DELEGATED APPLICATIONS ASSESSMENT SHEET

APPLICATION NO./ADDRESS: WB/11/0003/FULL – 15 Seafield Avenue

DATE OF SITE VISIT: 17/02/11

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): N

SITE AND SURROUNDINGS:

The site is on a quiet residential street, near to the sea front. The surrounding properties are a mix of detached and pairs of properties, predominately two-storey and/or chalet bungalow in their scale.

The application property is a two-storey property which forms one of a pair. It has been sub-divided into 2 no. self contained flats (one at ground floor, the other at first). At present the garden area is informally sub-divided with both flats having their own private outdoor space.

The shared site boundaries are demarked by a mixture of rendered wall and standard close boarded fencing supplemented by planting, all some 1.8 metres – 2 metres in height.

PROPOSAL:

The development sought for has been advertised as ground floor flat roof extension to provide a garden room for No. 15 Seafield Avenue (1st floor flat) and a single storey rear conservatory to serve the ground floor flat

The proposal consists of:

- Single storey rear and side extension to measure (at max) approx; 2.95 metres in height, 7.3 metres in length, 7.4 metres in depth

RELEVANT PLANNING HISTORY:

None

RELEVANT PLANNING POLICIES:

Worthing Core Strategy
15, 16

South East Plan
CC1, CC6, BE1

Worthing Local Plan
H16, H18

Government Advice
PPS1, PPS25

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

Environment Agency raises no comment

Borough Environmental Health request precautionary condition (contaminated land) as extension of vulnerable use is added.

Borough Engineers:-

No mention as to how applicant intends to deal with surface water runoff. Applicant is aware the site lies within Flood Zone 2 & 3 and will incorporate suitable resilient measures. Ample space within garden to construct a soakaway and therefore request should approval be granted it be conditioned such that "no development approved by this permission shall commence until a sustainable scheme for the disposal of surface water has been approved by the Planning Authority"

One letter of objection received from relative of occupiers of No. 11 Seafield Avenue, summarised below:-

- *Extension approx. only 800mm from boundary fence*
- *Difference in ground level either side of this fence, no. 15 being some 320mm higher than no. 11*
- *Height of extension would total 3320mm. Close proximity of it to the boundary serves to accentuate visual "obstruction"*
- *Length of extension means it will run alongside, and hence affect, three glazed areas of no.11. These are the kitchen, adjoining study and the conservatory. Mrs Rackham sits in here conservatory for much of the year. Would extend its length to all but approx 200mm of it*
- *Main concern is effect on light ingress along 740mm run but particularly where it faces conservatory to effect both light ingress and here view from within it*
- *Since this is such an important room for her, she is concerned with regard to her privacy. Plan indicates 3 windows positioned with top of frames effectively 700mm above existing fence height and 800mm from boundary*
- *Kindly ask that you'd visit her property to assess the above concerns*

One letter of representation received from occupiers of No. 19 Seafield Avenue who raise no objection to the amendments to the original planning application.

PLANNING ASSESSMENT:

Introduction

The principle planning concerns with this development is its impact visually, upon neighbours, and flood risk.

The Environmental Health team have requested that a precautionary contamination condition be imposed. However the site is not identified at one

at risk so an informative would be sufficient to raise the applicant's awareness of this issue.

Visual

The extension is basic in its design, but its style is similar to the modern design of the host dwelling so there at least some attempt of architectural integration. It is to the rear of the property and would not be visible in the street.
For these reasons, there is not sufficient justification to withhold permission on visual grounds alone.

Neighbours and flat occupiers

Flat occupiers

The extension would run alongside the garden boundary serving the ground floor flat. Thereby the potential for light and outlook onto the occupiers of that flat is reduced to a certain degree. However the ground floor flat would benefit from its own conservatory. This would be built alongside the extension, thereby negating the majority of the overshadowing effect by the casting its own shadow.

Moreover the garden space for the ground floor flat is to be increased slightly in response to the new extension, so there is sufficient opportunity for the ground floor flat occupier to 'escape' and so unacceptable overbearing is avoided. No windows face this garden, so overlooking would not occur.

Neighbour to south

It is this neighbour who is principally affected by the development. It is acknowledged a degree of overshadowing and overbearing effect, and loss of light would inevitably occur. Such effects are exacerbated by differing ground levels between the sites. However, the judgement hangs on whether these impacts are materially unacceptable or not.

The applicant has demonstrated using industry recognised BRE standards that the reduction in light entering the conservatory would satisfy the relevant guideline, and therefore would be within accepted 'tolerance'. Some loss in light would also occur to the remaining fenestration in the neighbour's flank wall. But the light reaching these rooms and outlook from them is already greatly curtailed; the additional amount of built form proposed would not materially change this circumstance. There are no windows in the section of flank closest to the shared boundary.
The extension is single storey and flat roof in its design; thus the amount of protrusion above the existing shared boundary treatment would be less than substantial, even accounting for the change in ground levels. Also the neighbour's garden is reasonably large so offering an opportunity for 'escape'. Thus any overbearing would not be of an unacceptable nature.

The windows in the extension flank facing the neighbour are obscured. They are also high level in design and positioned to afford only oblique views into the neighbour's private rooms and/or garden. These measures are sufficient to negate intrusive overlooking to the neighbour (both actual and perceived).

Remaining immediate neighbours

The extension is sufficiently removed off the shared boundary with remaining neighbours to avoid undue impact arising.

Flood Risk

The site falls within Flood Risk Zones 1 and 2 so the site is at risk from flooding.

To mitigate any exacerbation of flood risk, the floor level of the extension is to be set no lower than existing building with socket outlets and electrical points set at a high level (these measures conform to Environment Agency advice).

A condition would also be imposed requiring details of the disposal of surface water runoff.

Conclusion

For the above reasons the proposal would not have an unacceptable impact upon identified amenities.

RECOMMENDATION:

Approve subject to:-

1. Standard time limit
2. Plans as approved
3. No development until details of disposal of surface water drainage to be agreed
4. Extension to be built out in accordance with flood prevention measures
5. Materials and finishes to match existing
6. No occupation until boundary treatment denoting outdoor space for each flat erected out on site
7. High level windows to be obscure glass
8. Notwithstanding "pd" no windows in flank facing adjoining neighbour
9. Flat roof not used as amenity area

+ Precautionary contamination informative

REASONS FOR RECOMMENDATION:

The proposal complies with relevant Development Plan policies.

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that on balance, existing residential quality of life would not be significantly adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?

~~N/A~~ Yes

DELEGATED

Case Officer
Sign..... [redacted] .Date.....1/6/11.....

Authorising Officer
Sign..... [redacted] .Date.....7-6-11.....