Development Management - Delegated Officer Report

Application Number: **Recommendation – Approve**
AWDM/0588/12

Site: **27 The Grovelands, Lancing, BN15 8HY**

Proposal: **Rear conservatory (re-submission of AWDM/0221/12)**

Date of site visit: Seen during assessment of previous application

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property is a new detached bungalow approved under application reference ADC/0487/08. The bungalow has been constructed in the north side garden of 49 Cecil Road and has a small rear garden itself of 65sqm (8.5m depth). Permitted development rights were removed by Condition 10 of the original consent.

The application proposes the construction of a rear conservatory measuring 4m wide, 2.9m deep and 3m high.

There is a terrace of 3 dwellings to the north of the site which is positioned further to the east so that the front of the terrace is just behind the rear of the bungalow at 27. To the south, 49 Cecil Road is a larger bungalow the rear garden of which is now the plot of 27. The two properties are in close proximity to each other. 47 Cecil Road is further from the boundary (10m) with No.27 while to the east the rear garden of 41 Cecil Road runs along the rear of 41-45 and abuts the rear boundary of No.27.

Relevant site history

Planning permission was refused for a rear conservatory measuring 3m deep, 4.1m wide and 3m high in July 2011 (AWDM/0290/11). The reason for the refusal was:

"*The proposed conservatory would reduce the size of the garden to well below the Council's minimum standard as set out in Development Control Standard No.3 'Extensions and Alterations to Dwellings' resulting in a cramped form of development which would be harmful to the amenity and character of the area. The proposal is therefore contrary to policies AG1 and AH7 of the Adur District Local Plan*"

A second application was also refused for the same reason earlier this year (AWDM/0221/12).

Consultations

Lancing Parish Council – Committee's objections still remain but as it does not know if there were any special circumstances that might exist to warrant allowing any exception, it would abide by ADC's judgment in this matter.

Representations

1 letter received from the occupier of 41 Cecil Road objecting on the following grounds:

- There has been no change since the previous application
- The conservatory and probable patio would bring the property closer to the end of their garden
- Wife suffers ill health and relies on garden for privacy

Relevant Planning Policies

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'
South East Plan (GOSE 2009): CC1, CC6, BE1
National Planning Policy Framework (CLG 2012)

Planning Assessment

The proposal comprises upgrading of the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the dwelling and its surroundings.

Visual amenity and character

The bungalow is a modest property on a small plot. The garden as approved was below the standard specified in the Council's DC Standard, being around 65sqm as opposed to 85sqm and having a depth of 8.5m rather than 11m. It was accepted at the time as being comparable to other gardens in the area.

The addition of the proposed conservatory would reduce the garden depth to just 5.5m and its area would be approximately 48sqm (taking into account the proposed bicycle store required under the original planning permission).

The bungalow has 2 bedrooms and, according to the agent, is to be occupied by an elderly couple who do not wish to have a large garden. The bungalow is not suitable for a large family with children and, he argues, a large garden is not required.

Furthermore, the applicant's wife is disabled and suffers from a rheumatic disease, requiring a warm, sunlit environment for long periods of the day. The applicant is moving to the bungalow from a house where it is easier for his wife to move around the building. The proposed conservatory would provide warmth and natural light to help with his wife's condition. The application is

supported by a letter from a consultant rheumatologist at The Royal Sussex County Hospital.

The proposed conservatory would reduce the garden area to below what is normally considered acceptable. However, the personal circumstances of the applicant are noted and, while not always relevant to the consideration of a planning application, on this occasion it is clear that the bungalow is to be occupied by an individual with specific needs. It is considered that the conservatory would be used as a garden effectively, being a space with light and warmth, and would be used more than the garden itself. Consequently, the occupiers do not require a large garden and, on balance and as an exception to policy, it is considered that a reduction in the garden area to further below the minimum recommended size is acceptable on this occasion.

Residential amenity

The dwelling to the north (26 The Grovelands) is positioned further to the east than the site and has a flank wall facing the site which contains only small secondary windows and a side access door which will not be adversely affected by the proposal. The conservatory would not harm the amenities of the occupiers of 47 or 49 Cecil Road, despite being just 1.5m off the boundary with No.47. The rear garden of No.47 is screened by a closeboard fence which helps to prevent a loss of privacy.

To the east, the extended rear garden of No.41 abuts the site, 5.5m from the conservatory. Any overlooking would be towards the extended garden rather than the bungalow at No.41 itself and is not considered to be a sufficient reason for refusal on this ground. The existing bungalow already has extensive glazing on the rear elevation which faces the boundary and it is not considered that the conservatory will result in a serious increase in overlooking. The occupiers of 27 The Grovelands could stand in their garden and look over the fence towards the garden of No.41 irrespective of whether the conservatory is built or not.

Accessibility and parking

The proposal does not affect access or parking at the site.

Recommendation

APPROVE for the reason:-

The proposed development would further reduce the garden area below the Council's adopted minimum size standard. However, taking into account the personal circumstances and requirements of the applicant it is considered that an exception to policy is acceptable on this occasion. The proposal would not detract from the local environment or result in unacceptable detriment to the amenities of neighbouring properties. It would consequently be consistent with the saved policies of the Adur District Local Plan (AG1, AH7) and the policies of the South East Plan (CC1, CC6, BE1)

Subject to Conditions:-

1. Standard 3 year time limit
2. Permission relates to approved plans

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

Case Officer: P Barnett Date: 1 June 2012

Authorised by: Jo Morin Date: 1 June 2012