Statement of Case for:

5 Riverside, Shoreham Beach, Shoreham-By-Sea, West Sussex, BN43 5RU on behalf of Ms Rosalind Turner.



LPA's Ref: AWDM/0605/13

2nd September 2013

Nigel Locke Planning Consultant F.P.C.S.
The Office
129 Tarring Road
Worthing
West Sussex
BN11 4HE

T: 0845 5196131
M: 07500 657642
E: nigeljlocke@gmail.com
W: www.nigellockeplanning.vpweb.co.uk

The Site and its Surroundings

The property comprises a two storey house built during the 1960's as part of a development of nine properties. It has mainly rendered elevations under a tiled roof.

It is situated in an accessible and sustainable location in the Shoreham Beach residential area, sited to the south of the river Adur. Local shops and bus links are available close by. Within a short walking distance is the new Adur river bridge giving pedestrian access direct to Shoreham High Street, which offers comprehensive shopping facilities. Within the immediate area are schools for all ages. Community and health facilities are all within easy reachable distance. Shoreham railway station is situated on the coast way line linking Portsmouth and Brighton.

The Proposal

Is for the construction of a sun room over part of the existing first floor roof terrace. At present the first floor accommodation comprises:

- Two bedrooms
- Bathroom
- Study

Access to the proposed new sun room will be via the study and the new room will provide seating and dining facilities.

The floor level of the existing terrace will be reduced to the same level as the study floor so that there will be a level threshold between the two rooms.

Reasons for Refusal

I would like to comment upon the Local Planning Authorities reasons for refusal as follows.

Reason One

The proposal, by reason of its elevated position and proximity to the boundary with 4 Riverside, would be an overbearing and intrusive form of development which would be detrimental to the residential amenities of that neighbouring dwelling, resulting in a loss of light and outlook and an increased sense of enclosure. The proposal would therefore be contrary to saved policies AG1 and AH7 of the Adur District Local Plan and the policies of the National Planning Policy Framework.

With regard to overlooking there is the capability from the existing balcony to look directly into the courtyard garden of No. 4 Riverside and also towards the bedroom window of this house.

With the proposed new sun room constructed, whilst this would be built up to the existing balcony edge on the north side the views and overlooking into No. 4 Riverside would be much more restricted. The sun room will be used as a room for

seating and dining and there will be no overlooking from a seated position.

There will only be a small area of open balcony left and this will be to the western end of the existing terrace as shown on the application drawings. This house originally had 2 balconies, one on the south side facing the road, that was converted with planning permission to the main bedroom in 2003, as it served little purpose as a terrace overlooking both the road and our neighbours to the east

Views towards the bedroom window of No. 4 Riverside will be further away once the room is built as the first section of the northern wall adjoining the house and overlooking No 4 will be of opaque glass to some 1.5 metres topping the existing solid wall, this could be extended if required.

I note that in the Planning Officer's report under 'Residential Amenity' he commented as follows *"the formation of a sun room would in all likelihood reduce the overlooking by reducing the amount of terrace to a small area at the west end". "Windows are proposed on the north but these can be required by condition to be obscure glazed and fixed shut to prevent overlooking".*

I consider therefore that the amenity and privacy of No. 4 Riverside will be improved by virtue of this proposal.

With regard to the outlook from the bedroom window of No. 4 Riverside, this window looks due west to a relatively open vista and only has a very oblique view towards the south where the proposed sun room will be sited. I do not therefore consider that in planning terms that there would be any material loss of outlook from this proposal.

The sun room as shown on the architects drawings will have a flat roof and will be mainly glazed, therefore allowing more natural light through than a conventional pitched roof and solid wall constructed extension. It will replace the modern balcony guards to the south.

With regard to potential loss of light, the sun room will be situated to the south of No. 4 Riverside and to the south-east of No. 2 Riverside, which is the other property that has objected to the proposal.

Looking at the orientation of the properties it would appear that the courtyard garden area to No. 4 Riverside would have its main sunlight in the afternoon from the south and south-west and in the evening from the west. As the sun will be at its highest point during the midday/afternoon period I do not consider that this flat roof construction of only 2.3 metres in height will have any significant reduction in daylight or sunlight to No. 4 Riverside's garden or windows.

It is situated a good distance to the east of No. 2 Riverside, which is a single storey dwelling with its roof much lower than the wall of the existing terrace at No. 5 Riverside. I cannot see how the proposal would in anyway affect privacy, outlook and daylight or have any over bearing presence to No. 2 Riverside.

Its mainly glazed construction will have a good deal of light reflection and I do not consider that when viewed from No. 4 Riverside it will have any adverse overbearing impact upon the amenity of that property.

There is likely to be a reduction in noise from an enclosed room rather than an open terrace. Both sets of neighbours who subsequently objected, had been previously contacted and consulted before any plans were drawn up, then again they were consulted over the first set of plans which were then adjusted before a final set responding to their concerns, were submitted.

Reason Two

The proposal would form an obtrusive and incongruous feature that would be visually out of keeping with the existing development and detrimental to the character and appearance of the dwelling and its surroundings. It is therefore contrary to saved policies AG1 and AH7 of the Adur District Local Plan and the policies of the National Planning Policy Framework

The properties at Riverside were built during the 1960's and at the time were no doubt considered to be of contemporary modernist architecture.

The original architectural impact of the properties has been diminished over the years with the addition of U.P.V.C windows to many of the properties. The original first floor terraces are now enclosed by a mix of materials including glass, timber boarding, render and U.P.V.C boarding.

Two first floor conservatories at No. 6 and No. 8 Riverside have been built to a more Victorian style in U.P.V.C material and these bear no relation in design terms to the 1960's style of the properties.

The applicant and architect when designing this proposed sun room have carefully considered its design in relation to the property and I consider that a sympathetic design has been achieved that will not comprise the aesthetics or integrity of the original design.

It will have limited impact upon the street scene and will make a positive contribution to the architectural features and character of the area.

Planning Policies

In their decision notice Adur District Council have stated that they consider the application to be contrary to saved policies AG1 and AH7 of the Adur District Local Plan and policies of the National Planning Policy Framework. I would therefore like to comment upon these as follows.

The adopted Adur District Local Plan was adopted in 1996 and the emerging Core Strategy Local Plan has not yet been adopted.

Policy AG1 of the Adur District Local Plan

This policy states that the built-up area boundary is shown upon the Proposals Map which distinguishes between the countryside and coastal beaches in the District and the principal existing or potential built-up area. Within the boundary, development will normally be permitted, subject to other policies in this Local Plan and to it not detracting from the existing local urban environment.

The property is situated within the built-up area and the Planning Officer's report states that the application can be supported in principle as the upgrading of the existing housing stock.

I consider this to be an efficient and effective use of space by turning a first floor outside terrace area, which has limited all year use into a sun room, which can be used for seating and dining etc. all year round. The proposal therefore adds well to the mix of housing stock in the area.

Policy AH7 of the Adur District Local Plan

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 this proposal conforms well to the guidelines set out in this policy as follows.

- ✓ The Planning Officer has confirmed that the proposal would reduce overlooking to adjoining properties and as set out in this statement I do not consider that the design and orientation of the proposed sun room will result in any adverse loss of light or overbearing affect on the neighbouring properties.
- ✓ The flat roof and predominantly glazed design is sympathetic to the host property and the design of the adjoining properties in general.
- ✓ The property benefits from a ground floor enclosed courtyard garden, therefore the first floor terrace is not required to provide outside amenity space to the property.

Supplementary Planning Guidance: Extensions and Alterations to Dwellings

I consider that the design of the proposal conforms well to the guidelines set out in

this document.

National Planning Policy Framework

In their decision notice the Local Planning Authority refer to the proposal being contrary to the policies of the National Planning Policy Framework, however they have not listed specific policies in this respect.

As the Adur Local Plan was adopted in 1996 I consider that greater weight should be given to the policies in the NPPF and I consider that the relevant policies are as follows.

Core Planning Principles

Paragraph 17 states that development should always seek to ensure 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 that planning applications should be considered in the context of the presumption in favour of sustainable development.

At the heart of the NPPF is a presumption in favour of sustainable development.

The property is in a highly sustainable location being close to local shops and bus routes. The new river footbridge is nearing completion and the entrance to this is a few hundred yards from the property. This bridge links to Shoreham town centre with its comprehensive shopping facilities, health and community facilities together with schools for all ages and Shoreham railway station which is on the coast way line linking Portsmouth to Brighton.

The construction will be sustainable and will use materials sympathetic to the host property and with a large area of glazing there will considerable solar gain.

Section 7: Requiring Good Design

Paragraph 56 states the Government attaches great importance to design and that good design is key aspect of sustainable development and should contribute positively to making places better for people.

Paragraph 60 states that planning decisions should not attempt to impose architectural styles or particular tastes and 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.

In this case the proposal will make efficient and effective use of an outside terrace that at present can only be used in good weather, therefore considerably limiting its effective use. The proposal will add a room that can be used all year round and this will therefore make far more efficient use of the space. It will add well to the existing accommodation and to the housing stock of the area. It will provide more useable and adaptable accommodation, therefore achieving one of the NPPF's main objectives in the Core Planning Principles in improving and enhancing the way that people live their lives and securing high quality design and a good standard of amenity for the existing and future occupants of the property.

Conclusion

I consider that the main issues and points in favour of this development are as follows.

- ✓ There will be a reduction in overlooking to adjoining properties in an area where there is a considerable amount of mutual overlooking from terraces and windows.
- ✓ The proposal accords well with the guidelines of relevant policies in the National Planning Policy Framework.
- ✓ The proposal is sustainable in terms of location and construction.
- ✓ The design is sympathetic and subservient to the host property and blends well with the 1960's architecture in the area.
- ✓ There will be no overlooking to No. 2 Riverside.
- ✓ The glass structure will allow light through and also reflect light into the courtyard of No. 4 Riverside.

I would respectfully ask the Inspector to allow the appeal.