Expires 6/4

Development Control – Delegated Officer Report

Application Number: ADC/0050/09 **Recommendation - Application Refused**

Site: **20 Beach Green Shoreham-by-Sea West Sussex BN43 5YG**

Proposal: **Roof garden on flat roof at side enclosed with 2.2m high obscured glazed (or polycarbonate) screening**

The Application

The site is located in the built up area of Shoreham Beach on the north side of Beach Green within an established close consisting of three terraces of houses around a green square.

The application site consists of a three storey end of terrace house with an integral garage and existing single storey side extension that attaches it to the closest house in the adjacent terrace at 90 degrees (No. 18). This extension projects forward of the front of the original house. To the side of this there is a small existing conservatory.

To the other side is the attached terraced house and to the rear is a garden with a raised bank at the rear along the top of which runs a public footpath. Beyond this runs the river with a number of houseboats moored nearby. The site fronts onto the existing square with parking and a grassed area opening onto Beach Green Road to the south. The application property is set well back from Beach Green.

Permission was refused in 2007 for a first floor side extension over the existing side extension with a green roof and an open roof terrace area to the rear. A rear single storey rear extension was also proposed to provide a garden room that would extend to the rear boundary. This would also have a green roof and a second roof terrace area. The first floor extension would project forward of the front of the original house and abut No. 18 at the front corner. Also proposed was the conversion of the loft space with a flat roofed dormer to the rear (ADC/306/07).

In 2008, permission was refused for a three-storey side extension over the existing side extension, comprising a sitting room with rear balcony at first floor, a family room at second floor and a bedroom and ensuite within the existing and proposed rooflsope. Two rear dormer windows were also proposed (ADC/0140/08). An appeal against the refusal was dismissed on 1 April 2009.

Finally, in 2008, permission was refused for a first floor extension over the flat roofed side extension comprising a pitched roofed extension with side gable, rear dormer and balcony (ADC/0372/08).

This application seeks permission to use part of the flat roof as a roof garden. The garden would be accessed by patio doors which have recently been installed without planning permission and would measure 2m wide and 4.5m long. It would be set back from the front flat roof by 3.9m and from the front wall of the original house by 2m. It would be screened by a 2.2m high obscure glass or polycarbonate screen.

Consultations and Representations

Consultations/Comments

None

Third Parties

1 letter received from the occupier of the houseboat, Dunolly, stating no objection provided the screen is obscure glazed.

2 letters of objection received from the occupiers of 12 and 18 Beach Green raising the following points:

- Structure would be too close to side wall and front porch of No.18 and would be obtrusive and overbearing
- It is more akin to a conservatory than a garden
- Screen would be unsightly, out of keeping and style with surrounding development
- Loss of light
- Patio doors will encourage use of flat roof leading to loss of privacy
- Is structure going to be stable on this exposed flat roof?

(NB The occupier of 18 Beach Green has requested to speak at Committee)

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, DEV1
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising:- Development Control Standard No.3 'Extensions and Alterations to Dwellings'
PPS1 'Delivering Sustainable Development (ODPM 2005)

Planning Assessment

Policies

Structure Plan policies seek to protect, and where possible, enhance the character and distinctiveness of an area, requiring high standards of design, layout and construction (DEV1). Policy AH7 of the Local Plan states that extensions and alterations should be designed so as not to result in an unacceptable degree of overlooking, a loss of natural light or an overbearing effect on neighbouring dwellings. They should be of sympathetic design and materials to the original dwelling and the area in general.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be accepted.

Visual amenity

While the proposed roof garden will be less intrusive than the previous proposals for extensions on the flat roof, it would still be visible from Beach Green and the riverbank and would have an adverse effect on this corner of the square in visual terms. In his recent appeal decision, the Inspector stated that

"notwithstanding an existing single-storey side extension…a substantial physical and visual separation is apparent at upper levels between these adjacent terraces. This separation creates a visual distinction between the built forms, when viewed from the carriageway and footway of Beach Green to the south and from the riverside footpath to the north, both of which are raised above the courtyard level."

He went on to state that the previously proposed extension would significantly reduce the visual separation, *"notwithstanding its set-back from the front elevation."* He concluded that such an extension

"would inappropriately increase the sense of enclosure, perceived from the courtyard onto which the terraces face, and contribute to visual coalescence of the terraces when viewed from the south and from the riverside footpath. This would be harmful to the character and appearance of this part of Beach Green and the adjacent part of the riverside footpath."

The proposed roof garden is of a smaller scale but it would still introduce a built structure, in the form of a 2.2m high glazed screen, on top of the flat roof at first floor level which would be prominent in views from both Beach Green and the riverside. The glazed screen would not be a sympathetic addition in terms of character or appearance and would detract from the visual amenities of the locality.

Residential amenity

The roof garden would be screened to prevent views towards the garden of 18 Beach Green or the houseboats. The development is also not of a scale or height that would result in any significant loss of light. The garden measures 9sqm only and is proposed to be used for the planting of vegetables and salad crops. It is not considered therefore that its use would result in a level of activity or disturbance likely to result in harm to the living conditions of the nearest residents.

Conclusion

It is concluded that the proposed development would be an unsympathetic development of the site that would result in a structure that would be out of keeping in the street scene.

Recommendation

REFUSE on grounds that: -

1. B5AR

Case Officer [redacted] Date 3/4/09