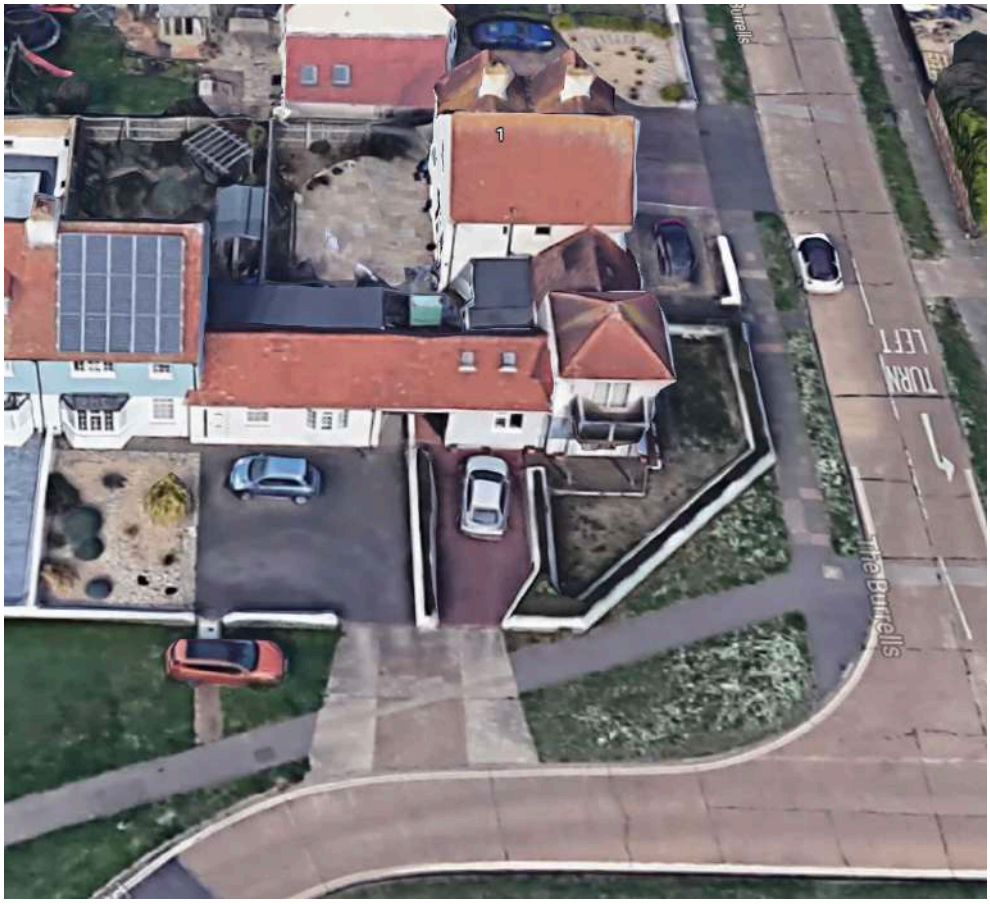
Asher Planning Ltd

Planning Statement – March 2023

3 Coastguard Cottages, Old Fort Road, Shoreham-by Sea

West Sussex BN43 5HR



From Google Maps

1.0 Introduction

1.1 This statement is in support of the householder planning application for the following development:

"Creation of front porch; first floor side extension with front balcony including roof extension with raised ridge height and new gable roof to front; re-build of single-storey rear extension."

1.2 In this statement we detail the site and surroundings, proposal and planning history, and then assess the proposal against national and local planning policy.

1.3 The application is a resubmission of application AWDM/1243/22 which was refused by the Council in October 2022 and dismissed at appeal in February 2023 due to the proposed boundary fence.

2.0 Site and surroundings

2.1 The site is located on the corner of Old Fort Road and The Burrells, in a residential area near Shoreham seafront. It is occupied by a part two-storey, part single-storey property with off-street parking to the front and amenity space to the front and side, enclosed by a low-level wall and landscaping. There is a small rear courtyard.

2.2 Immediately adjacent to the north is No. 1 The Burrells, again a part two-storey, part single-storey property. No. 1 The Burrells has a rear garden, which is situated predominantly behind (to the north of) No. 2 Coastguard Cottages.

2.3 The site is not in any Conservation Area and the buildings are not listed. The site is in flood zone 3.

Figure 1 – Location Plan (not to scale)

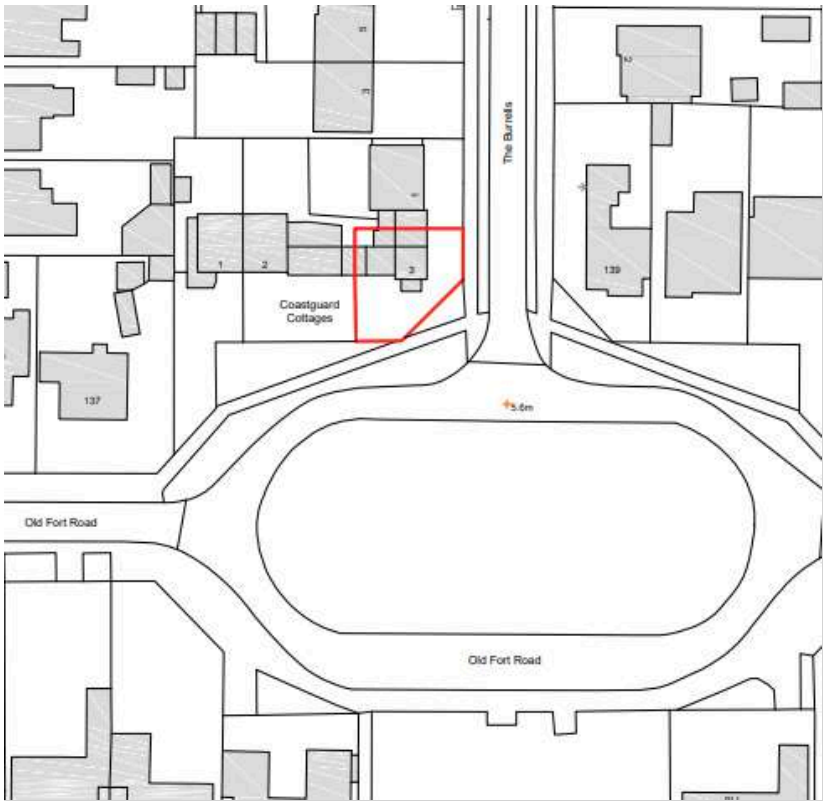


Figure 2 – Street view, Old Fort Road (from Google Maps, application property outlined in red)



Figure 3 – Street view, The Burrells, (from Google Maps, application property outlined in red)



3.0 Planning history

3.1 In October 2022, planning permission was refused (AWDM/1243/22) for the following proposal:

"Creation of front porch; first floor side extension with front balcony including roof extension with raised ridge height and new gable roof to front; re-build of single-storey rear extension."

3.2 The application was refused for two reasons:

"01. The proposed development due to its bulk, scale and height, will result in a loss of light and overbearing impact to the property to the north, No. 1 The Burrells. It would therefore be contrary to Policy 15 of the Adur Local Plan and National Planning Policy Framework.

02. Due to its height and siting the proposed close boarded fencing will be detrimental to the character and appearance of the street scene and

surrounding area, resulting in an alien feature within the locality contrary to Policy 15 of the Adur Local Plan and National Planning Policy."

3.3 The application went to appeal and in February 2023, the appeal was dismissed. The appeal decision is included at Appendix 1.

3.4 With regard to the Council's Reason 1 (neighbour amenity), the decision states at para. 11 that:

"Thus, I consider that the proposal would not harm the living conditions of the occupiers of 1 The Burrells, regarding sunlight and daylight, and outlook. It would satisfy LP Policy 15 which aims for development to not have an unacceptable impact on adjacent dwellings, and the Framework which seeks a high standard of amenity for existing users."

3.5 With regard to the Council's Reason 2 (effect of boundary fence on character and appearance) the decision states at para. 6 that:

"Due to its height, solid form and prominent siting, the fence would be harmfully dominant and incongruous."

3.6 The Inspector's stated that planting would not overcome this.

3.7 Therefore the appeal was rejected only due to the proposed boundary fence.

4.0 Proposal

4.1 The proposal is for a new front porch to serve a new entrance. It is proposed to increase the height of the existing two-storey part of the building in the corner and extend it to the west, with a new front gable and an extra front balcony. This will provide an extra upstairs bedroom. The existing single-storey rear extension (a workshop) will be demolished and rebuilt (slightly extended) to provide a bathroom. The layout of the property will be

reconfigured. The proposed extensions are the same as those submitted previously under application AWDM/1243/22.

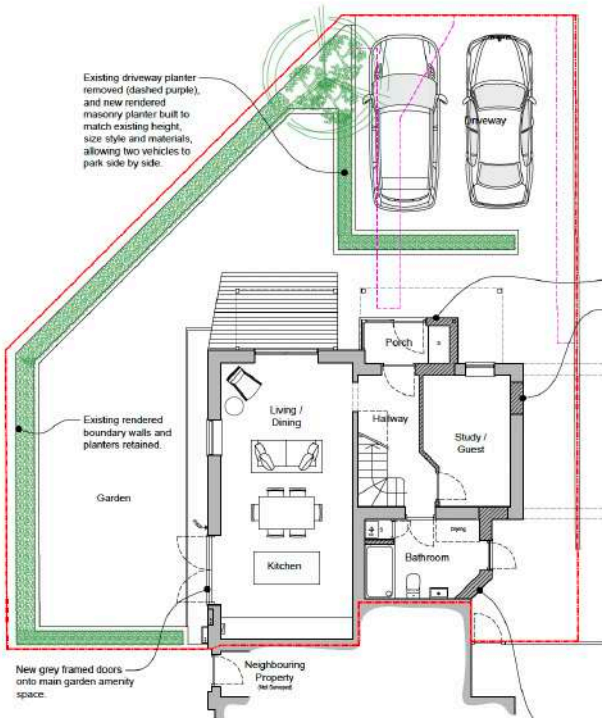
4.2 With regard to the boundary treatment, in this application the existing rendered boundary walls and planters will be retained.

4.3 As in previous application AWDM/1243/22, the existing driveway planter at the front of the property will be removed, and a new rendered masonry planter built to match the existing height, size, style and materials. This is to enable two vehicles to park side by side. In the previous application, no concerns were raised with regard to this.

Figure 4 – Streetscene showing existing low boundary walls and planters, to be retained



Figure 5 – Proposed ground floor plan



5.0 Planning policy

National Planning Policy Framework (NPPF, 2021)

5.1 The NPPF is a material consideration in any development proposals. The principal thread running through the NPPF is the presumption in favour of sustainable development. Para. 11 states that proposals accord with the development plan and should be approved.

5.2 Para. 130, states that planning decisions should ensure that developments meet certain requirements, including that they:

a) 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;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

5.3 Para. 130 goes on to state that developments should provide a high standard of amenity for existing and future users.

Adur Local Plan (2017)

5.4 Policy 15 – Quality of the Built Environment and Public Realm – states that:

"Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, scale, materials, detailed design features and landscaping."

6.0 Planning assessment

Character and appearance

6.1 Both the officer's report on the previous application (see Appendix 2), and the appeal decision, agreed that the proposed extensions to the building will have no adverse impacts on the streetscene.

6.2 The officer's report on the previous application said as follows:

"The proposed fencing along the side boundary adjacent to The Burrells will be higher than the existing low-level wall and hedging, it will represent a solid boundary along the front and side of the property. It will be out of keeping with the character and appearance of the street scene which is mainly low walls and vegetation, this development would be harmful and cannot be supported in this case."

6.3 The Inspector agreed that the fencing would be harmful, stating at para. 6 of the appeal decision that it would:

"…harm the street scenes in The Burrells and Old Fort Road, and it would unacceptably erode the spaciousness that contributes positively to the sense of place."

6.4 With regard to the boundary treatment, it is now proposed to retain the existing low level boundary wall and planters. The proposal will therefore be in keeping with the character and appearance of the streetscenes, preserving the spaciousness of the area. The proposal therefore now fully complies with Adur Local Plan Policy 15 and the NPPF.

Neighbour amenity

6.5 The officer's report clarified that the concern regarding loss of light and overbearing impact related to the garden of No. 1 The Burrells. However the Inspector at the appeal disagreed that there would be any adverse impact, finding at para. 9 that:

"Moreover, due to their orientation and the relationships between them, the proposed extension would not harmfully overshadow or reduce the daylight received in the back garden of 1 The Burrells, and it would not be so overbearing or so oppressive that it would harm the neighbouring occupiers' outlook from their back garden."

6.6 The Inspector concluded (para. 11) that:

"Thus, I consider that the proposal would not harm the living conditions of the occupiers of 1 The Burrells, regarding sunlight and daylight, and outlook."

6.7 As the current application does not include any changes to the previously proposed extensions, this conclusion continues to apply. The proposal will not

have any adverse impact on neighbour amenity and therefore accords with Adur Local Plan Policy 15 and the NPPF.

7.0 Summary

7.1 This application is a resubmission of application AWDM/1243/22 at 3 Coastguard Cottages, Old Fort Road, Shoreham-by-Sea for:

"Creation of front porch; first floor side extension with front balcony including roof extension with raised ridge height and new gable roof to front; re-build of single-storey rear extension."

7.2 The application was refused by the Council in October 2022 due to the impact of the two-storey extension on the garden of neighbouring No. 1 The Burrells and the impact of the proposed fencing on the character and appearance of the streetscene.

7.3 The application went to appeal. The Inspector found that the proposal would have no adverse impact on neighbour amenity, but dismissed the appeal due to the impact of the proposed fencing on the character and appearance of the streetscene.

7.4 In this resubmission, no changes have been made to the proposed extensions. With regard to the fencing, this is no longer proposed; the existing low-level boundary walls and planters will be retained.

7.5 The proposal therefore now fully complies with national and local planning policy and comprises sustainable development. We respectfully request that the application be granted.

APPENDIX 1 – PREVIOUS APPEAL DECISION

The Planning Inspectorate

Appeal Decision

Site visit made on 13 February 2023

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 21 February 2023

Appeal Ref: APP/Y3805/D/22/3312370
3 Coastguard Cottages, Old Fort Road, Shoreham-by-sea, West Sussex BN43 5HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ms Sharon Prior against the decision of Adur District Council.
- The application Ref AWDM/1243/22, dated 20 July 2022, was refused by notice dated 17 October 2022.
- The development proposed is Creation of front porch and balcony to match existing, first floor extension and re-build of single storey rear extension.

Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect that the proposed development would have on:
   - the character and appearance of the surrounding area, and
   - the living conditions of the occupiers of 1 The Burrells, regarding sunlight and daylight, and outlook.

Reasons

Character and appearance

3. The appeal site is situated in a mainly residential area, where, close by, the houses, chalet dwellings and bungalows in a range of styles are set back from the streets by gardens and drives. The appeal dwelling is situated on the north west corner by a mainly grassed roundabout, where Old Fort Road, which runs roughly parallel to the beach, is met by The Burrells. The openness in the front gardens in both roads contributes positively to their street scenes, and to the spacious suburban character in the locality.

4. The mostly single storey appeal dwelling is attached to the dwellings at 1 The Burrells to roughly north and 2 Coastguard Cottages to roughly west, and it includes a low pitched hipped roofed 2-storey part in its south east corner. Due to its corner siting and the ground floor extension at the back, the appeal dwelling has a small back yard, and gardens at the front facing south and east.

5. The proposal includes a first floor side extension to the foremost part of the building and alterations to the roof. The height, form and siting of the extension would harmonise with the adjoining dwellings, and the street scenes in Old Fort Road and The Burrells.

6. However, whilst most front gardens in The Burrells and Old Fort Road are edged by boundary treatment including low walls and low fences with openings for drives, the proposal includes a tall fence close to the east facing roadside boundary and by the side boundary with 1 The Burrells. Due to its height, solid form and prominent siting, the fence would be harmfully dominant and incongruous. Because the fence would be unacceptably intrusive in most nearby views from both roads, the roundabout and the beach, it would harm the street scenes in The Burrells and Old Fort Road, and it would unacceptably erode the spaciousness that contributes positively to the sense of place.

7. The planting shown on the plan would not overcome the harm that the fence would cause. As the French doors to the kitchen area might not be acceptable to the appellant if the fence were to be omitted, it would not be reasonable to impose the appellant's suggested condition. The tall fence at 96 is on the opposite side of Old Fort Road, where the dwellings are further back, and it is set well away from the pavement. The other fences and/or walls to street facing gardens including at 116, 141 and 127 Old Fort Road and 2 and 17 The Burrells are mostly low by the pavement, so they provide little support for this damaging proposal.

8. Therefore, I consider that the proposal would harm the character and appearance of the surrounding area. It would be contrary to Policy 15 of the Adur Local Plan 2017 (LP) which aims for development to respect and enhance the character of the site, and the prevailing character of the area, and the National Planning Policy Framework (Framework) which seeks well-designed places.

Living conditions

9. The west side of the upper floor extension would broadly line up with the back wall of the dwelling at 1 The Burrells, and its back would be well separated from the roughly south facing side wall of 1 The Burrells by the single storey parts of both dwellings between them. As there is tall boundary treatment between the adjoining dwellings at the back, and the first floor windows in the south wall of 1 The Burrells light a toilet and a landing and stairs, which are not habitable rooms, the effect of the extension on the outlook and natural light received in the dwelling at 1 The Burrells would be acceptable. Moreover, due to their orientation and the relationships between them, the proposed extension would not harmfully overshadow or reduce the daylight received in the back garden of 1 The Burrells, and it would not be so overbearing or so oppressive that it would harm the neighbouring occupiers' outlook from their back garden.

10. As the proposed north facing rooflight would light a loft with headroom that would be too low to form a habitable room, the privacy of the occupiers of 1 The Burrells would be protected. The effect of the proposal on proposed solar panels at 1 The Burrells was not a concern of the Council in its reasons for refusal. I see no reason to disagree.

11. Thus, I consider that the proposal would not harm the living conditions of the occupiers of 1 The Burrells, regarding sunlight and daylight, and outlook. It would satisfy LP Policy 15 which aims for development to not have an unacceptable impact on adjacent dwellings, and the Framework which seeks a high standard of amenity for existing and future users.

Conclusion

12. Whilst the proposal would not harm the neighbouring occupiers' living conditions, the harm that it would cause to the character and appearance of the area is a compelling objection to the scheme.

13. I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.

14. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR

APPENDIX 2 – OFFICER'S REPORT

Development Management – Delegated Officer Report

Application Number: AWDM/1243/22 **Recommendation: REFUSE**

Site: 3 Coastguard Cottages, Old Fort Road, Shoreham-By-Sea

Proposal: Creation of front porch; first floor side extension with front balcony including roof extension with raised ridge height and new gable roof to front; re-build of single storey rear extension.

Date of Site Visit: 30th August 2022

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

The application site is an unusual style property, partly two storey partly single storey with off street parking to the front. Amenity space is limited to the rear and there is space to the front and side enclosed by a low level wall and vegetation. The site is a corner plot facing onto a roundabout along Old Fort Road and The Burrells runs to the side of the site.

Consent is sought to add a front porch to serve a new entrance. The existing two storey part of the building in the corner is to be increased in height with a new gable continuing to a first floor extension alongside to the west of existing. A single storey rear extension is to be rebuilt and the proposed plans showed the side garden area to be enclosed by 1.8 metre closeboard fencing.

Representations

1 Representation received from the owner/occupier of 1 The Burrells, Shoreham-By-Sea: -

- The extensions will lead to a loss of light and overshadowing.
- Loss of privacy.
- Close boarded fence up to front door, properties are separated by low level walls and plants. Out of keeping to the general area.
- Fence overbearing to front of property.

Relevant Planning Policies

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).

Planning Assessment

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.

Visual amenity

The property is clearly visible within the street scene being in a prominent position on a corner plot on the roundabout. The corner section of the building at two storey and with a front balcony is an attractive feature with single storey sections connecting the building to the neighbouring terrace properties.

The proposed development will expand the two storey section in width and increase the bulk and height of the existing building by introducing a gable to the existing hip and raising the ridge. The bulk of the building will be significantly increased. It is not considered that in principle this part of the development combined with the proposed front porch and rear extension rebuild would have any adverse impact upon the street scene. There is variation in building form as existing, use of materials also differ along the terrace.

The proposed fencing along the side boundary adjacent to The Burrells will be higher than the existing low level wall and hedging, it will represent a solid boundary along the front and side of the property. It will be out of keeping with the character and appearance of the street scene which is mainly low walls and vegetation, this development would be harmful and cannot be supported in this case.

Residential amenity

The application site is connected to the property to the rear No. 1 The Burrells. The proposed increase in bulk and height of the existing two storey section of building and the connecting first floor addition will produce a bulk of first floor development directly to the south of the side boundary of the neighbouring dwelling and the rear garden. There would be loss of light and overbearing impact as a result especially to the garden and to the north no. 3 The Burrells is alongside the garden on the neighbouring property therefore a tunnelled impact will occur. Due to this relationship it is considered that the development potential of this site is limited.

The single storey rear extension rebuild, porch extension and fencing will have no adverse impact upon residential amenity which would justify a refusal on this ground.

Recommendation

REFUSE

1. The proposed development due to its bulk, scale and height, will result in a loss of light and overbearing impact to the property to the north, No. 1 The Burrells. It would therefore be contrary to Policy 15 of the Adur Local Plan and National Planning Policy Framework.
2. Due to its height and siting the proposed close boarded fencing will be detrimental to the character and appearance of the street scene and surrounding area, resulting in an alien feature within the locality contrary to Policy 15 of the Adur Local Plan and National Planning Policy.

Is recommendation contrary to letter(s) of representation N

1. Refusal

Case Officer: Hannah Barker Date: 17th October 2022

Authorised by: Peter Barnett Date: 17 October 2022