Development Management – Delegated Officer Report

Application Number: AWDM/1271/19 **Recommendation: APPROVE**

Site: 36 Eastbank, Southwick

Proposal: Proposed single storey side extension

Date of Site Visit: 9 September

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks full permission for the erection of a flat roofed single storey extension on the northern side of the bungalow. As the site boundary is at an angle, the front part of the extension will be 1.1 metres wide but the rear part will be 3.4 metres wide. A gap of the boundary of 1.2 metres is shown to be retained along the length of the extension.

The application site comprises a bungalow at the eastern end of Eastbank, a cul de sac of bungalows, some of which have modest roof extensions, so the general character of the area is generally low level. The subject property has already been extended to the rear with a flat roofed extension and conservatory. There is additionally an outbuilding in the north eastern corner of the garden (granted permission in 2013) and a large garage to the south of the property which was granted a Certificate of Lawful Development in 2013: following an enforcement investigation, it has been established, again, that the building is permitted development.

To the north of the application site is 34 Eastbank, which has also been extended and has a dormer facing the site in its side south eastern facing roof. To the south is 19 Eastbank, a bungalow which has not been largely extended and therefore retains a much greater proportion of its garden area.

To the east are properties in Ridgeway Close which consist of 2 storey houses, the nearest to the application being number 24 which has a 2 storey extension projecting towards the application site.

Planning History:

Loft conversion with part-hipped/gabled rear roof extension over existing flat roof, part front gable and side dormers (ADC/220/09) – consent not implemented

Retention of detached rear garden building in north east corner (revised proposal showing one window removed, another obscurely glazed and the partially constructed raised deck removed) (AWDM/1247/12) - granted permission in 2013

Certificate of lawful development for proposed detached double garage in rear garden (existing garage removed) (AWDM/1347/13) – Certificate approved in 2013

Consultations:

None undertaken

Representations:

2 letters of objection have been received:

19 Eastbank: Objection on the grounds of noise and disturbance to its shared drive and neighbour. The occupants of 19 have to put up with a considerable amount of building work which often blocks the shared driveway and delivery trucks have previously caused damage to the driveway and manhole covers. These problems are likely to occur again if permission is granted.

24 Ridgeway Close (2 separate representations): Objection on the grounds of overdevelopment of the site. States that the owner has continually breached planning regulations and the architect has deliberately left existing extensions off the plans which allowed a Certificate of Lawfulness to be granted in error. Before any applications are considered the Council should fully investigate all of the breaches at the property as well as permissions using false information. Further information has been submitted stating that over half of the garden has been built on and therefore the garage has been built on.

Relevant Planning Policies:

Adur Local Plan (2017):

Policy 15: Quality of the Built Environment and Public Realm Policy

National Planning Policy Framework (CLG 2019)

Planning Practice Guidance (CLG 2014)

Planning Assessment

The main issues in the determination of the application are the effect of the proposal upon the character of the area and the amenities of surrounding properties.

In looking at the proposed extension in isolation from the points made in representations, it is not considered that it has any material impact upon the street scene or surrounding area. Its position on the northern side of the property will mean that due to the angle of the site it will be little visible from the public viewpoint (and in any case is only 1.1 metres wide at the front). The neighbouring property to the north will be the only property directly affected by the extension (this neighbour has not objected) and currently has its own first floor dormer window facing the application site as well as a ground floor window. There is also a ground floor window in the facing elevation of the subject building. The existing boundary fence provides some screening, but as the neighbouring property is on slightly higher ground, its window is more evident than that of the subject property. The proposed extension would have windows facing to the north, but this would be little different to the existing situation. The property to the south will be unaffected by the extension itself given its

location on the northern side of the building, while the property to the east will be in excess of 20 metres distant.

A number of wider issues have been raised as representations which need to be assessed as to whether they would outweigh the comments above.

The comments of the neighbour to the south primarily relate to concerns regarding previous building works at the site and the blocking of the shared driveway. This is not a material planning consideration and is a civil issue between the respective neighbours or can be considered under other legislation.

The comments of the neighbour to the east allege that existing developments at the site do not have planning permission or have been subject to misleading and false information. However, there are no outstanding enforcement issues on the site and indeed the large rear garage has been inspected on more than one occasion and found to be below the height level for permitted development, notwithstanding the fact that it had already been granted a Certificate of Lawful Use.

The objection also suggests that over half of the garden has been built over, hence the garage would have needed permission for this reason. This issue was considered at the time of the Certificate of Lawful Use application. It is important to remember that the 50% calculation relates to the entire curtilage of the site (not just the garden) and excludes the original dwellinghouse. There is no reason to dispute the calculations previously made by the Council that the construction of the garage did not require permission.

Nonetheless, it is quite clear that this has been a relatively heavily developed site, although its position at the end of the culd de sac means it has an angular garden much larger than many of those surrounding to the west. While there may be concern if another building were to be constructed close to the eastern boundary, the siting of this particular proposal cannot be considered to cause overdevelopment of the site sufficient to warrant refusal of the application given its location on the northern side of the site in a rather limited section of the garden by way of its width and it being primarily overlooked by a first floor extension of the neighbouring property that sits mon higher ground. In fact, the location of the extension appears to be quite suitable for this sort of infill proposal.

Accordingly, it is not considered there are any grounds to refuse planning permission.

Recommendation

To GRANT planning permission subject to the following conditions:

01 Approved Plans
02 Full Permission
03 Matching Materials

Is recommendation contrary to letter(s) of representation? Y

Case Officer: C Peck Date: 16/9/2019

Authorised by: A Appleton Date: 16/9/2019.