Expires 28/1/09

Development Control – Delegated Officer Report

Application Number: ADC/0567/08 **Recommendation – Permit Application**

Site: **Ground Floor Flat 193 Manor Hall Road Southwick Brighton West Sussex**

Proposal: **Single storey rear extension to ground floor flat (amendment to SW/40/04)**

The Application

The application site is a mid-terrace ground floor flat located on the north side of Manor Hall Road, Southwick. The property has a small 3.5m deep rear bathroom extension with a canopy attached to one side and a recently completed wooden building at the rear of the garden. The attached dwelling to the west, No.191, has a small rear conservatory and is separated by a 1m wide passageway whilst No.195 to the east has recently added a small 3.5m deep extension to the rear attached to that of the applicant's. Both side boundaries are 1m in height.
Planning permission has been granted under SW/40/04/TP for a rear dormer and a 4.1m extension to the west side of the existing rear bathroom extension incorporating a new dining area to the ground floor flat. This was reduced from an initial 5m depth owing to its impact on No.191.
This application seeks to revise this permission by replacing the existing rear bathroom extension with a new structure 4.4m in depth across the entire width of the rear elevation. This extension will incorporate a second bedroom and an enlarged kitchen. A large window is proposed in the west elevation which was conditioned to be obscurely glazed under the previous permission.

Consultations and Representations

Third Parties

No.195 Manor Hall Road raise objection on the grounds that the 4.4m depth will result in loss of essential light to the rear of their property. No objection would be raised if the extension were reduced to 3.5m in depth as per the earlier planning permission.

[Nb. the resident of No.195 Manor Hall Road has requested to speak at the Committee meeting]

Contributors

No representations have been received.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, DEV1
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'

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. DC standard No.3 'Extensions and Alterations to Dwellings' states that rear extensions that abut, or are within 1m of a common side boundary with an attached dwelling, should normally be no deeper than 3.5m.

Visual Amenity
The extension will be sited off the rear elevation and thus out of sight from the street. It will replace an existing simple brick extension and canopy and will be completed in part brick and part render to match the host building.

Residential Amenity
The main concern is the impact the overall size of the proposal will have on the amenities of the adjoining properties. The Council's DC Standard is categorical in stating that rear extensions on terraced properties that are within 1m of a common boundary should be no deeper than 3.5m to avoid having an unacceptably overbearing impact and loss of light to adjoining properties. Only in exceptional circumstances should this ruling be exceeded. The existing permission (SW/40/04/TP) originally proposed a depth of 5m to the west side rear extension with the original section retained at 3.5m. This was subsequently revised to 4.1m, a depth considered acceptable at the time (despite being contrary to the above DC standard) owing to the fact that a 1.3m separation would exist to the nearest part of the neighbouring property to the west No.191. This proposal is for a larger 4.4m deep extension set flush with the flank wall (as opposed to set in 0.4m as previous) 0.5m from the low common boundary fence and 0.9m from the small conservatory to No.191. Given the open boundary treatment, its proximity to the boundary, and its increased depth, it is considered that this proposal will have greater negative impact on the amenity of No.191 than previous and is consequently unacceptable. The 4.1m depth as previously approved is already beyond the

maximum 3.5m as required by the above DC standard and should not be exceeded further on amenity grounds.

Following discussion with the applicants amended plans have been received that have reduced the depth back to 4.1 metres and set the west flank wall in by 0.4m as previous. This proposal is therefore now only to extend the 3.5m existing bathroom extension by 0.6m to meet the rear elevation of the 4.1m extension granted under SW/40/04/TP.
As the principle of 4.1 metres has been established by the earlier permission it is hard to resist this revised proposal. The residents of the adjoining dwelling have objected to the original proposal on the grounds that 4.4m is contrary to the above guidance and will result in an unacceptable loss of essential light to their rear elevation. It is noted that they have, since the granting of SW/40/04/TP, constructed a 3.5m rear extension adjoining that of the applicants. Whilst it is agreed that 4.4m is unacceptably excessive, it is considered that the precedent of 4.1m is not in this instance as it will not have a significantly overbearing impact or result in significant loss of light to the rear window to No.195's adjoining extension. The objector has been notified of this alteration to the proposal but has not returned upholding their objection or wish to speak to the Development Control Committee within the defined time period. The assumption must therefore be made that they find the alteration more agreeable.

The proposed side window is identical to that approved under the earlier permission and will now serve a kitchen (instead of a dining room). It will directly face the rear garden and conservatory of No.191 and so will be conditioned to be obscurely glazed with only a top fan light permitted as an opening as before.

It is considered that the revised proposal to extend the existing small rear extension to 4.1m in depth is acceptable given the principle set by the earlier permission. It will not have an unacceptable impact on the adjoining neighbours' rear extension and thus meets local plan policy AH7 and its accompanying DC standard.

Recommendation

APPROVE for reason that :-

1PPi

Subject to:

1. C1Ci
2. C12Ei
3. C14Ai '...received on 14 January 2008...AH7...DEV1...'
4. C18Civ '...west side elevation...'

Case Officer:.....

Date:27/1/09...

PB 27/1/09