Application Number: ADC/0512/08 Recommendation - APPROVE

Site: **21 River Close, Shoreham-by-Sea BN43 5YF**

Proposal: **Revision to permission ADC/0337/08 to increase height of garage roof (retrospective)**

The Application

This application was deferred at the Committee meeting in December 2008. Amendments were sought by the Committee to reduce the height of the garage which was in course of construction and built higher than shown on the approved plan (ADC/0337/08). The latter was approved in September 2008 and also included permission for a groundfloor rear extension.
Since December the applicant has proceeded with the development involving lowering the front parapet. Revised plans have just been submitted showing and seeking approval for what has now been built on site.

The plans as originally submitted under the present application showed the front parapet wall 2.95m high, with the garage roof behind sloping down from 2.8m high (where attached to the side of the house) to 2.45m at the side closest to the site boundary (although it appeared at the time to have been built 2.6m high).

The revised plans now submitted, showing what has now been built on site, give the maximum height of the front wall as 2.68m (with a similar one at the rear), and the garage roof itself 2.5m high at the side. Since the previous Committee meeting, an architect has been employed by the applicant and the revised plans correct some previous discrepancies.

The property comprises the eastern one of a pair of linked semi-detached three-storey houses, situated at the eastern end of a row of similar houses backing into the river bank. At a right angle, to the east, is a terrace of similar houses (No's 28-36 Beach Green) positioned with their small rear gardens backing onto the side of the applicant's house.

Previously, in December 2007, permission had been refused for a part single/part two-storey side extension (ADC/0638/07). At groundfloor level the extension proposed was 5m wide and 8.8m deep, accommodating a double garage, with its side wall 1m-3m from the east side boundary wall (due to the angle of the boundary.) At firstfloor level, the extension was narrower at 3m width. The extension had a gabled roof for the upper part (ridge height 7.8m), with a flat roof on the ground floor part projecting eastwards (front parapet height 2.5m). This application was refused by Committee on grounds of overbearing impact and loss of light to the houses to the east. An appeal against the decision was dismissed. In 1989 an earlier application (SU/295/88) for a two-storey side extension had also been refused. It was shown 3.7m wide and 6m deep, recessed back from the front building line with a gabled roof 7.5m high.

Consultations and Representations

Third Parties: On the application as originally submitted, 2 letters of objection were received from No's 30 and 44 Beach Green, on grounds that:-

- The increased height of the garage, particularly its front wall which is the closest part to the boundary, will severely overshadow neighbouring rear gardens which are within a few metres of it, the boundary of the closest (No.30) being only 1m away;
- Overbearing effect because of proximity and height, and adversely affects outlook;
- There is no sound reason for the increase in height, the only reason given being that the applicant miscalculated the dimensions. Other garages have their roofs below first floor level.
- Previous applications for taller structures on this property have been refused due to overbearing impact and loss of light (SU/295/88 and ADC/0638/07).

On the amended plans now received, one letter has been received, from No.28 Beach Green, on the following grounds: -

- The final height of the garage is the same if not higher than previously.
- The parapet at either end has been removed but it did not affect the height of the actual garage roof.
- There should be restrictions imposed that the garage should remain as a garage and no first-floor addition permitted in the future.

[NB. the residents of No.28 Beach Green have requested to speak at the Committee meeting]

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): DEV1
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: -
Development Control Standard No. 3 'Extensions and Alterations to Dwellings'
PPS1 'Delivering Sustainable Development' (ODPM 2005)

Planning Assessment

Policies

Structure Plan policies seek to protect, and where possible, enhance the character and distinctiveness of an area, requiring high standards of design, layout and construction (DEV1). Policy AH7 of the Local Plan states that extensions and alterations should be designed so as not to result in an unacceptable degree of overlooking, a loss of natural light or an overbearing effect on neighbouring dwellings. They should be of a sympathetic design and materials to the original dwelling and the area in general.

Development Control Standard No. 3 states amongst other things that on a corner plot a distance of 14 metres should be retained between principal windows at the rear of one property and the windows on the side of the other dwelling.

Visual Amenity

The appearance of these houses remains relatively consistent with minimal change to the front elevations. A small number of single-storey extensions/conservatories have been erected to the rear.

As stated in the previous report on ADC/0337/08, the flat-roofed design and width/length of the garage was considered to be acceptable in terms of its appearance in this position, owing to the angle of the existing dwelling and its location at the end of the cul-de-sac.

The previous recommendation to members was to approve the scheme as submitted, despite the fact that the increased height did result in a somewhat disproportionate amount of masonry above the garage door. The current plans show a more proportionate appearance and it is considered that the appearance of the garage in relation to the existing building and streetscene is not overly conspicuous due to the angle of the existing dwelling and its position at the end of a cul-de-sac.

Residential Amenity

When viewed from the rear of the adjacent properties No's 28 and 30 Beach Green, the garage has been finished in white-painted rendering to match the house, with a white fascia.

The neighbouring terraced houses to the east, No's 28 and 30 Beach Green have very short rear gardens (No.28 averaging about 7m deep and No.30 only about 6m owing to a rear extension). These houses are at a distance of approximately 9 metres from the side of the new garage. The Council's Development Control Standard No.3 related to householder extensions does not provide guidance on the exact circumstances of the present case, only stating that, on a corner plot, a distance of 14 metres should be retained between principal windows on an extension at the rear on one property and windows on the side of the dwelling to the rear. In the present case, there are no facing windows and of more relevance is DC Standard No.2 (related to new dwellings) which states that 11 metres is required between the rear of one dwelling and the side of a single-storey building with no side windows.

It was previously concluded that, on balance, despite this separation distance being less than 11m, the effect on the neighbouring houses would be acceptable. As compared to the originally-approved plans (ADC/0337/08), the latest revised plans show an increase in maximum height of the garage of 0.33 metres at the front (from 2.35m to 2.68m) and by 0.35m at the side (from 2.15m to 2.5m). This makes it more visible from the rear windows and gardens of the neighbouring houses than the previous scheme. However, these heights are typical of most single-storey flat-roofed extensions and the garage as built is still very much smaller in volume than the previously refused partly two-storey scheme which was dismissed by the Inspector on the ground that it would result in a loss of outlook and sense of enclosure.

The increase in height of the garage as now built is not considered to be overly large to an extent that its impact on neighbouring houses, whether in terms of outlook or sunlight/daylighting, warrants refusal.

Recommendation

APPROVE for reason that:-

The development would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would