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Application No.: ADC/0553/07 Recommendation – Refuse Application

Site: 10 Kings Close, Lancing, West Sussex

Proposal: Loft conversion with Roof Extension to Side and Front & Rear Dormers

The Application

The application site contains the southern half of a pair of semi detached bungalows with blue rendered walls and a clay tile hip ended roof, located on the eastern side of Kings Close, Lancing.

The bungalow is part of a larger development that was erected during the 1930's. A 2.85m deep, 3.6m wide single storey rear extension (measuring a total of 10.25m^2) with a hip ended pitched roof appears to have been erected subsequently under Permitted Development Rights.

The applicant now proposes significant modifications to the bungalow including:

- Conversion of the hip end roof to a half gable;
- Insertion of two 2.1m wide pitched roof dormers in the front; &
- Insertion of a 5m wide flat roof dormer to the rear.

Kings Close is characterised by single storey bungalow development, all with hip ended roofs and no front (and with the exception of No.3 Kings Close), no rear dormers whatsoever. Where a small number of the bungalows have installed rooms into the roof, natural lighting has been obtained through the use of velux windows.

Consultations and Representations

Lancing Parish Council: The Parish Council object to the proposal on the basis that the resultant building would be out of keeping with the rest of the development on the Kings Close, and would therefore have a detrimental impact on the existing streetscene.

Third Parties: 13 letters of objection to the proposal have been received from neighbouring residents, both in Kings Close and Brook Way to the rear of the site. Those objections relate to:

- Impacts on the existing streetscene;
- The proposal being contrary to a covenant on the Title of the property;
- Overlooking and privacy issues from both the front and rear dormers, and first floor side window;
- Potential overbearing nature of the extensions due to the minimal distance between the bungalow and development to the rear;
- A lack of amenity space for a 5 bedroom dwelling;

- Potential commercial use via multiple occupation of the premises;
- Additional noise due to increased occupancy of the residence;
- The availability of parking for an increased number of residents;
- Previous refusals and officer advice with respect to similar proposals; &
- Precedent established in the event that approval was granted.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plans 2001-2016 (WSCC 2005):

LOC1, DEV1

Adopted Adur District Local Plan 1993-2006 (ADC 1996):

AG1, AH7 & Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No. 3 'Extensions & Alterations to Dwellings'

Planning Assessment

Visual Amenity, Character & Appearance

It is agreed with the submitants, that both extension of the hip end of the roof to a half gable, and the installation of front dormers represent a significant variation to the established and well maintained bungalow building character of the street. As specified above, all of the existing buildings have hip ended roofs, and none have front dormers.

If approved, the alterations would result in the pair of semi-detached dwellings becoming significantly unbalanced in their appearance from the street.

Installation of a rear dormer would also be out of keeping with the established character of the street. Although it is acknowledged that there is one dormer at No.3 Kings Close this dormer was erected under Permitted Development Rights, and of more relevance to this case is Council's refusal to allow a similar rear dormer at No.13 Kings Close in December 1996 (L/146/96).

Since the determination of that application Council has received no further applications of this nature along Kings Close, and aside from the installation of a small number of velux windows, the external appearance of the streetscene has been retained as constructed in the 1930's.

Residential Amenity – Privacy

The privacy concerns of submittants relating to the rear dormer portion of the development on immediate properties to the rear of the site are also shared.

The distance between the windows of the rear dormer and the rear elevation of No.55 Brook Way is approximately 16m, well below the 22m minimum distance recommended in Development Control Standard No.3. When the rear conservatory of No.55 is then taken into consideration, this distance is further reduced to approximately 13m, resulting not only in an excessive amount of overlooking (within an area where no overlooking currently exists),

but also an unreasonably overbearing impact in terms of the sheer scale and bulk of the proposal.

The distance between the front dormers and the front elevation of dwellings opposite exceed 22m, hence the potential impact of these dormers in terms of overlooking is considered to be within acceptable limits.

With respect to the window in the side elevation, its position within the middle of the building, the lack of any primary windows in the side elevation of No.8, and the location of the two garages on No.'s 8 & 10 is likely to ensure that minimal overlooking will occur. In any event the use of fixed and opaque glass could be imposed as a condition of approval in order to address this issue if the application was to be approved. The fact that the windows use is as a light source to a landing means that such a condition would not unreasonably effect its proposed function.

Residential Amenity – Daylighting

Upon considering the size and height of the proposed rear dormer, its location immediately adjacent to the side boundary of the attached pair, and the relatively small size of the rear garden of adjoining No.12 Kings Close, it is considered that the extension will have an unreasonable overshadowing impact on the limited amenity space enjoyed by the adjoining property.

Due to the existence of two adjoining driveways to the south of the dwelling, the proposed half gable end is not expected to have a similar detrimental impact on No.8.

Amenity Space

Despite the cramped configuration of the rear garden, it roughly accommodates the recommended minimum standard for amenity space specified by Development Control Standard No.3, being 100m^2 for large semi-detached properties incorporating 4 or more bedrooms.

Parking

The proposal does not indicate any change to the existing parking arrangement, which involves a single bay garage with room in the driveway for up to an additional 2 cars on-site.

The submittants suggestion that the owner intends to demolish the garage and front wall, has already removed all the vegetation in the front garden and intends to hardstand the entire frontage of the property as replacement parking is acknowledged, however given that Kings Close is not a classified road there is no requirement to obtain planning permission to undertake these works as a subsequent stage of development. Nor are potential future works sound grounds for refusal of the current application.

Other Issues

The issue of whether a covenant restricting changes to the external appearance of the building is not a relevant planning consideration.

Potential use of the building by numerous unrelated tenants (ie multiple occupancy) is also not a relevant planning consideration in this instance, unless (as proven by previous case law) the number of residents exceeds 6, which can not be reasonably assumed from the information contained in the current proposal.

It is acknowledged that additional noise will be generated by the potential for additional occupants to inhabit the larger structure, however it is unlikely to be of such an increase that would in itself, warrant refusal to the current application.

The scale of the building, its impact on neighbouring properties in terms of overlooking and daylight, and its impact on the existing character of the streetscene however are, hence refusal is recommended as detailed below.

Recommendation

REFUSAL for the reason:- H20R (amendment highlighted)

The proposed extension, by reason of its large size and unneighbourly design, would be ***out of keeping with the existing character of the area and*** detrimental to the residential amenities of the locality, resulting in loss of light, loss of privacy and an overbearing effect on the adjoining property, contrary to the policies of the West Sussex Structure Plan (DEV1) and the Adur District Local Plan (AH7).

Case Officer: ..... Date: 5/10/07.....