Expired 9/7/08.

Development Control – Delegated Officer Report

Application Number: ADC/0260/08 **Recommendation – Permit Application**

Site: **4 Elizabeth Place Sompting Lancing West Sussex**

Proposal: **Single-storey side extension**

The Application

The application site is an end-of terrace house located within Elizabeth Place, Sompting. The property is bounded to the north by its adjoining neighbours, to the west (front) by a communal parking area/cul-de-sac and to the east (rear) by open grassland to flats on Bushby Close. To the south, across an open side garden and public footpath, is a further north facing terrace. The applicant's house features no extensions although the rear garden has been recently extended into the open side garden with 1.4 metre high fencing. A restrictive planning condition operates on the entire estate preventing the erection of front boundary treatments without prior planning approval.

Permission was refused under ADC/0571/08 for a side extension on the grounds that:

> *The proposed extension, by reason of its large size and unneighbourly design, would be detrimental to the residential amenities of the locality, resulting in loss of light and outlook and an overbearing effect on the houses to the south, thereby contrary to the policies of the West Sussex Structure Plan (DEV1) and the Adur District Local Plan (AH7).*

This proposal seeks permission for a similar revised single storey pitch roofed side extension that will sit within the remaining side garden to a width of 2.9 metres. It will sit 1 metre back form the front elevation and will run the depth of the building with front and rear windows. Internally it will house a utility room and bedroom with rooflights within the pitch to provide light to these rooms. The extension will essentially be an annexe.
The applicant has sought to address the problems of the earlier application by reducing the depth and width of the extension and dropping its eaves height to 2 metres, the same height as fencing that can be erected under permitted development.

Consultations and Representations

Third Parties

No's 6 & 7 Elizabeth Place have objected on the grounds that:

- Loss of light (both direct sunlight and residual reflected light) to their front lounges and gardens.
- The rooflights will afford direct views into their first floor bedroom and bathroom windows.
- The extension will give the area a cramped appearance contrary to its open plan nature.
- The windows do not match the main dwelling and look out of place.
- The extension, despite its modifications, will still be overbearing and out of character.
- The revisions are not to the scale that the planning officer originally requested.
- The building of the extension will involve the loss of parking spaces, noise and obstruction of the public footpath.

Contributors

No representations have been received.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005): LOC1, DEV1
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved until adoption of the new Adur Development Plan): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'

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 sympathetic design and materials to the original dwelling and the area in general.
Appendix 11 of the Local Plan, Development Control Standard No.3, provides supplementary planning guidance outlining appropriate design criteria that acceptable schemes should meet, including the impacts on visual and neighbouring amenity and the general appearance of extensions. In particular, with regard to side extensions, it states that they should be subordinate and designed to closely match the appearance of the main dwelling without being excessive in size or over-dominating of neighbouring properties.

Visual Amenity

The extension will sit on the southern elevation of the house and will not be greatly apparent within the estate or from Cokeham Lane to the west, but will be visible to passing pedestrians using the public footpath to the south. It will be finished in brick with tile hanging above, mirroring that of the main house. The front bedroom window will not however match that of the adjacent lounge in height or structure and will be at odds with the property's existing fenestration. This is not considered to be a major concern though given its recess from the front elevation behind 1.6 metre high fencing.

The size of the extension against the property has been reduced from the previous refusal. It has been reduced back from the front elevation by 1 metre and from the side boundary by a further 0.5 metres (it will now have a total width of 2.9 metres) so that it will sit 0.9 metres from the public footpath. It is now considered to better meet the above Council's DC Standard which states that side extensions should be subordinate to the main dwelling, set back at least 1 metre from the side boundary, and with a roof in keeping with the existing dwelling.

Since the refusal of the previous application the applicant has enclosed the side garden with 1.6 metre high fencing. Under permitted development this fencing could be raised to 2 metres without the need for formal planning approval. As the eaves has been lowered to 2 metres and will sit 0.9 metres behind the fencing, the appearance of the extension will be almost entirely disguised by fencing with only the moderate low pitched roof visible above.

Residential Amenity

The main issue is with regard to the impact the extension will have on the amenity of Nos 5-8 Elizabeth Place. These properties sit 10.4 metres to the south of the existing southern elevation across the side garden, public footpath and their front gardens. The original extension reduced this to 6.8 metres leaving the front lounge windows facing a 2.5 metre high brick wall and eaves and, particularly in the case of No.6, very limited outlook either side.

This revised extension has dropped the eaves height to 2 metres and will sit behind 1.6 metre high boundary fencing that could be enlarge to 2 metres without the need for planning permission. It is therefore considered that, as the extension will have a 2 metre high eaves line set 0.9 metres back from the boundary fencing, it will cause negligible additional loss of light to 5-8 Elizabeth Place than would be afforded by the permitted 2 metre high boundary fencing. Indeed the permitted 2 metre fencing would cause more detriment to these properties than this extension given that it would be 0.9 metres closer.

It is agreed that the presence of the extension with its low pitched roof will be noticeable however it is not considered that it will be sufficiently more overbearing than the existing fencing as to warrant refusal.

Although no windows are proposed in the southern side elevation, should the fencing not be raised then any put in at a later date would directly overlook No's 5-8. A condition is therefore attached restricting this.

A complaint raised about overlooking from the rooflights into opposing first floor bedroom and bathroom windows is unfounded as the height and angle of the rooflights prevents any direct viewing occurring.

Other Issues

The neighbour objections refer to, amongst other issues dealt with above, loss of parking spaces during construction, obstruction of the footpath, and noise disturbance. Any obstruction, noise disturbance or parking difficulties during construction are temporary and not significant concerns to warrant the consideration of refusal.

In conclusion it is considered that the revised extension will not afford significant additional amenity concerns than would be afforded by 2 metre high fencing as allowed under permitted development. It thus corresponds to the requirements of local plan policy AH7 and DC Standard No.3.

Recommendation

APPROVE for reason that :-

1PPi

Subject to:

1. C1Ci
2. C12Ei
3. C18Eiv '...south side wall...'

Case Officer:..... Date: 25/6/08 - RB 25/6/08

Planning Services Manager:..... Date: 9/7/08

Chair of Development Control Committee: A.J. Mills Date: 14/7/08