expires 6/11

Development Control – Delegated Officer Report

Application Number: ADC/0452/08 **Recommendation - Application Refused**

Site: **41 Cokeham Lane Sompting Lancing West Sussex**

Proposal: **Retrospective application for retention of covered loggia in rear garden**

The Application

41 Cokeham Lane is an end of terrace property located on a corner plot. The property has vehicular access to the rear garden where there was formerly a garage. This has been demolished and a structure erected in its place, previously described as being used to store a car and/or caravan under refused application ADC/0039/08 but now described as a loggia. The structure is timber framed with timber doors and a roof with timber battens. The curved polycarbonate sheet roof previously on the structure has been removed. The current plans indicate that a flat polycarbonate sheet is to be placed on the structure, but not on the forwardmost 1.2m closest to the road.

It is sited immediately adjacent to the pavement on the northern boundary of the property and measures 3.3m wide, 7.8m deep and 2.65m high (including the sheet roof which is not yet in place). It has been constructed against the northern boundary wall and there is a section of trellis infill between the top of the wall and the roof of the structure, which rises 0.7m above the wall. It is open to the garden on the south elevation. There is a shed in the garden to the rear (east) of the loggia.

The garden of no.41 is screened by a fence on top of a low wall running along the side (west) boundary.

The loggia is separated from the bungalow to the north, 39 Cokeham Lane, by a passageway giving access to the rear of no. 43 and the driveway to no.39.

Consultations and Representations

Third Parties

Sompting Parish Council – No objection

2 letters received from the occupiers of 39 Cokeham Lane and 10 Lotts Lane objecting to the application on the following grounds:-

- The structure is an eyesore and out of keeping with its surroundings
- Increased noise

- Land should be used for parking rather than having vehicles park close to a bend in the road

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, CH1, 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'
PPS1 'Delivering Sustainable Development (ODPM 2005)

Planning Assessment

Policies

The site is located within the built up area of Sompting. Policy DEV1 of the West Sussex Structure Plan states that development should not be permitted unless it is of high quality and integrates with, or enhances, adjoining land-uses. Development should have regard to the local context including views into and out of the site and the use of materials and building styles.

Policy AH7 of the Adur District Local Plan requires extensions to be of a design and use of materials which are sympathetic to both the original dwelling and the area in general, while the proportion of the garden area taken up by the proposal should not be excessive having regard to the character of the area.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be accepted.

Visual amenity and character

The height of the building has been reduced from its previous use as a car port/caravan store by removing the curved polycarbonate roof. Its design has therefore also been improved. However, it is proposed to cover most of the loggia with a flat polycarbonate sheet which will be unsightly and will serve to draw greater attention to the structure.

The loggia is a large feature which runs along almost the entire width of the garden. It has a bulky appearance, particularly when viewed from the north,

which is exacerbated by the trellis, thick timber fascia and proposed plastic sheet roof. Its height and siting, immediately adjacent to the side and rear boundaries of the property, accentuates its prominence in the street.

It is considered to be of incongruous design and appearance which detracts from the visual amenity of the street scene. It is considered that the structure should be reduced in height to be closer to the level of the wall and fence, thereby reducing its prominence in the street.

Residential amenity

The structure does run along the rear boundary of the property and covers a relatively large area of the garden. However, it is understood that it replaces a former garage on the same site and is open-sided, allowing it to be used as a sitting area as at present. Consequently, there has been no significant diminution of the usable rear garden area and the proposal does not conflict with the Council's DC Standard.

The structure has no significant impact on the residential amenities of neighbouring occupiers in terms of light loss, but it does have a slightly overbearing effect on the neighbouring property in the terrace, no 43, which has a narrower rear garden than its neighbours. However, it is not considered to be sufficiently detrimental to residential amenity as to warrant refusal on this ground.

Access and Parking

Objections have been raised that the area is not being used for the parking of cars, leading to vehicles being parked on the road close to a sharp bend. However, the Council cannot require the applicant to park their car within their curtilage and there is no restriction on street parking in this location. Consequently, an objection on this ground is not sustainable.

Recommendation

REFUSE on ground that :-

The structure, by reason of its siting, height and design, forms an obtrusive and incongruous feature that is visually out of keeping with, and detrimental to, the character and appearance of the street scene, thereby conflicting with policies CH1 and DEV1 of the West Sussex Structure Plan and policies AG1 and AH7 of the Adur District Local Plan

Case Officer. [redacted] Date 23/10/08

[redacted] 23/10