Statement of Case for:

21 New Road, Shoreham-By-Sea, West Sussex, BN43 6RA on behalf of Mrs Hilary Dickins.



LPA's Ref: AWDM/0193/15

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The Property and its Surroundings

The property comprises an end of terrace two storey Edwardian villa style house with a single storey rear kitchen extension.

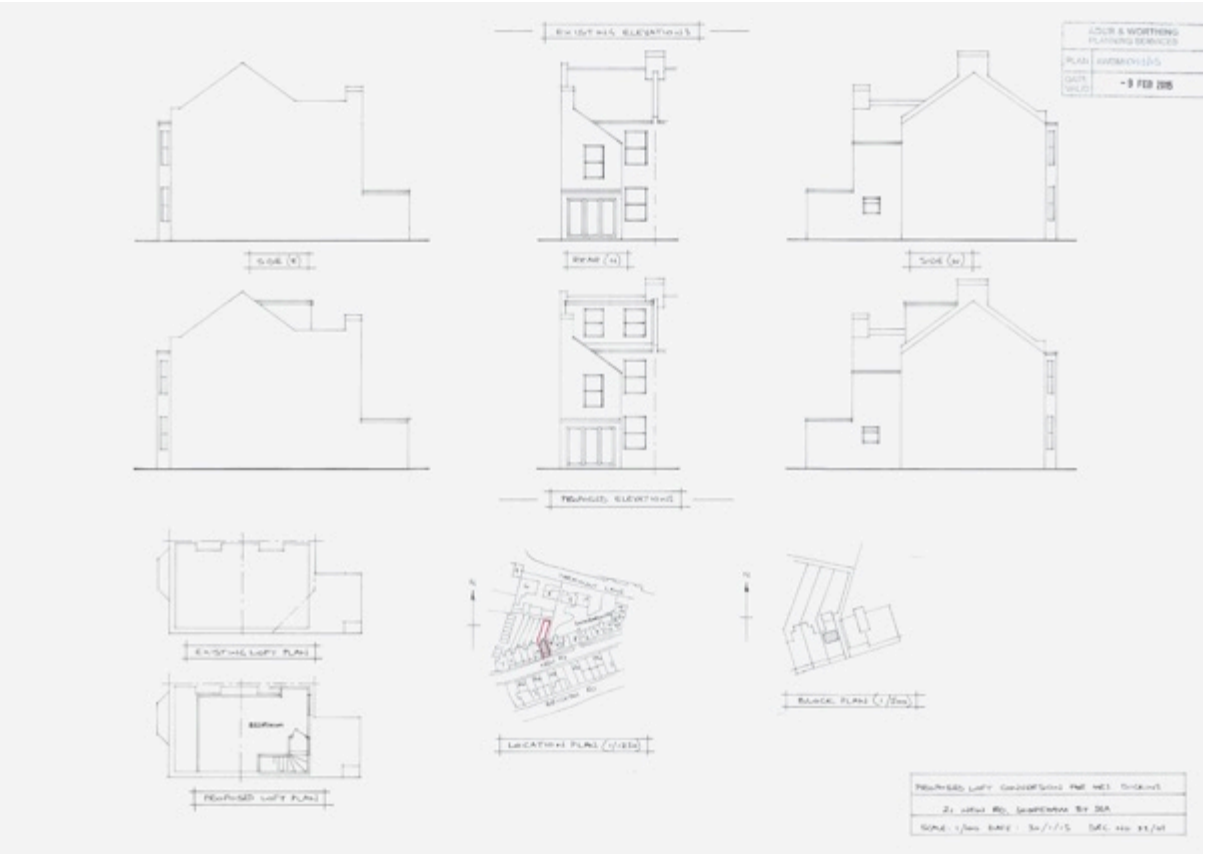
Whilst the majority of properties in New Road are Edwardian houses there is a modern three storey block of flats immediately adjacent to the east of the property and this rather dominates and detracts from the attractive appearance of the streetscene. Also prominent in the streetscene to the southern side of New Road are a number of box style roof dormers on front roofslopes.

The property has a garden area to the rear, which rather unusually forms a dog leg shaped plot but provides good garden/amenity space for the property.

It is situated in a very accessible and sustainable location within level walking distance of Shoreham town centre and railway station.

The Proposal

Is to erect a rear dormer to facilitate a roof conversion, which will provide an additional bedroom and en-suite as shown on the application drawings.



Reasons for Refusal

I would like to respond to the council's reasons for refusal as follows.

The proposal is unacceptable in that the scale, design and appearance of the rear dormer extension would be unsympathetic to the modest proportion of the terrace property and would unbalance the appearance of this row of terrace properties (11-21 odds New Road). The proposed dormer would appear prominent when viewed from Tarmount Lane to the north and would detract from the character and appearance of the Conservation Area, also making it difficult, if permitted, for the Local Planning Authority to prevent similar additions to other terrace properties within the row, the cumulative effect of which would detract seriously from the character of the Conservation Area. The proposal is therefore contrary to saved policies AB4 and AH7 of the Adur District Local Plan and the NPPF.

With regard to the design and scale of the proposed rear dormer as with most Victorian style terraced properties in order to utilise the loft space to provide enough head height to accommodate additional accommodation and the internal staircase access that will be required, it is necessary to construct a box style dormer.

These are not uncommon or out of place within the Shoreham Conservation Area and whilst none have been built on the rear slopes of this particular terrace there are a number of box style dormers on the front elevations of terraced properties on the opposite side of New Road and examples of these are shown in the appendix to this statement.

These dormers being on the front elevation are very prominent in the streetscene whereas the proposed rear dormer cannot be viewed from New Road. Whilst it is noted in the officer's report that these dormers are probably historic and constructed without planning consent the fact is that these dormers are in place and have themselves contributed to a change of appearance to this part of the conservation area to such an extent that they can be regarded as having become common place and part of the character of the area.

It is noted that at No. 7 Queens Place, which also features Victorian properties within the conservation area consent for a large box type rear dormer was given under reference AWDM/0800/14 on the 16th of July 2014. This dormer whilst not being visible from the Queens Place streetscene, the officer's report stated that it was visible from the road running parallel to the rear and in this case it was judged that one of the reasons for its acceptability was the limited views available. This dormer is more visible than the application one.

Details of the Queens Place consent referred to can be found in the appendix of this statement.

To the rear of the property in Tarmount Lane it is bounded by a children's nursery school and a commercial building and there is a very obscure limited view of the rear roofslope of the application property in the gap between these buildings as shown in the appendix photographs.

I think that it is very inconsistent in planning terms for this application to be refused when the dormer will be less visible than the one approved at No. 7 Queens Place. This dormer is clearly visible from two two places in Ravens Road. It is accepted that there was a precedent for dormers at Queens Place, however there is also a precedent for dormers in New Road. All applications will vary and should be judged on their own merits and in this case I consider that the dormer should be approved due to its limited visual appearance within the conservation area and that it will in no way detract from the character of the area.

Although being in a conservation area New Road and the roads adjoining have a very eclectic mix of property types and architectural features. As previously stated many of the properties in New Road have had front dormer extensions over the years as can be seen from the streetscene photos in the appendix. Immediately adjoining the application property to the east is a rather stark and unsightly three storey block of modern flats, which rather dominate this part of the New Road streetscene.

The Government's National Planning Policy Framework encourages property improvements and sustainable development and in the NPPF's Core Principles it states that planning should not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live. Paragraph 60 also states that planning policies and decisions should not attempt to impose architectural styles or particular tastes. Paragraph 61 also states that although visual appearance are important factors securing high quality and inclusive design goes beyond aesthetic considerations.

Paragraph 58 states that planning decisions should aim to ensure that developments optimise the potential of the site to accommodate development. I will expand further on these NPPF policies under the next section of this statement *'Planning Policies'.*

I think it is very significant that the Adur District Conservation Advisory Group have raised no objection to the proposal and also there have been no neighbour objections.

With regard to residential amenity there is already a significant degree of overlooking from first floor rear windows and as mutual first floor overlooking from

the appeal property and others already exists and is not an uncommon occurrence in a normal urban relationship such as this I do not consider that the proposal will adversely affect neighbour amenity. It is noted in the officer's report under the heading *'Residential Amenity'* states that on balance the rear facing dormer windows are not considered to cause any further harmful overlooking to the amenity of the western neighbouring properties.

The siting of the dormer as proposed and the orientation of properties means that there will be no loss of sunlight, daylight or overshadowing to adjoining properties by virtue of this proposal.

With regard to setting a precedent, this has already been set by the dormers in New Road and Queens Place. The council can still control future applications.

Planning Policies

In their decision notice Adur District Council state that they consider the proposal to be contrary to policies AB4 and AH7 of the Adur District Local Plan and I would therefore like to comment upon these as follows.

Policy AB4

This policy states that new development (including extensions and alterations) within Conservation Areas will be required to be of a high standard of design and construction materials such as to preserve or enhance the character and appearance of the particular Conservation Area.

The proposal will have little visual impact on the conservation area due to its siting at the rear of the property. There will only be a very obscure view of it from the adjoining road to the north between existing buildings.

The character of this part of the conservation area has already been altered over the years by front roof dormer extensions and modern flat development. It is considered that the box type dormer, which is required to give sufficient space to provide the loft conversion will not be out of place as this type of dormer is common place within the area and I would again refer to the consent recently given at No. 7 Queens Place.

Policy AH7

This policy states that 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.

I consider that the proposal conforms to the guidelines set out in this policy as follows.

There will be no loss of light to neighbouring properties and the officer's report confirms that there will be no adverse affect on residential amenity.

The design is considered appropriate particularly due to its siting at the rear of the property.

The proposal will of course not affect the existing garden area to the property and there is no existing car access.

The National Planning Policy Framework

The decision notice also states that the application is contrary to the National Planning Policy Framework however the council have not set out which policies contained in the framework they consider the application to be contrary to.

I therefore set out what I consider to be the NPPF policies applicable to this application.

Core Planning Principles

Paragraph 17 states that planning should:

- *Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*
- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

Section 6: Delivering a Wide Choice of High Quality Homes

Paragraph 49 states housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Section 7: Requiring Good Design

Paragraph 56 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.

Paragraph 57 states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including buildings, public and private spaces and wider area development schemes.

Paragraph 58 states decisions should aim to ensure that developments:

- *Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

- *Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*

- *Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*

- *Are visually attractive as a result of good architecture and appropriate landscaping.*

Paragraph 60 states that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

Paragraph 61 states that visual appearance and the architecture of individual buildings are very important factors but securing high quality and inclusive design goes beyond aesthetic considerations.

These Framework Policies emphasise the importance of inclusive design, which functions well for the lifetime of the development creating attractive and comfortable places to live. They also emphasise the importance of sustainable development.

In this case the proposal will make efficient and effective use of the loft space to create an additional bedroom and en-suite it will therefore extend the rather limited size of the existing terraced house, which will add well to the housing stock within the area.

It will greatly improve the living conditions and provide for adaptable accommodation more suited to modern day living requirements.

The construction will be sustainable with no demolition involved and the property is in a highly sustainable location within level walking distance of Shoreham town centre, railway station and all local amenities.

Conclusion

I would like to summarise the appellant's grounds of appeal and rebuttal of the council's reasons for refusal as follows.

- ✓ The proposal will not have any impact upon the New Road streetscene, which itself is already dominated by front dormer extensions and modern buildings.

- ✓ Its only view from the public realm is a very obscure view between buildings to the north.

- ✓ By reason of its siting it will have no adverse impact upon the character of the conservation area.

- ✓ The box style design of dormer as proposed is common place within the Shoreham Conservation Area and a large rear box style dormer was approved in 2014 at No. 7 Queens Place.

- ✓ The planning officer's report confirms that there will be no adverse affect upon neighbour amenity.

- ✓ There will be no loss of light or overshadowing issues to any adjoining properties.

- ✓ It is very significant that there have been no neighbour objections to the proposal and the Adur District Conservation Advisory Group have raised no objection.

- ✓ It conforms well to the relevant policies in the Government's National Planning Policy Framework.

I would respectfully ask the inspector to allow the appeal.