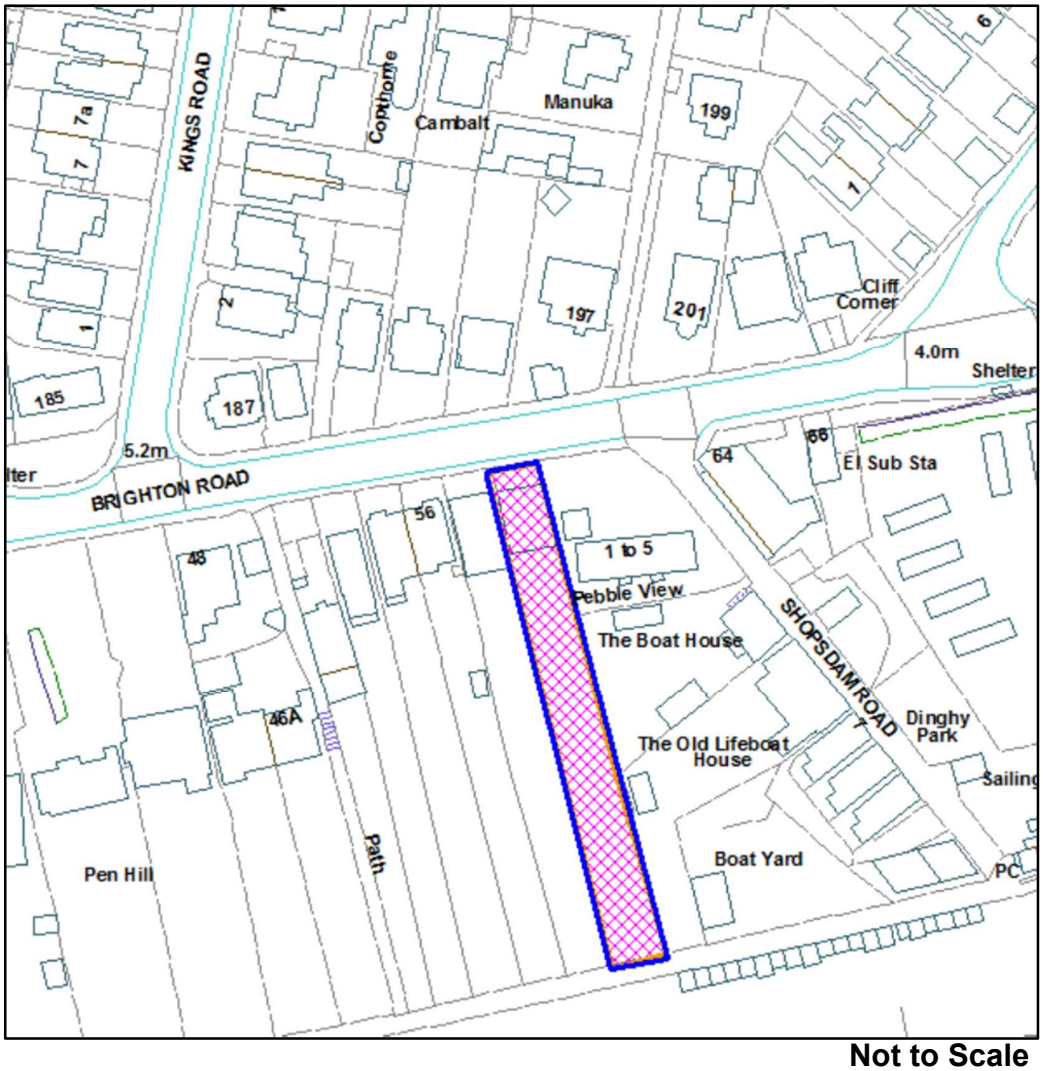
Application Number:	AWDM/2129/20	Recommendation - APPROVE
Site:	60 Brighton Road, Lancing	
Proposal:	Retrospective application for replacement of horizontal timber screens with painted vertical screens; new balustrade to lower terrace; extended steps from ground to lower terrace and increased lower terrace width (amendment to approved application AWDM/1875/19).	
Applicant:	Ms Adrienne Lee	Ward: Widewater
Agent:		
Case Officer:	Eve Hearsey	



Not to Scale

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Site and Surroundings

The property is a single storey dwelling located on the south side of the A259 Brighton Road, Lancing. It reads as a semi-detached bungalow with number 58, but when viewed from its rear it can be seen that it is not joined to that property.

The rear of the property backs onto a large open field strip, which is within the bungalow's ownership, which then directly abuts a pedestrian promenade and then the beach. Because of the downward sloping land at the rear, the garden land is a floor level lower than the front of the property, and continues to slope down to the promenade and the beach. There was a large, full width decking area, and a timber staircase down to the garden land behind the dwelling, and underneath the bungalow there was a room, which could have been boat storage originally and was removed in order to connection with the earlier planning permission granted under reference AWDM/1875/19 but as explained below, the permission was not implemented in accordance with that consent.

The neighbouring property to the west, no. 58, is a bungalow of a very similar design and circumstances, and it has a long open decked area, with timber outside steps leading down to the lower garden area; both these areas are used for 'outside' living spaces.

The neighbour to the east is 'Pebble View', which comprises 5no. flats; the flat directly to the side abutting the application site is flat no. 5, which is located on the lower ground floor of the building, and was created some 13 years ago. (ADC/0487/07 - Conversion of existing 3 bedroom maisonette to 1 x 2 bed flat and 1 x 1 bed flat (both fully self-contained). Approved 26.09.07 refers).

The application site and neighbours have direct access to the beach.

The site and immediate neighbours lie within Environment Agency Flood Zones 2 and 3 and a Flood Risk Assessment form was submitted with the host application.

The site is not a Listed Building or within a designated Conservation Area.

Proposal

Retrospective planning permission is sought for changes to the approved plans granted under reference AWDM/1875/19.

The built form veered from the approval by:-

- Providing vertical privacy screens in lieu of horizontal privacy screens;
- Providing additional vertical privacy screens on east side of lower decking
- Providing balustrading to lower terrace;
- Increasing number of steps from rear of the lower terrace to reach the natural ground level;
- Increase width of lower terrace by approx. 1m

Relevant Planning History

AWDM/0034/18 Two storey rear extension with gabled roof over together with single storey rear extension to south elevation with roof terrace above and steps down to new raised platform (to replace existing structures).
Approved 18.05.2018

AWDM/1875/19 Variation of condition 1 (approved plans) of AWDM/0034/18 for additional rooflights to east and west elevations and minor amendments to south façade.
Approved 31.01.2020

Consultations: None

Representations:

Objection from Cllr McGregor:

- Decking is too far above ground level and has seriously affected privacy of neighbouring property;
- The approved plans show 3 steps going down and this application shows 9 steps from ground level to decking, the decking is therefore 3 times as high;
- Not an accurate drawing, which means the approved plans did not give a true impression of the height of the decking above ground level, especially if that height was compared to the neighbours fence;
- The 9 steps equate to a height above ground level of 1980mm approx. fence height;
- People walking on the decking look like they are walking on the top of the fence panels of the neighbours garden;
- The ground level falls away steeply from the property;
- The decking continues at the same height from the rear of the property;
- The neighbours fence follows the ground level;
- The south end of the decking being close to the top of the neighbours fence at the south end of their garden;
- People walking on the decking can see over the fence down into the neighbours garden;
- Loss of privacy;
- Even when seated on the decking it is possible to look straight into the neighbours windows;
- Overlooking made worse by the wider decking which is nearer to the neighbours garden fence;
- The original planning approval was based on an inaccurate drawing which did not properly represent the site or the works.

Lancing Parish Council: No objections

Relevant Planning Policies

Adur Local Plan 2017: Policy 1, 15
Development Control Standard No.3 ‘Extensions and Alterations to Dwellings
National Planning Policy Framework (HCLG 2019)
National Planning Practice Guidance (CLG)

Relevant Legislation

The Committee should consider the planning application in accordance with Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The site is located within the built-up area where development is acceptable in principle subject to the proposal not having an unneighbourly impact on the existing neighbouring properties or the visual amenities of the locality.

Visual Amenity

The bungalow offers a unique location with the front directly facing the busy A259 Brighton Road, and the rear facing onto a long green sward of garden land which directly abuts a pedestrian promenade which adjoins the beach and the sea. The rear garden measure some 75m in length before it abuts the pedestrian promenade next to the shingle beach.

The bungalow had an existing open decked terrace off of the ground floor rear elevation, which, even though the terrace is off of the ground floor, because of the fall of the land at the rear, it appears as a first floor from the back.

At the lower ground floor (which from the rear appears as ground level) there was a boat store/and storage area under the ground floor.

Both the open decked terrace and the lower ground floor boat store/storage area have now been removed and the earlier planning permission constructed. The first permission (AWDM/0034/18) for a two storey rear extension with gabled roof over together with single storey rear extension to south elevation with roof terrace above and steps down to new raised platform (to replace existing structures), was amended down in size by a later application (AWDM/1875/19).

However, there were a few changes undertaken at the construction which deviated from the permission and these changes have resulted in the need for the current planning application. The lower terrace decking is now approx. 1m wider, thereby bringing it closer to Pebble View; in view of the natural ground levels sloping down, and for health and safety purposes, a balustrade has been constructed around the lower decking; the horizontal screening at the upper terrace has been changed to vertical screening; and the vertical screening has been used on the lower terrace west side; the LPA have requested the vertical screening is also put in place on the east side of the lower decking; and because of the steep slope in the natural ground level at the southern end of the lower decking, and for health and safety reasons, additional steps than the approved plans,

have been put in place

The neighbouring bungalow property at no. 58 to the west, has already undertaken an extension to their property which greatly extends the open terrace, and provides a raised seating area at the lower ground floor. Their lower terraced area is considerably longer than that at the application site. The height of the decking at the application site reflects that at no. 58.

The additional vertical screening will be a handed version of what has been put in place on the west side of the lower terrace. i.e. an opening the size of a door will be left free of the vertical screening which will allow movement to the side of the property which otherwise would have had to be via the steps at the end of the terrace.

Other changes that have occurred through the build process, was to provide a planting bed on the east side in order to plant out Reeds and Palm type plants which will provide an additional, natural, screen to flat 5 Pebble View. This contiguous property is on lower land than the application site, being originally constructed on the lower ground floor from an existing maisonette. The planting that has taken place will thicken as the months go by which will offer a correspondingly increase in the screening between the properties.

Neighbouring Residential Amenity

As stated above, flat no. 5 at Pebble View to the east is on much lower land than the application site, and they have always been overlooked by the application site (and other properties). The whole of the garden area is readily viewed from the main internal living space of no. 60, but because of the vertical screening which has been put in place on the upper terrace, the overlooking of that property has been minimized considerably from that point.

No. 5 can be overlooked from the external staircase from the upper terrace to the lower terrace, but it must be said that originally the external staircase was positioned very close to the east boundary of the application site, and thereby the overlooking was greater.

Overlooking from the lower terrace can occur to no. 5, but it is much the same level of overlooking that can occur from using the outside space without the decking, and indeed it was open to the occupants to have utilized the area next to the fence for such uses as a barbeque area with associated outside cooker and seating. This could take place, if at all, on the lower terrace area at a greater distance from the mutual boundary, much like the occupants do at no. 58 on their lower terrace.

Further, occupants from no.60 could even stand next to the fence with flat no. 5 and directly overlook the neighbouring property.

Flat no.5 has windows within its side (west) elevation which face towards no. 60 and they have an anxiety that persons using the lower terrace at no. 60 could look into these windows, which it is understood relate to a bedroom. However, not only are these windows obscure glazed, there is no greater viewing into these windows than currently and historically exist.

Having said this, the provision of the vertical screening and the new planting will diminish

possible overlooking factors and the perception of overlooking into the neighbouring property from the terrace areas.

It is considered that the changes that have occurred to the earlier approval will generally be to the benefit of the neighbouring flat no. 5 or will have a neutral impact.

The effect of the changes onto no. 58 Brighton Road are not considered to be material, particularly when considered against the earlier permission

Recommendation

APPROVE subject to the following conditions

1. Approved plans
2. The additional vertical privacy screening on the east side of the lower terrace shall be put in place within 2 months from the date of this permission and shall be retained in perpetuity of the terrace.

8th February 2021