Development Control – Delegated Officer Report

Application Number: AWDM/0185/14 Recommendation – APPROVE

Site: The Walled Garden 21 Middle Street Shoreham-By-Sea West Sussex

Proposal: Two-storey side extension, including demolition/re-siting of existing detached garage and existing greenhouse

Date of site visit: 26.03.2014

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property comprises a detached 2-storey 5-bedroom architect-designed character house occupying a sizeable plot within the centre of Shoreham town centre, within the Conservation Area. The dwelling and a detached timber-clad garage building date from 2005. The dwelling has a rectangular-shaped footprint and is sited to the north of the plot with a large landscaped garden to the south of it. The detached garage building is located to the east side of the dwelling, set back (south) from the front of from the dwelling into the garden.

The dwelling is asymmetric in its composition, with the main element 2 full storeys with a subordinate 'wing' on the west side having a lower ridge height and designed with a catslide-roof sloping down to a single-storey eaves on the front (north) elevation with modest front dormer. The roof of the main dwelling and attached 'wing' are hipped with distinctive 'gablet' features. Materials comprise a brick plinth with a smooth rendered finish above and tile-hanging to the first-floor. The roof consists of plain clay tiles with bonnet hips. There is a decorative chimney breast on the east elevation. Windows are white uPVC casements with small-paned fanlights. The garage is clad in horizontal timber boarding under a plain clay tile roof. Internal stairs lead to storage space on the first-floor within the roof void.

There are numerous mature trees within the site largely adjoining the site boundaries. Many of those adjoining the east and south side boundaries are the subject of a TPO (ref: SU/162/2/70).

The site lies within a residential part of the Shoreham Conservation Area to the west of the St Mary de Haura Church retaining much of the original historic pattern of narrow streets – of which Middle Street is one. The grain of surrounding development is close knit typically comprising small plots. The application is unusual in this context both in terms of the plot size and its spacious layout. A key historic feature is the distinctive tall flint cobbled wall which bounds the site frontage along Middle Street and from which the property derives its name, 'The Walled Garden'.

Permission is sought for a part single/part 2-storey extension on the east side of the dwelling to provide an 'annexe'. As part of the proposals, it is proposed to remove the existing detached garage building and re-site it to the north and west of the proposed dwelling.

The proposed extension would be 4.4m wide and 14.4m deep with an east-west ridge 8.5m high, some 1.2m lower than the main roof ridge. The roof form would be part hipped with a 'gablet' feature. The 2-storey element would mirror the form and siting of the existing west 'wing' with the front (north) elevation set back 0.5m from the front of the main dwelling and the front roof sloping down to a single-storey eaves height with a modest-sized dormer centrally positioned on the catslide roof. The 2-storey element would align with the 2-storey rear (south) elevation of the main dwelling. The single storey element would project a further 5.8m southwards into the garden. It would have a hipped and pitched roof 5m high with rear 'gablet' feature. A decorative chimney breast similar to that existing would be reproduced on the east flank elevation. External materials and finishes would match the existing.

The re-sited garage building (7.7m wide and 5.5m deep) would be sited in the north-west site corner, 1m from the northern site boundary and a minimum 4m from the west site boundary. It would have a north-west ridge 5.5m high with part-hipped side gables. The roof would be tiled and the sides and rear clad in horizontal timber boarding as at present. The front would be sub-divided into 3 with 2 open car bays and a gated storage area. There is one first-floor window in the south side.

The existing modest greenhouse will be re-sited to the west of the garage building in the far north-west corner of the site.

Consultations:

ADCAG: Approve

Representations:

4 no. objections have been received from the occupiers of 27 Middle Street, Myrtle Cottage Church Street, Old Swan Cottage and 11 North Street raising the following concerns (which have been summarised);

- Proposed extension would be more overpowering than existing garage building;
- Overdevelopment – the building is large enough already and intrusive for neighbours; amount of development proposed (31% increase in area) is excessive for a 'granny flat';
- Proximity of proposed extension, in particular the chimney, would affect light to bedroom and living room of Myrtle Cottage;
- Proposed steel flue is out of keeping with style of existing dwelling;
- Bulk of the extension and large chimney will obscure receipt of natural light to Old Swan Cottage;
- Proposed windows in the west side will overlook Old Swan Cottage;

- Object to removal of weeping ash tree which is a valuable asset and host to wildlife; positioning 2 new trees closer to the flint wall will merely add to the 'stress' on the structure of the wall; weeping ash tree could be saved by a slight –re-positioning of the extension;
- Proposed extension is poorly sited and will lead to severe overlooking, loss of privacy and loss of sunlight to the most-used living room at 27 Middle Street and a courtyard which is currently a sun-trap; a first-floor bedroom window will be overlooked as well as patio doors in the living room at a distance of 13.5m; enjoyment of the courtyard as a sitting out area will be diminished; workspace/hobby room will also suffer a loss of light; receipt of light during Winter when the sun is low in the sky will be severe- losing about 2½ hours per day (30%); outlook from the living room would be dominated by the 'bulk' of the extension;
- Existing trees on boundary with No.27 are not in leaf during Winter and provide a poor screen bearing in mind the boundary wall is quite low; planting more boundary trees would not provide a solution as this would create more extensive shadowing;
- There is scope on this large plot to re-site the proposed extension to have a lesser impact on trees and neighbours; a single-storey extension would have a less severe impact;
- Previous extensions at 2 Old Swan Cottages have been refused on ground of overlooking, light and privacy;
- Neighbours were not involved in pre-application discussions or opinions sought;

The following observations (which have been summarised) have been made by the applicant's planning agent in response to the objections received together with the submission of existing and proposed Shadow Path Diagrams:-

- There would be no adverse impact on Old Swan Cottage as the proposed extensions and proposed replacement trees lie to the north of this property;
- The existing chimney is being replaced by a small flue, largely hidden from view;
- The proposed extension is in proportion to the scale of the existing dwelling and its large curtilage;
- There will remain a substantial garden area between the re-sited garage and it is not accepted 11 North Street would be affected by a loss of light; there are no windows in the garage facing 11 North Street;
- There are deliberately no windows in the flank of the proposed extension to avoid overlooking Myrtle Cottage;
- The re-site chimney stack is at the suggestion of Council Officers (pre-application);
- The tree to be removed is a silver birch and is not subject to a TPO;
- The replacement trees can be planted so as to prevent damage to the nearby flint wall;
- The proposed north-facing windows would serve a landing area which is non-habitable and although it is considered any overlooking would not result in any serious loss of privacy to 27 Middle Street the applicant will accept a planning condition requiring this to be obscurely glazed if required by the Council;

- The overshadowing calculations submitted by the objector are inaccurate in that they are 2-dimensional and are erroneously based on the extension being aligned to the front of the existing house and of the same ridge height where as in fact it is set back from the main dwelling and has a lower ridge height;
- Shadow diagrams have been prepared based on 3-dimensinoal methods recommended by the BRE and using 'Revit Architecture software 2014'. These show that at all times of the year and during all seasons there is considerable overshadowing onto the curtilage of 27 Middle Street including the courtyard garden and the new extension will not create any additional overshadowing effects on 27 – the only increase in shadow areas arising from the new extension being wholly confined to within the curtilage of the application property itself.
- Alternative sites were discussed with officers at pre-application stage but the current proposals considered to be the most appropriate in terms of minimising impact on the existing dwelling, neighbouring properties and the Conservation Area.

A subsequent letter has been received from the occupiers of No.27 Middle Street in response, re-stating concerns over the large size of the extension (31% additional house area) and the loss of Winter sunshine, but also referring to inaccuracies in the submitted shadow path diagram and querying whether the evergreen 'Griselinia Littoralis' will be felled in addition to the weeping ash.

The applicant's agent has subsequently confirmed there was an error on the Winter Solstice 10am shadow diagram (existing and proposed) and this has been corrected.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AB4, AB6, AB25, AB26, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising:
Development Control Standard No.3 'Extensions and Alterations to Dwellings'
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

The proposal comprises an improvement to the existing housing stock within the built-up area of Shoreham and can be supported in principle. The relevant considerations are the effects on the scale, composition and appearance of the property and on the historic character of the Shoreham Conservation Area, along with the impact on the living conditions of neighbouring residential occupiers.

Visual amenity

Saved policy AB4 requires that new development within Conservation Areas (including extensions and alterations) is of a high standard of design and construction materials as to enhance or preserve the character and

appearance of the particular Conservation Area. Saved policy AB6 seeks the retention of original features as part development within Conservation Areas, or where this is not possible their reinstatement with appropriate materials. Saved policy AH7 states that extensions and alterations will be expected to be designed and constructed in materials sympathetic to the original and the area in general and should not take up an excessive proportion of the garden area having regard to the character of the area.

Although relatively recent, the existing dwelling is well-proportioned in terms of its composition and sympathetically detailed to incorporate a variety of traditional architectural features. As a consequence, although its 'bulk' is clearly visible from the churchyard of St Mary de Haura, it sits comfortably within its plot and is well assimilated with the historic context of the Conservation Area.

The composition of the existing dwelling is deliberately unbalanced both in terms of its massing and detailed appearance including fenestration. The scale and form of the proposed extension mirrors the existing 'wing' but is slightly narrower in width. It would appear harmonious in design and subservient in scale to the main body of the dwelling. The reinstatement of the bold chimney feature 'enlivens' the eastern elevation facing the street, and avoids the creation of an overly symmetrical appearance which would be at odds with the original design concept of the dwelling. Despite the relatively large amount of floor area proposed the additional site coverage would not result in an overdeveloped appearance. The re-siting of the existing garage building to a different location within the garden will ensure a sense of spaciousness it retained between the enlarged dwelling and the eastern site boundary.

None of the trees subject to the TPO would be affected by the proposed development. The submitted plans show 2 other trees (not subject to the TPO) adjacent to the front (north) and east side of the existing dwelling. Of these, a silver birch (also referred to by the neighbour as a 'weeping ash') will need to be felled along with a nearby 'Griselinia Littoralis'. The Council's Tree Officer is satisfied the weeping ash (silver birch) is not worthy of a TPO in its own right and has commented that Griselinia Littoralis is essentially a shrub (although it can be grown into the form of a small tree as in this case). Nevertheless both contribute to the verdant character of this plot and consequently the applicant has proposed 2 no. replacement trees to help mitigate their loss. The 2 replacement trees are shown alongside the eastern site boundary to supplement the tree-lined boundary which is a feature of the streetscene.

Residential amenity

To the west the site adjoins the rear of properties in John Street, including 34 John Street, a listed building. To the north of this is St Johns Mews Cottages, a modern terrace of dwellings incorporating a 'covered way' leading to a rear parking area. Adjoining the site to the north is 27 Middle Street (Orchard House), a modern 2-storey house having an aspect to the east, south and west. The main entrance to the dwelling is via a courtyard garden on the south side. The main garden is to the west of the dwelling. To the north of 27 Middle Street is a modern terrace of 2-storey houses fronting North Street.

The occupiers of 27 Middle Street have expressed strong objection to the proposals in terms of loss of light, privacy and overbearing effect (as well as concern over the loss of the existing trees). Particular concern is expressed with regard to loss of Winter sunshine to the small courtyard garden between the south side of the dwelling and the boundary with 'The Walled Garden', and the effect of the proposals on outlook and light to that part of the southern elevation which overlooks the courtyard – including windows serving a living/family room on the ground-floor and first-floor landing and bedroom above. The boundary wall is relatively low at this point allowing clear views toward 'The Walled Garden'. Shrubs growing within the curtilage of 'The Walled Garden' provide some screening when in leaf, and will also have some overshadowing effect in view of their orientation in relation to the courtyard. However, the shrubs do not create overshadowing when not in leaf, allowing Winter sunshine to reach the courtyard.

The applicant's agent has confirmed that the submitted plans accurately reflect the siting of the existing dwelling, 'The Walled Garden', on the ground. The drawings show there would be a distance of 9.5m between the front of the proposed extension and the northern site boundary and a separation distance of approximately 14m to the between the extension and the above-mentioned south elevation of No.27.

The proposed addition would extend further eastwards than the existing dwelling, projecting partially in front of the courtyard garden at No.27, but not in front of the living/family room window or the first-floor bedroom window which are sited further east. Having regard to the cat-slide form of the front elevation, the tallest part of the extension would be sited over 14m from the northern site boundary. Whilst the proposed extension would be prominently visible from windows in the south elevation of No.27, it is not considered the 'bulk' of the extension would have an overbearing or intrusive effect on the outlook from these windows in view of the separation distance. [It is worthy of note that the first-floor bedroom is served by an additional window in the east elevation and the same weight cannot be attached to the impact of the proposal on the landing window which serves non-habitable accommodation.] The dormer window in the front of the proposed extension would serve a stairwell and the applicant has agreed to a condition requiring this to be obscurely glazed to prevent overlooking of No.27.

In response to concerns about overshadowing the applicant's agent has submitted computer-generated 'existing' and 'proposed' shadow path diagrams which show the extent of the shadow created by the proposed development at certain times of day throughout the year. These show that the overshadowing effects of the proposed extension on No.27 would not significantly worse than the existing scenario – this includes Winter mornings over which the neighbour had expressed particular concern.

Myrtle Cottage lies to the east of the site on the opposite side of Middle Street, comprising a narrow three-storey house directly abutting the eastern edge of the carriageway. There is no footpath on this side of Middle Street. Windows in the front elevation of Myrtle Cottage at ground, first and second-floor face toward the site. Those on the upper floors overlook the garden and east side of 'The Walled Garden' whereas views from the ground-floor window

are largely curtailed by the tall flint wall which forms the boundary on the west side of Middle Street. Views from the upper windows of Myrtle Cottage windows will also be largely screened when the mature trees within the curtilage of 'The Walled Garden' – sited directly opposite Myrtle Cottage – are in leaf. The occupier has expressed concern about the large 'bulk' of the extension and its closer proximity to windows, particularly the impact of the replacement chimney. The drawings show there would be a separation distance of 15m between the 2-storey flank of the proposed extension and the 3-storey front of Myrtle Cottage which is considered adequate. There are no first-floor windows proposed in the flank of the extension and this can be controlled by condition to prevent the future introduction of windows to safeguard the occupiers of Myrtle Cottage from adverse overlooking. Although the replacement chimney breast feature would be prominently visible from the front windows, it would not be positioned directly opposite Myrtle Cottage being slightly to the south of it. It is a relatively narrow feature – less than 1m wide - and would not be unacceptably intrusive. The proposed extension would cast a deeper shadow toward the front of Myrtle Cottage in the late afternoon in the Summer, but as this is when the nearby trees are in leaf any additional overshadowing impact on the front of this dwelling would be negligible.

There would be no adverse impact on the amenities of 2 Old Swan Cottage which is sited to the south of the proposed extension. If anything, the first-floor views towards the site would be slightly 'opened up' by the re-siting of the existing detached garage building. First-floor windows in the south elevation of the proposed extension would be some 20m from a first-floor window in the west flank of 2 Old Swan Cottage and at 90º and would not give rise to an unacceptable degree of overlooking.

The re-located detached garage building would have some overshadowing impact on the rearmost part of the rear garden of 27 Middle Street, but not that part closest to the house. The impact would not be so severe as to warrant refusal. The north 'end on' view of the garage building would be visible from the rear of the terraced houses in North Street (beyond the rear garden of No.27), but being some 18m distant from the main rear elevation of these dwellings would not be unacceptably intrusive or in any way overbearing. The garage building and re-sited greenhouse will be screened from view from the rear of St Johns Mews by a combination of the boundary wall and mature trees and shrubs growing along the western perimeter of the site.

Recommendation

APPROVE for the reason:-

The proposed development would not detract from the character or appearance of the Conservation Area and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the saved policies of the Adur District Local Plan (AG1, AB4, AB25, AB26, AH7) or the NPPF.

Subject to Conditions:-

1. Standard time limit
2. Approved plans
3. Extension completed using matching materials
4. Matching windows
5. First-floor north window to be obscurely glazed
6. No first-floor windows in east side
7. No additional openings in walls or roof of garage building
8. Additional accommodation not to be used as a separate dwelling
9. No part of garage building to be used as habitable accommodation
10. Tree protection measure to be agreed and implemented
11. Additional tree planting to be implemented in accordance with details to be agreed.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Is recommendation contrary to letter(s) of representation? Y

Case Officer: Jo Morin Date: 30 April 2014

Authorised by: Gary Peck Date: 30 April 2014