Development Management – Delegated Officer Report

Application Number: AWDM/1314/15 Recommendation: REFUSE

Site: 121 Downsway, Southwick

Proposal: Retention of terraced area with decking and handrails to roof of existing detached garage at end of rear garden (retrospective).

Date of Site Visit: 25 September (& for previous applications)

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks full permission for the retention of a terraced area which has been constructed on top of the existing flat roofed garage in the rear garden of the application site. The works have been fully completed in advance of the application being determined.

The application site is on the western side of Downsway at its northern end close to its bend with Cromleigh Way. At the rear of the properties in this part of the road is a wide green area and garage compound. Rear access to the properties is gained from an access point further to the south with an access road running to the rear of the properties, some of which have constructed garages at the end of their gardens. The subject property has one of the largest garages over which the decking area has been constructed.

The surrounding properties are of similar design and because most stand on higher ground than the green behind, they enjoy commanding views across to Shoreham with the sea in the distance.

Planning History:

3 applications earlier this year, LDC for roof extension and planning permission for front extension both approved, householder rear extension refused. None of the permitted works have commenced but at the time of the site inspection for the previous applications work on the terrace had just begun.

Consultations:

None undertaken

Representations:

3 letters of objection have been received on the grounds that the structure results in overlooking to adjoining bedrooms, loss of views, the structure is an eyesore, the terrace is too big and it is overdominant in the area.

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'

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

Planning Assessment

The main issues in the determination of the application are the effect of the proposal upon the character of the area and the amenities of neighbouring properties.

It is considered on both the above issues that the application is wholly unacceptable.

The existing garage is one of the largest in the area and itself has some impact upon the surrounding area but at least is built on a ground level that means it is not higher than the adjoining garage to the north, even it is much wider and deeper, and there is no equivalent structure to the south. However, the size of the garage means that the terrace itself is in excess of 50 square meters. The terracing is therefore the highest point in the surrounding garden areas, so much so that it is higher than the decking area that adjoins the rear elevation at ground level to the south. It therefore dominates the adjoining gardens, and indeed those further along, and while there is overlooking between gardens at the moment, primarily because the boundaries along the gardens are open and low to allow full advantage to be taken of longer distance views, such overlooking does not take place at the height at which the terrace is located. Moreover, the terrace by its elevated height gives a line of sight into first floor windows that would not normally be achieved in a garden that slopes away from the rear elevation of the property. Additionally, the use of a terrace is far likely to be longer and sustained than the use of a garden which further adds to its adverse impact both in terms of loss of privacy and general amenity.

While the loss of view is not a material consideration, the almost complete obliteration of outlook to the south west from the property to the north by virtue of the structure further adds to the unacceptability of the proposal. While the natural outlook of the property to the south is in an easterly or southerly direction, nonetheless its outlook to the north is similarly obliterated because of the significant difference in level between the garden of this property and the terraced area.

While the rear area of the subject properties and those around is not of any especial character, by way of its exposed location the rear elevations of the properties are visible from distant view. The structure also appear dominant and out of keeping when viewed from the west.

There are no grounds for considering this proposal acceptable and it is not considered that any amendments could overcome the concerns expressed as the siting of the development on top of the garage, given the nature of the surrounding properties, must be considered unacceptable as a matter of principle. Screening the

terrace is not a viable solution since the amount of screening necessary would even further exacerbate the adverse impact upon neighbouring properties by way of the sheer dominance of the structure.

Recommendation

REFUSE

for the following reason:

01 The development by way of its size, siting, use, elevated position and design adversely affects the amenities of surrounding properties and the visual character of the area. The development gives rise to an unacceptable degree of overlooking and disturbance to the rear elevations and rear gardens of surrounding properties and comprises a dominant and oppressive structure that adversely affects the amenities of neighbouring properties and views of the site from the west. The proposal therefore fails to comply with saved policies AG1 and AH7 of the Adur District Local Plan, Supplementary Planning Guidance' comprising Development Control Standard No.3 'Extensions and Alterations to Dwellings'

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

Case Officer: G Peck Date: 29/9/2015

Authorised by: [signature] Date: 29/9/2015