**Development Management - Delegated Officer Report**

**Application Number:** **AWDM/1241/12** **Recommendation –** Approve

**Site:** 17 Franklin Road, Shoreham By Sea

**Proposal:** Extension of decking and erection of fence (Retrospective)

**Date of site visit:** 19 November 2012

**Neighbours checked: Y**

**Additional neighbour notifications: N**

**Proposal, Site and Surroundings**

The site relates to a semi detached bungalow located on the south side of Franklin Road. It has been extended to the rear with a single storey flat roof extension, infilling and extending across the original staggered rear elevation. The attached bungalow to the east at No. 15 has infilled and extended the staggered rear elevation with a conservatory. This is a predominantly residential area where neighbouring properties are similar bungalows with some two storey houses further west.

Permission is sought to regularise the extension of a raised deck and fence in the rear garden. The decking is sited at the rear of the house and is 390mm high. The applicant has shown the extent of the previous decking area as being set approximately 1 metre from the eastern boundary and measuring 2 metres in depth from the rear wall of the house. This area has now been extended towards the eastern boundary and extended a further 1 metre in depth approximately at this side, where it is understood there were previously shrubs planted. The applicant has installed a 2.2 metre high slatted fence panel along the eastern edge of the deck. The applicant proposes to complete the decking with a single step to allow access down onto the garden level.

**Relevant site history**
None relevant

**Consultations**

***Adur & Worthing Councils:*** *The Environmental Health Officer has recommended a precautionary contamination condition.*

**Representations**

None received

**Relevant Planning Policies**
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’
South East Plan (GOSE 2009): CC1, CC6, BE1
National Planning Policy Framework (CLG 2012)

**Planning Assessment**
The determining issues relate to the appearance of the development and its impact on visual amenity and the impact of the development on the amenities of neighbouring occupiers.

**Visual amenity**
In terms of visual amenity, the development is located at the rear of the house and not readily visible in the streetscene. The appearance is appropriate as a garden structure in this context.

**Residential amenity**
The neighbouring bungalow to the west is well separated from the decking and has fencing and an intervening garage on the boundary which provides some screening. The height and extent of the deck would not pose any significant threat to the amenities of the occupiers of No. 19 given this relationship.

The main impact would be to the occupiers of the attached bungalow to the east at No. 15 where the decking is adjacent to the common boundary. What appears to be the previous boundary treatment between No.15 and No.17, is still in place, with a single 2 metre high (approx) fence panel next to the rear wall of the house, dropping to a 1m high fence and with an evergreen hedge starting at approximately 3 metres from the rear of No.17. Views into the neighbours garden and house would have been possible with this arrangement although it is understood that shrubs have been removed next to the boundary to allow the extension to the deck. The installation of a deck less than 300mm as permitted development would allow overlooking into the neighbours garden and so should be taken into consideration as the ‘fallback’ position.

The height of the decking at 390mm triggers the need for a planning application but it is considered that given the previous boundary treatments, the inclusion of a screen, and what would be permissible without the need for planning permission, the development has not caused any significant additional overlooking to what would be caused by decking constructed as permitted development. Having regard to the height and extent of the decking, the slightly elevated view would not provide any significant increase view down into the neighbouring gardens and so would not cause any significant loss of privacy in that respect.

The solid fence panel at No.15 prevents some views back into the neighbours house from the immediate west and although it would still be possible for someone to stand close to the screen to look through the gaps if they have such intention, the fence does obscure the view, reducing the perception of overlooking in a similar manner to an obscure glazed screen and in combination with the neighbours own fencing is considered acceptable given the permitted development fall back position.

The installation of a deck can increase the use of the particular garden space, but the positioning of the deck is where you would commonly expect to find a patio or similar surface and so it would not introduce or increase activity in this location where you would commonly expect to find a patio.

The site is not identified as being contaminated therefore an informative is considered sufficient to advise the applicant of any potential contamination.

**Recommendation**

**APPROVE** for the reason:-

The proposed development does not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties having regard to the permitted development fallback position. It consequently does not conflict with the saved policies of the Adur District Local Plan (AG1, AH7) or the policies of the South East Plan (CC1, CC6, BE1)

**Subject to Conditions:-**

1. Permission relates to approved plans:
   Unnumbered plans and particulars deposited 4 October 2012
2. Screen to be retained unless otherwise agreed

**Informative**

- Contamination precaution
- The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

Case Officer: Rebekah Smith Date: 27 November 2012

Authorised by: Peter Barnett Date: 3 December 2012