the character and appearance of the existing site or its surrounds would be harmed.

4. Consequently, I find that the proposal would not be contrary to Policy 15 of the Adur Local Plan 2017, which, amongst other things, seeks to ensure a quality of design which respects the local context.

Other Matters

5. Subsequent to the Council's decision, the issue of flood risk has been raised. Both main parties have provided technical responses to the issue. The appellant's final technical note indicates that the latest Risk of Flooding from Surface Water (RoFSW) map dated January 2025, reveal that safe access and egress from Elreg House could be provided in the event of flooding. I have also had regard to the nature of the existing use, that the proposed extension is for accommodation at first floor level and the existing floor levels are a minimum of approximately 400mm above ground floor levels at the rear of the property. This all leads me to the conclusion that safe access and egress could be achieved in the event of flooding and so this is not an impediment to the development proceeding.

6. It has been suggested that the loss of the conservatory and additional rooms would result in overcrowding. The quality and quantity of accommodation provided would be governed by other bodies and would be beyond the remit of this appeal.

7. I note that there have been concerns raised by interested parties regarding light pollution, privacy and vehicles blocking the road. However, I note that the scheme was amended to address privacy concerns and that there was no objection from the Council or Highway Authority on the other matters. Furthermore, I have no substantive evidence to conclude that the proposal would materially alter the existing situation in respect of these issues.

Conditions

8. In addition to the standard time limit, a condition which lists the approved plans is necessary in the interests of certainty.

9. As the approved drawings do not confirm the external materials will match those of the existing building a condition to this effect is necessary to protect the character and appearance of the site. Similarly, the drawings do not indicate the dormer window to be obscurely glazed and non-opening so a condition to this effect is also necessary, in order to protect the living conditions of neighbours.

10. To ensure the development functions as intended, conditions relating to surface water drainage and the removal of existing structures are also necessary.

11. Given my conclusions on the issue of flooding a condition seeking a Flood Risk Assessment would not be necessary in this instance

Conclusion

12. For the reasons set out above, having considered the development plan as a whole and all other matters raised, I conclude that the appeal should be allowed.

Stewart Glassar

INSPECTOR

Schedule of Conditions

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with drawing numbers:

Existing and Proposed Ground Floor Plan	-	A01 Rev 2
Existing and Proposed First Floor Plan	-	A02 Rev 2
Existing and proposed Second Floor and Roof Plan	-	A03 Rev 2
Existing and Proposed Elevations	-	A04 Rev 2
Location and Block Plan	-	A05 Rev 2

3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:

i) the anticipated number, frequency and types of vehicles used during construction – HGV construction traffic routings shall be designed to minimise journey distance through the Air Quality Management Areas

ii) the parking of vehicles of site operatives and visitors;

iii) storage of plant and materials used in constructing the development;

iv) measures to control the emission of dust and dirt during construction;

v) a scheme for recycling/disposing of waste resulting from demolition and construction works;

vi) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

4) The development hereby permitted shall not be commenced until details of the proposed surface water drainage and means of disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all drainage works have been carried out in accordance with the approved details.

5) The external materials of the extension hereby permitted shall match those used in the existing building.

6) The building hereby permitted shall not be occupied until the existing structures numbered 1-5 inclusive as shown on the plan at section 3.6 of the Build View Planning Statement dated 18/05/24 have been permanently removed from the site.

7) The extension hereby permitted shall not be occupied until the dormer window on the west elevation has been fitted with obscured glazing, and no part of that window shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

***** End *****