ED63
ELEMENTAL DESIGN

PLANNING APPEAL STATEMENT

Application AWDM/0795/22| Proposed single storey side infill/rear extension, rear dormer, front roof lights. - 13 Queens Place, Shoreham By Sea.

Application	AWDM/0795/22
Proposal	Proposed single storey side infill/rear extension, rear dormer, front roof lights.
Address	13 Queens Place, Shoreham By Sea
Appellant	Mr Jon Austin
Agent	Andy Ramus
Date	22-06-2022

Executive Summary
This is a Statement of Case in relation to planning application reference, AWDM/0795/22, for a proposed single storey side infill/rear extension, rear dormer, front roof lights.
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 proposed rear dormer, by reason of its excessive size, poorly integrated basic box form and shape, and unsympathetic use of materials, would over dominate the roof resulting in a top heavy 'box-like' appearance to the detriment of the scale, shape and form of the host dwelling and the terrace to which it belongs, and the cumulative impact of such roof extensions would fail to preserve the character or appearance of this part of the Shoreham Conservation Area. The proposal is therefore contrary to policies 15 and 17 of the Adur Local Plan, 'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'' and the relevant policies of the National Planning Policy Framework

02. The proposed ground floor rear extension, by reason of its size and siting, would

cause unacceptable loss of natural light and outlook to No. 14 Queens Place to the detriment of occupiers' living conditions and as such is contrary to policy 15 of the Adur Local Plan and adopted Development Management Standard No.2

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Figure 1- Front of 13 Queens Place

1 Site location, description and character of area
Site location

1.1 The application site is a mid terrace Victorian property, located at 13 Queen's Place, built mid 1800's, which is a residential street running north of the railway line in Shoreham. The site is located in an outlying part of the conservation area, (not considered part of the historic core, being north of the railway line), it is part of a row of terraced Victorian properties quite common to the area.

1.2 Shoreham-by-Sea is located in Adur District, West Sussex, lying within urban development along the south coast between Brighton and Hove to the east and Worthing to the west. The conservation area covers 29 hectares and is located generally around the built up central historic core of the town.

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

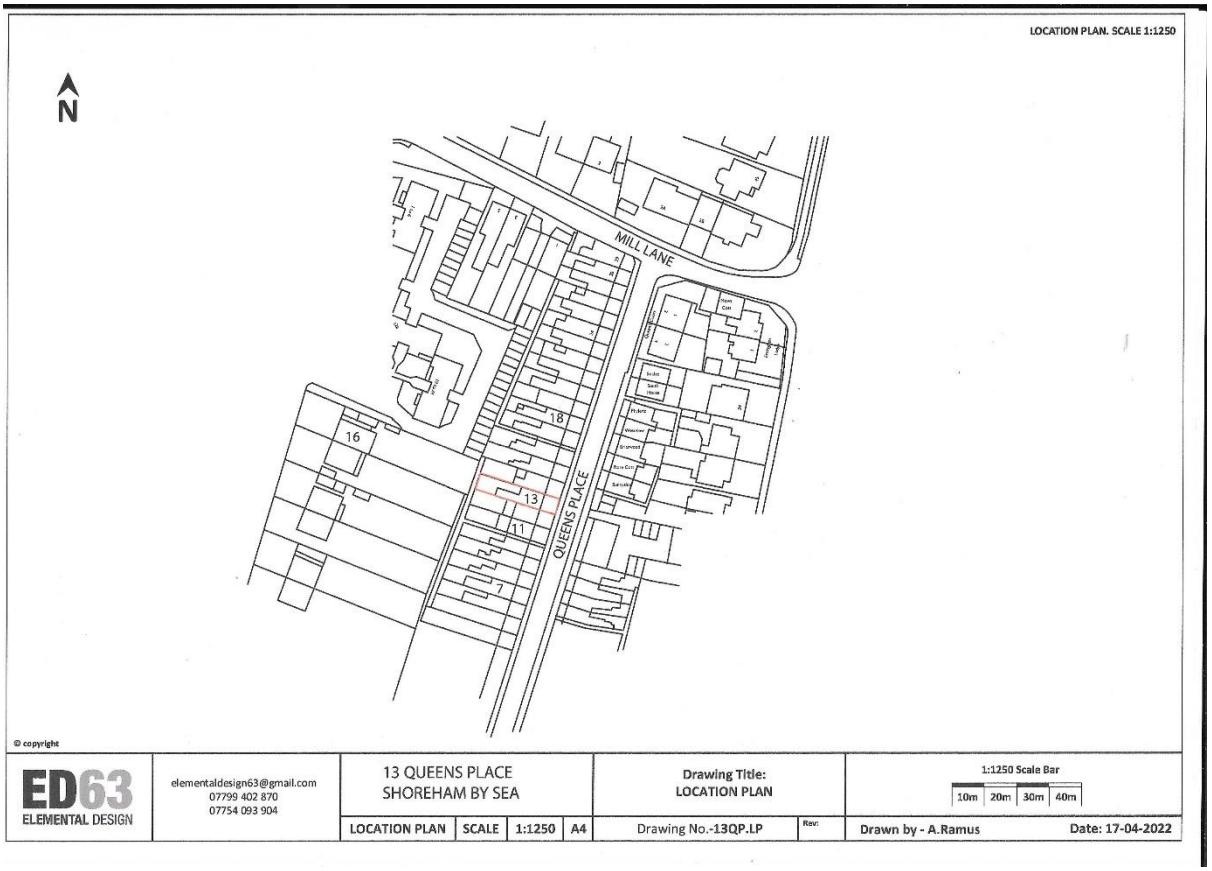

Figure 2-Location Plan

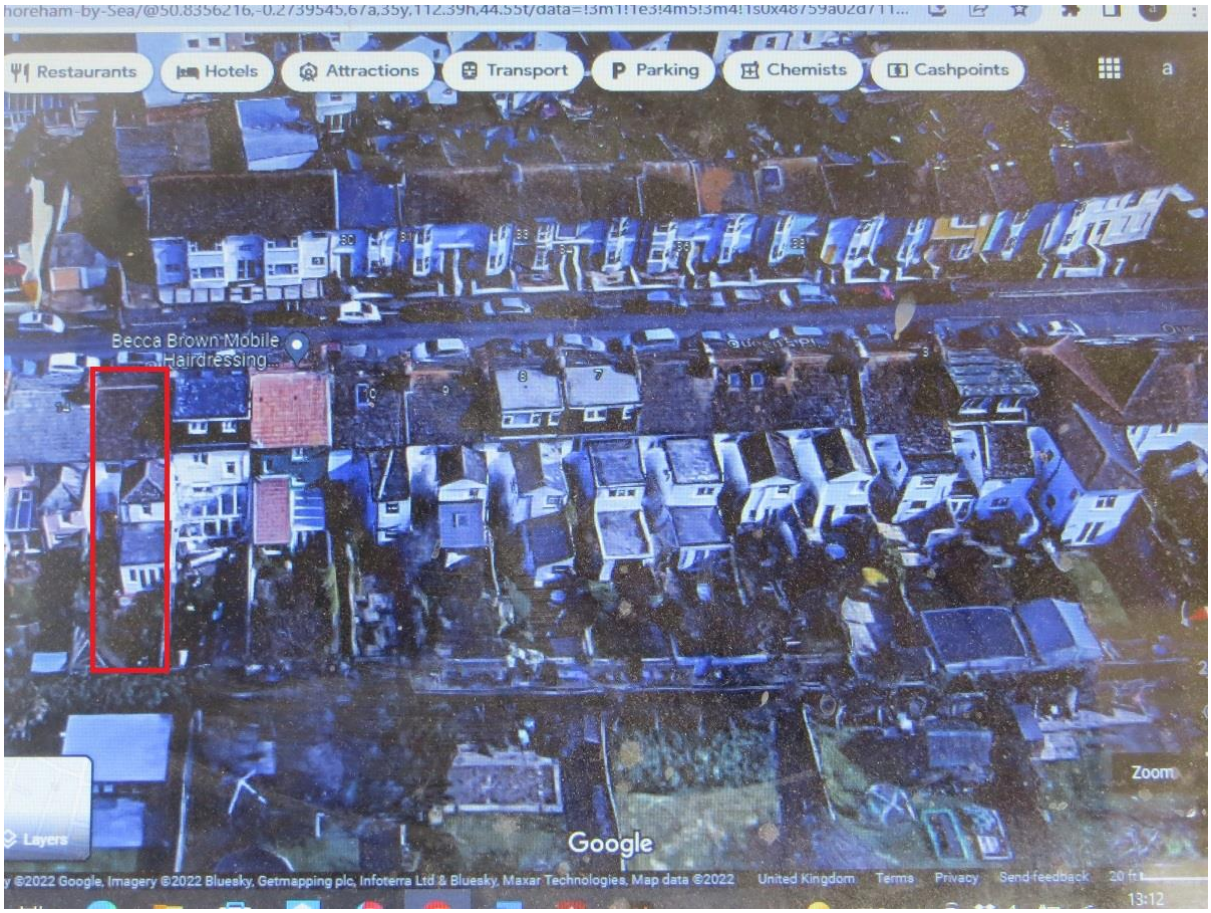

Figure 3-Google Maps Image, (appeal site in red curtilage), note existing flat roof dormers.

Urban form, character and design style of the area

1.4 There are numerous dwellings within the street with dormers, (2,7,8,12,23), rear projection first floor extensions, (1,17,21,22,27), and ground floor infill extensions (1,19,24).

1.5 The rear of these properties presents a mixture of varying styles of flat and pitched roof rear projections, and some with no rear projection. Clearly there is no overriding design establishing a pattern, but rather a general mix of pairs, and occasional stand alone designs.

1.6 The varying styles and scales of the extensions are clearly evidenced in the Google maps image above.

1.7 Rear dormers and ground floor infill extensions are characteristic of many similar Victorian properties around central Shoreham and the wider locale.

1.8 It should be noted that the roof tiles vary from one dwelling to another, with many having Redland concrete tiles, mainly 49's, some 50's, and some black slate. Redland tile company didn't exist until 1919, when Redland was formed as the then Redhill Tile Company in Reigate, Surrey, so there are few, if any at all, roofs with original style roof tiles. Black slate tiles would in fact have been more likely to have been used.



Figure 4-12 Queens Place, flat roof dormer and main roof in clean, slate tile finish. 11 Queens Place, (on the right of picture), has Redland 50's, while the appeal site (on the left), currently has Redland 49's.



Figure 5- 40, 41, 42, and 43 Queens Place, note roof lights at 41 and 42, and slate roof tiles at no.42



Figure 6- Rear of appeal site, note 2 storey rear projection at no.14, (on the left of picture), negating any possibility of overshadowing by a proposed dormer at no.13. Also, adjoining garden wall, and fence, making loss of light from the proposed single storey extension negligible, especially considering the existing rear extension on the appeal site.

Existing unsympathetic development

1.9 We would like to draw the Inspector's attention to examples of 'allegedly' unsympathetic development in the Shoreham locality which were passed by planning, post 2017, when the current local plan was adopted. Given the 2 examples are front of property, we feel they refute the idea that a flat roof dormer is 'unsightly', especially when it is at the rear, and therefore only visible from other back gardens :-

Development Management - Delegated Officer Report. (Extracts)
Application Number: AWDM/1573/18 Recommendation – Approved:- Mon 17 Dec 2018
Site: 53 Beach Green, Shoreham-By-Sea
Proposal: Replacement enlarged front and rear dormers including cedar wood cladding to dormers and elevations.

'The proposed dormers, while almost the full width of the house, are not considered to be dominant features.'

……



Figure 7- 53 Beach Green. North Elevation (Front of property)

…….

Development Management - Delegated Officer Report. (Extracts)

Application Number: AWDM/0764/19 Recommendation – Approved :- Wed 04 Sep 2019

Site: 55 Beach Green, Shoreham-By-Sea, West Sussex

Proposal: Removal of conservatory to front elevation and replacement with solid flat roof extension to front and side, front dormer and roof lights.

Residential Amenity

'The dormer to the front will not have any adverse impact upon the neighbouring dwellings, it will face onto the road and serve a bathroom. On balance the proposed development is acceptable and can be supported'



Figure 8- 55 Beach Green. North Elevation (Front of property)

……..

Visual/Residential Amenity

1.10 Given that the rear of the appeal site cannot be seen clearly from anywhere but the rear, and as stated in the delegated officers report for 28 Queen's Place:- (AWDM/1449/15)- Single storey rear infill extension:-

'The site is well enclosed at the rear and only a glimpse view of the top of the parapet and existing roof slope would be possible from Mill Lane to the north and so there would be no significant impact or harm to the character or appearance of the Conservation Area'.

1.11 Dormers increasingly make up the character within the wider Shoreham locale, and are also features visible around the application site, including, significantly, next door at number 12:-

The delegated officers report for 12 Queens Place, (AWDM/1552/15), Proposal: Rear dormer, states:- (extract)

*'**Visual amenity and Heritage Assets'***

*'Moreover, **the back of the properties along Queens Place are mostly hidden from public view, reducing the public perception of the conservation value of this street further still** (No. 12 is concealed behind 14 & 16 Raven's Road).*
*Given this circumstance and **limited conservation value of the rear of the properties** along this street afforded by the Council's appraisal, the proposed dormer would have only a marginal impact on the special qualities of the Conservation Area as a whole – hence its established character and appearance would be preserved. The statutory test would therefore be satisfied.*
*Turning to the more general visual impact of the dormer, it is recognized it is of a large size. However its scale and external parameters are directly comparable to the rear dormer approved at No. 7 Queens Place in July 2014 (Planning permission AWDM/0800/14 refers). There are only four properties between No. 12 and No. 7, and the dormer at No. 7 is in easy view of the rear garden of No. 12. This recent approval was considered under an identical planning policy regime to the current scheme and found to be favourable. The permission is a material planning consideration, and **it has set a precedent for directly comparable dormers at the rear of properties in this street**. Additionally No. 8, the adjoining building to No. 7, exhibits a dormer of comparable size, scale, and design to the current proposal (**the fact that it is historic less relevant than the fact that it exists so cannot be ignored**). It would be very difficult indeed to now justifiably argue that a further dormer that is directly comparable to those at Nos. 7 and 8 could be out of keeping - **those existing dormers have now set an established pattern for built form in the shape and scale of dormers at the rear of properties along Queen's Place** (at least in the immediate building row).*

1.12 Under **Residential Amenity,** the delegated officers report for the appellants refused application at 13 Queens Place, (AWDM/0795/22), states:-

'The neighbours principally impacted upon by this development are those either side and at the rear (it is physically removed from the remainder).
*There is a separation distance between the dormer and the neighbouring rear buildings of more than 50m. The dormer would be situated above eaves height and would sit alongside the existing dormer at No.12. While large and unsightly, **it is not considered that it would result in adverse overbearing***

impact or overshadowing.
Gardens and habitable space of these neighbours already experience mutual overlooking from the first floor windows of the application property, ***so the severity of overlooking would not be materially worse than at present and intrusive and unacceptable loss of privacy would not result'.***

1.13 Regarding the delegated officers report for the application at no. 13, **'Visual amenity and impact on Conservation Area'**, of the single storey rear extension, it also states:-

The ground floor rear extension is less intrusive and will square off the existing rear of the building. It will be a large flat roofed addition but ***its limited visibility will minimise its visual impact and it is considered to be acceptable in terms of its impact on the character and appearance of the Conservation Area.*** *The rooflights are also considered to be acceptable provided they are of a conservation style.*

Roof Materials

1.14 Further on in the officers report, under **'Visual amenity and impact on Conservation Area'** , regarding the proposed rear dormer, it says:- '*The materials to be used would not be sympathetic to the host dwelling, being black slate tiles.'*

1.15 There are numerous differing examples of roof materials in Queens Place, with Redland 49's dominating, however, these were not original, and slate would have been the more likely tile originally. Redland came in to being in 1919, while the Queens Road properties were built in the mid to late 1800's. This point is covered in the **Shoreham-by-Sea Conservation Area Character Appraisal & Management Strategy:-**
Page 23, 6.10 Building Materials and Colours
'The earliest roofing tiles were Flemish Tiles sourced from Holland and brought in through the port. They are now very rare but an excellent example of a building still containing this roof covering is North Cottage on North Street (a Grade II Listed Building). Clay tiles were also manufactured in Sussex from Roman times due to the local fine clays. ***Slate roofs then became common in areas near the railway, with slate being brought in by train from Wales and many buildings do still retain their original slate roofs.*** *Later buildings are roofed with 'Redland 49', an interlocking concrete tile and many buildings have had their original slate roofs replaced with these.'*
(It should be noted here that the owners would agree to concrete tiles as a concession if necessary)

Building lines

1.16 Queens Place runs south to north, from the east to west railway line.

1.17 Queens Place is a Victorian terrace street, which is a residential street running north of the railway line in Shoreham. The building line is a mix of pairs and single properties, built ad hoc by different builders as and when they could afford during the 1800's. Some have basements, some not, and there are variations in the building heights in places, as well as the frontages varying with some having bay windows, and others not.

2 Planning history, design approach and evolution of the scheme

2.0 While there is an existing rear extension at 13 Queens Place, there is no record of it on the planning website, and no prior record of any other applications for this address.

2.1 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 property, incorporating a rear dormer, clad with black slate tiles to match number 12. This finish can be seen variously around the Queen's Place area to good effect modernising and freshening up the look of the street scene.

2.2 The approach is simplistic, honest and uncomplicated in its design, but with clean finishing and 'contemporary feel', with a roof form and materials, (black slate tiles), that modernise the property, while also recognising the likely earlier style. The ground floor infill extension will have a flat roof with roof light, squaring off the existing rear extension to allow for full width bifold doors, with a clean roof GRP finish and modern flat roof light. The design does not seek to create a focal point, nor does it seek to make a statement, but to allow for a modern, spacious interior for the owners and their 2 young children.

2.3 The remodel will improve the look of the property, bringing the dormer and existing ground floor extension into a cohesive overall design, while upgrading the property to modern day building regulation requirements.

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

2.5 Overall the proposal would allow for a new bedroom at second floor level, with en- suite to the second floor bed, and a large open plan family kitchen/diner at ground floor level.

Future adaptability

2.6 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.

2.7 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.

2.8 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 10-05-2022 for the following reasons:-

01. The proposed rear dormer, by reason of its excessive size, poorly integrated basic box form and shape, and unsympathetic use of materials, would over dominate the roof resulting in a top heavy 'box-like' appearance to the detriment of the scale, shape and form of the host dwelling and the terrace to which it belongs, and the cumulative impact of such roof extensions would fail to preserve the character or appearance of this part of the Shoreham Conservation Area. The proposal is therefore contrary to policies 15 and 17 of the Adur Local Plan, 'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'' and the relevant policies of the National Planning Policy Framework

02. The proposed ground floor rear extension, by reason of its size and siting, would cause unacceptable loss of natural light and outlook to No. 14 Queens Place to the detriment of occupiers' living conditions and as such is contrary to policy 15 of the Adur Local Plan and adopted Development Management Standard No.2

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

Relevant Planning Policies
Adur Local Plan 2017 Policies 15, 17
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
Shoreham by Sea Conservation Area Character Appraisal & Management Strategy (ADC 2008)
National Planning Policy Framework (July 2021)

3.3 ***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.

……
The four main points for refusal appear to be:
1- Poorly integrated. For rebuttal, see:- **Existing unsympathetic development** (1.9)

2- Unsympathetic use of materials. See:- **Roof Materials** (1.5)
3- Fail to preserve the character of Shoreham conservation area. See:- **Visual/Residential Amenity** (1.1), also, **Impact on the street scene -Prevailing character of the area / alleged out of keeping** (3.3)
4- Unacceptable loss of natural light and outlook to no.14. See:- ***Visual/Residential Amenity*** (1.2)

Impact on the street scene
Prevailing character of the area / alleged out of keeping

3.3 Consideration should be given to how the building would be viewed from street level. With roof lights already established in Queens Place, there is precedent to allow for more, and without any detriment to the tree lined street scene. The officers report for 12 Queens Place, (AWDM/1552/15), covers the conservation aspect, and its limited, if any at all, impact on the street scene. (Extract):-

'Shoreham Conservation Area covers a wide area (29 hectares). The Council's adopted Supplementary Planning Guidance Appraisal for the Conservation Area openly acknowledges the area's varying character within its boundaries, and that ***certain areas have more conservation value than others;*** *it is the Historic Core that contributes most to its significance.*
In the appraisal Queens Place falls within the character area named "Residential Areas North of the Historic Core" *(Southdown Road, Mill Lane, Queens Place, Ham Road).* ***In comparison to the Historic Core, this character area makes only a marginal contribution to conservation significance (it is separated from the main core of the conservation area by the railway line).*** *The appraisal text refers to its value being principally derived from its original street layout and plot form (a "mix of terraced houses on small plots and larger semidetached and detached houses on larger plots") front garden walls and street trees.'*
'Moreover, the back of the properties along Queens Place are mostly hidden from public view, reducing the public perception of the conservation value of this street further still *(No. 12 is concealed behind 14 & 16 Raven's Road).*
Given this circumstance and limited conservation value of the rear of the properties along this street afforded by the Council's appraisal, ***the proposed dormer would have only a marginal impact on the special qualities of the Conservation Area as a whole*** *– hence its established character and appearance would be preserved. The statutory test would therefore be satisfied.'*

3.4 Given the amount of existing rear dormers, (and especially that this report concerns the property next door to the appeal site), the following extract from the officers report for 12 Queens Place (AWDM/1552/15) is relevant :-

'Turning to the more general visual impact of the dormer, it is recognized it is of a large size. However its scale and external parameters are directly comparable to the rear dormer approved at No. 7 Queens Place in July 2014 (Planning permission AWDM/0800/14 refers). There are only four properties between No. 12 and No. 7, and the dormer at No. 7 is in easy view of the rear garden of No. 12. This recent approval was considered under an identical planning policy regime to the current scheme and found to be favourable. ***The permission is a material planning consideration, and it has set a precedent for directly comparable dormers at the rear of properties in this street****. Additionally No. 8, the*

*adjoining building to No. 7, exhibits a dormer of comparable size, scale, and design to the current proposal (**the fact that it is historic less relevant than the fact that it exists so cannot be ignored**). **It would be very difficult indeed to now justifiably argue that a further dormer that is directly comparable to those at Nos. 7 and 8 could be out of keeping - those existing dormers have now set an established pattern for built form in the shape and scale of dormers at the rear of properties along Queen's Place** (at least in the immediate building row).'*

The main resultant bulk should therefore not be considered excessive within the plot, (bearing in mind also that a reduction in width has already been made to appease planning, and was rejected anyway).

3.5 The proposal would build up and alter the roof form at the rear, (dormers have become a prevalent addition to many properties in the area and beyond). The first floor rear projection extension, (since removed from the application as a compromise that proved unsuccessful), would have been in keeping with similar extensions at no.s- 1,17,21,22,and 27, while there are infill extensions at no.s- 2,19, and 24.

3.6 Regarding the ground floor extension, the Delegated Officers Report states:-

Visual amenity and impact on Conservation Area

*'The ground floor rear extension is less intrusive and will square off the existing rear of the building. It will be a large flat roofed addition **but its limited visibility will minimise its visual impact and it is considered to be acceptable in terms of its impact on the character and appearance of the Conservation Area.** The rooflights are also considered to be acceptable provided they are of a conservation style.'*

3.7 It should also be noted that the **ADUR DISTRICT CONSERVATION ADVISORY GROUP** recommended approval of the application.

…….

Planning Principle

3.8 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. The LPA's report for 12 Queens Place rear dormer, (AWDM/1552/15), Rear dormer, states:-

Residential amenity
The neighbours principally impacted upon by this development are those either side and at the rear (it is physically removed from the remainder).
There is substantial separation distance between the dormer and the neighbouring rear buildings, so avoiding adverse overbearing and overshadowing.
The dormer would be situated above eaves height and neither neighbouring building to each side exhibits roof lights in their respective rear roof slopes.
Consequently, adverse overbearing and overshadowing would not result.

Gardens and habitable space of these neighbours already experience mutual overlooking from the first floor windows of the application property, so the severity of overlooking would be made no worse than at present - ***intrusive and unacceptable loss of privacy would not result.***

3.9 There are numerous examples of dormers throughout the immediate vicinity, and this is characteristic of the area.

4 Summary & Conclusion

4.1 Summarising, we feel that the remodelled dwelling would relate well to the locality, allowing the family to maximise the potential of the existing dwelling without detriment to the immediate locality, and little or none, to the street scene.

4.2 We do not agree that:-
'The proposed rear dormer, by reason of its excessive size, poorly integrated basic box form and shape, and unsympathetic use of materials, would over dominate the roof resulting in a top heavy 'box-like' appearance to the detriment of the scale, shape and form of the host dwelling and the terrace to which it belongs'

It is worth noting the pejorative language used to describe the dormer- '*poorly integrated basic box form'.* This is not the language used when a similar 'box-like' dormer is passed, (as shown in earlier examples here, post the current Adur Local Plan, adopted in 2017)-
Development Management - Delegated Officer Report. (Extract)
Application Number: AWDM/1573/18 Recommendation – Approve:-
Site: 53 Beach Green, Shoreham-By-Sea
The proposed dormers, while almost the full width of the house, are not considered to be dominant features), and 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 by their own permissions given and delegated officers reports.

4.3 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.

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

4.5 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.

4.6 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).

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

4.8 Respectfully, we request the appeal is allowed.