Dep 14/11

Application No.: ADC/0582/07 Recommendation – Refuse Application

Site: 12 Mill Hill Gardens, Shoreham-by-Sea, West Sussex

Proposal: Rooms in Roof (with Front & Rear Dormers) & Single Storey Rear Extension with Rear Patio

The Application

The application site contains the western end of a semi detached pair of dwellings with brick walls and a clay tile hip ended roof located at the southern end of Mill Hill Gardens, Shoreham.

Initially constructed in 1954 as part of a 62 bungalow estate, a garage to the rear of the building was subsequently erected in 1959. The applicant now proposes extensions including:

- A front dormer measuring 1.65m in height, 4m in width, set 1.2m back and 1m above the front eave line, and extending as high as the existing ridgeline;
- A rear dormer measuring 2m in height, 5.3m in width, set 0.7m back and 0.4m above the rear eave line, and also extending as high as the existing ridgeline (in combination with the front dormer this will allow for the creation of a master bedroom and associated ensuite and stairwell as rooms in the roof);
- A single storey rear dining room extension measuring 3.5m in depth and 6.2m in width (total area 21.7m^2), with a flat roof that due to the natural slope of the land reaches as high as 3.6m from natural ground level at the southeast corner of the extension; &
- An elevated rear patio and associated staircase measuring 3.2m in depth and 6.1m in width (total area 19.5m^2), whose base level is also raised approximately 1.3m off ground level (at it's south east corner) due to the slopping nature of the site.

Mill Hill Gardens is characterised by a mix of detached and semi-detached bungalow pairs, the vast majority of which (approximately 14 out of 19) have rear extensions of varying dimensions (but roughly similar in size to that being proposed by this application).

A small number of houses have both front and rear dormers (approximately 3 out of 19), whilst a further 1 property has just a rear dormer. The majority of extensions (in particular the dormers) have been performed under 'permitted development rights' without the need for Planning Approval.

Consultations and Representations

Third Parties: The owners of No.19 The Avenue (diagonally to the rear of the application site), have written in expressing concerns with impacts upon the privacy of their rear garden, principally from the rear dormer, but also from the rear extension and elevated patio due to the application site sitting at a higher level on Mill Hill.

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' Development Control Standard No. 2 'Space Around New Dwellings & Flats'

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.

The Council's Development Control Standard No.3 states that dormers 'should not be so large that they over-dominate the dwelling' and should allow a large amount of the original roof to be visible. Roof extensions should respect the scale, character, symmetry and appearance of the existing dwelling, particularly on semi-detached properties.

Visual Amenity

The front dormer as proposed does not meet the above policies as it unbalances the semi-detached pair, is not recessed below the ridgeline of the existing house, and is overbearingly large. Although it is noted that other properties in the street have similar dormers, these were constructed under permitted development rights without the consent of Council.

The rear dormer proposed also fails to meet the required standards as it over-dominates the rear roof plane leaving minimal roof space either side, nothing between the dormer and ridgeline, and only 0.4m of roof below between the dormer and the rear eave line.

Offered the opportunity to amend the design the applicant has advised that a reduction in the height of either dormer is not possible due to the need for sufficient head clearance for the rooms in the roof. The applicant is also not willing to reduce the width or size of either dormer believing them to be consistent with other dormers already constructed in the street.

Whilst the need for the dormer height is acknowledged, without the requested reductions to the width and depth of the dormers the proposal is considered to be unsympathetic and out of character with the general development of the area. No such concerns exist with respect to the single storey dining room rear extension or elevated patio.

Residential Amenity – Privacy

Although the natural slope of the land is such that the extensions sit well above and will clearly be able to view the rear gardens of the properties behind, the distance between the closest extension (the patio) and the closest rear window of the dwellings behind is 40m+, well beyond the 22m minimum specified in Development Control Standard No.2 as being sufficient to protect the privacy of adjoining dwellings. Despite the concerns of the rear neighbours therefore, the impact on the rear neighbours is not considered sufficient to warrant refusal on this basis.

Legitimate concern does exist with respect to the privacy of the rear conservatory on the attached No.11 Mill Hill Gardens, however the owner is happy to utilise internal retractable curtains to ensure privacy between his glass walled conservatory and the nearby patio (when used), rather than request a permanent glazed screen which would further block daylight into the side elevation of his structure.

Residential Amenity – Privacy

As indicated above, the use of a solid wall for the side elevation of the rear single storey dining room extension will restrict some level of daylight from accessing the rear conservatory of No.11 Mill Hill Gardens, however as the depth of the structure is less than 3.5m, the proposed extension is in accordance with the requirements of Development Control Standard No.3, and the impact is considered acceptable on this basis.

Access and Parking

Expansion of the dwelling from a two to three bedroom house will not impact on the parking requirements of this house. The dwelling already has a single garage and a hardstand area in the front garden that is capable of accommodating up to 3 cars on-site without affecting the function of the shared driveway the dwelling shares with No.13 Mill Hill Gardens.

Recommendation

REFUSAL for the reason that:-

1. B5ER

   The proposed dormers are unacceptable in that they are excessively large, ~~and~~ do not relate sympathetically to the existing building and ~~will~~ would be out of keeping with, and detrimental to the character and appearance of the area. ~~and make it difficult, if permitted, for the Local Planning Authority to prevent similar additions to other dwellings, the cumulative effect of which would detract seriously from the area.~~ They ~~would~~ therefore conflict with the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH7).

Case Officer: ...D. Reynolds..... Date: ...9/10/07..