# Development Management – Delegated Officer Report

**Application Number: AWDM/0068/22 Recommendation: APPROVE**

**Site: Land East Of 69 Highdown, Southwick**

**Proposal: Proposed 2no. three bedroom houses attached to the east of no. 69 with rear dormers and rear balconies at first floor. Hip to gable to easternmost dwelling. (Part retrospective)**

**Date of Site Visit: 25 March**

**Neighbours Checked:** Y

**Additional neighbour notification:** N

**Proposal, Site and Surroundings:**

This application is a part retrospective application further to the grant of permission in 2019 (AWDM/1633/19) for the erection of 2 dwellings to the east of 69 Highdown. The requisite conditions relating to that consent were subsequently discharged and work commenced. Permitted development rights were not removed in respect of the original approval.

The main alterations from the existing consent, comprise rear dormers serving each of the properties, a balcony with glazed screens for each property on top of a rear extension of 1.75 metres. The easternmost dwelling previously had a hipped roof but is now a full gable. Porches are proposed to the front of each property.

Amended block and location plans have been submitted during the course of the determination of the application to exclude the existing dwelling from the red edged area since there are no works to that property which require planning permission.

**Planning History:**

Planning permission was granted in 2019 for the erection of the 2 dwellings.

**Consultations:**

**Environmental Health –** the development does not meet national space standards. I have no objections in principle but I do have some concerns about the layout of these proposed dwellings and the potential noise disturbance that will be caused by locating the stairs adjacent to bedrooms. I would advise the applicant to consider changing the internal layout so the properties mirror each other to reduce the potential impact on amenity.

**Technical Services –** no objection subject to conditions

**West Sussex County Council –** it is not clear where vehicular parking will be provided

**Southern Water –** No objection

**Representations:**

5 letters from 3 addresses have been received objecting on the following grounds:

- These rear dormer windows & balconies will look straight into our front room, bedroom and even over our wall into our rear garden. This will cause complete loss of privacy and overlook into 3 separate areas of our property.
- The proposed changes are also not in line with any other properties in the area.
- These properties have already been built with the 'proposed' changes to the design so it is clear to see the unacceptable impact that these changes will have on the surrounding properties.
- The applicant has proceeded in advance of permission being granted
- Loss of trees to the original property
- The proposals represent a deviation from the original plans.

**Relevant Planning Policies:**

Adur Local Plan (2017):

Policy 3: Housing Provision, Policy 12: Southwick and Fishersgate, Policy 15: Quality of the Built Environment and Public Realm and Policy 20: Housing Mix and Quality

National Planning Policy Framework (CLG 2019)

Planning Practice Guidance (CLG 2014)

**Planning Assessment**

As the principle of development was established by the previous permission, the main issue is the effect of the proposed alterations upon the character and appearance of the area and the amenities of neighbouring properties.

The main differences from the previous permission are the addition of rear dormers in the roofspace (so creating a 3rd bedroom), a rear extension with balcony on top serving both properties and the full gable to the easternmost property.

Permitted development rights were not withdrawn from the new properties in the 2019 permission and therefore the rear dormers, roof extension and rear extension could have been added to the properties without planning permission had those additions taken place when the properties were occupied. However, the works have been carried out in advance of the occupation of the properties. While this is regrettable, it is not an offence in itself and the fallback position must be taken into account in the determination of the application.

Concern has been raised that the changes are not in keeping with the character of the area, but as considered during the original application, it is not considered that the character of the area is so consistent that the new dwellings, even with their extended elements, could be considered sufficiently detrimental to the character of the area that planning permission could reasonably be withheld. In particular, there is a contrast between the nature of properties in Highdown and Highdown Close with

the hipped roofs of the former already contrasting with the shallower gables of the latter. It remains the case that there is a wide verge between the new properties and those nearest to the east and it is not felt that the proposed dwellings are overbearing in the area.

The rear dormers are unusual in that none of the adjacent properties have similar dormers, although they could be added without planning permission. One of the nearby properties on the northern side of Highdown does have a 2 storey extension though and the rear dormers proposed are not unusual features in themselves. They are clearly visible from Highdown Close (and few of these properties have been substantially extended) but it is not considered they have a sufficiently detrimental visual impact for permission to be refused, especially given that they could be subsequently added without planning permission in any case.

Of more concern is the impact upon the nearest neighbouring properties, not only of the dormers but the new balconies as well, especially 1 Highdown Close to the north and also at it appears that an intervening belt of trees has been reduced during the construction works. However, the affected windows are to the side of the property, at first floor level and to a ground floor extension, and the distance between the affected windows exceed 22 metres (which is effectively the distance to the rear curtilage of the new properties with the garden area beyond) and therefore the relevant overlooking distances are exceeded. In any case, the buildings are overlooked by the first floor rear windows of existing dwellings. Glazed screens are provided to the end of the balconies.

68 Highdown is potentially affected by the addition of the ground floor extension, although at present its own utility room at ground floor level on the eastern side of its rear elevation means that the staggered relationship between the properties remains within supplementary planning guidance for the relationship between rear projections and existing windows. It is noted that the plans indicate this utility room will be removed, but this is outside of the application site. In any case, the affected room within number 69 is a kitchen which is similarly shown will be provided with a new window, the dwelling being in the ownership of the applicant. Again, the rear extension could have been provided under permitted development rights.

It is noted that the County Highways were seeking clarification as to where the proposed parking places will be provided but these are not shown on the plans and a nil parking provision had been previously accepted by the Highways Authority. Parking provision is not part of the changes proposed under this revised application.

It is noted that the provision of the 3rd bedroom means that whereas the previous 2 bed properties complied with National Space Standards, there is a shortfall of between 5 and 14 square metres (depending on person numbers) in the proposed scheme. Again, given the fallback position, this change could have been effected under permitted development rights in any case and any further extensions to the extent required would be likely to adversely affect adjoining properties. It is not considered that planning permission could be withheld for this specific reason.

In conclusion, the changes are considered to be acceptable.

**Recommendation**

To GRANT planning permission subject to the following conditions:

01 Approved Plans

02 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the development is satisfactorily drained.

03 Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Reason: In the interests of amenity.

04 The external materials and finishes of the development hereby permitted shall, prior to commencement of use of the additional floorspace thereby created, be completed to match in design, colour and texture those of the existing dwelling unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with policy 15 of the Adur Local Plan.

05 Glazed side balcony screens

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

Case Officer: Gary Peck Date: 27 April 2022

Authorised by: James Appleton Date: 27th April 2022