Development Control – Delegated Officer Report

Application Number: **Recommendation – Approve**
AWDM/0402/16

Site: **198 Upper Shoreham Road**

Proposal: **First-floor rear extension over previously approved single-storey rear extension**

Date of site visit: 11-04-2016
Neighbours checked: Y
Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property is a detached house in an outer residential suburb of Shoreham. The proposal is for a first floor rear extension to be built over part of a single storey extension under construction (the full details of which are shown on the submitted drawings).

Relevant site history
AWDM/0144/16
HOUSEHOLDER APPLICATION FOR PERMITTED DEVELOPMENT FOR PRIOR APPROVAL FOR SINGLE STOREY EXTENSION TO REAR OF PROPERTY MEASURING 5.5M FROM REAR WALL OF THE ORIGINAL HOUSE, MAXIMUM HEIGHT 3.M AND HEIGHT OF EAVES OF THE EXTENSION 2.68M (EXISTING CONSERVATORY REMOVED)
Prior Approval Permitted 02/03/2016

AWDM/1769/15
HOUSEHOLDER APPLICATION FOR PERMITTED DEVELOPMENT FOR PRIOR APPROVAL FOR SINGLE STOREY EXTENSION TO REAR OF PROPERTY MEASURING 8M FROM REAR WALL OF THE ORIGINAL HOUSE, MAXIMUM HEIGHT 3.3M AND HEIGHT OF EAVES OF THE EXTENSION 3M.
Prior Approval Refused 27/01/2016

Consultations
Southern Water: *Add informative*

Representations (summarised)
Objection received from occupiers of 196 Upper Shoreham Road and on behalf of 14 Newbarn Road: *Our rear kitchen adjacent to boundary. Distance between side walls is approx. 2m. No. 198 has a flat roof rear extension. Side window faced this extension but did suffer from loss of light or overbearing effect since low height of No. 198 allowed adequate natural light and outlook. This is third application. Objected on grounds of overbearing and oppressive presence and total loss of outlook. Application rejected. Did not object to revised application since size and lowered eaves met our concerns. Net effect would be to completely obliterate light and outlook from side kitchen window and introduce unacceptable degree of overlooking into kitchen via new side*

bedroom window and into garden patio via the window of bedroom. Overbearing effect especially when enlarged replacement of previous garage at No. 198.Sigificant development not reflect in Block Plan. Adur Development Control Standards for extensions and alterations to dwellings state an objective should be proposal would not result in unacceptable degree of overlooking, loss of natural light or overbearing effect. It is our view proposal runs counter to this – DCS also states (Section 2.1) that one of main planning concerns is to ensure proposal not have an adverse effect on neighbouring properties and (Section 2.2ii) that proposal not reduce daylight to neighbouring properties to unacceptable extent. Our view proposal would have these adverse effects. DC states (Section 3.2) that closer a rear extension is to boundary more likely to adversely affect that property. The proximity to boundary makes adverse effect inevitable. DCS for space around buildings state (Section 2.12.) that position of building on plot should take into consideration position of buildings on adjoining plots. General rule of thumb guide is no development beyond 45 degree area measured from nearest rear window of neighbouring dwelling. Development completely fails to meet this criteria in respect of kitchen window of No. 196 – Adur Planning Portal website states (No.8) if an extension within 2 m of boundary maximum eaves height should be no higher than 3m. Currently approved application has eaves height of 2.68 m compared with 3 m in rejected application. First floor extension clearly breaches this provision and much greater extent than originally, and unsuccessfully, proposed. Completely detrimental to our property and living conditions for reasons stated above. Further request a site visit to all affected properties.. Will spoil the view. May lead to further developments in area. Will create noise and disturbance. Significantly impact on privacy and visual aesthetics. Essentially additional independent property in neighbour's back garden.

Relevant Planning Policies
National Planning Policy Framework
Saved Adur Local Plan: AG1, AH7

Planning Assessment

Principle

Upgrading residential accommodation is acceptable in principle.

Visual amenity

The first floor extension would add mass to the first floor. However the bulk of the extension would be in scale with the host dwelling by the use of a dual hipped roof, with wide valley between. These roof pitches follow that of the host dwelling.

The ridge of the extension is lower than the main house so the roof extension is subservient.

The exterior materials and finishes are appropriate to the building. The fenestration is of similar style and design to the host dwelling.

No garden area would be taken up by the development.

For these reasons, the proposal satisfies the relevant criteria related to design set out in Saved Local Plan policy AH7 and allied Development Control Standard No. 3 *'Extensions and Alterations to Dwellings'.*

Residential amenity

It is the neighbour to the east who is principally impacted upon by the development (it is physically removed from the remainder to avoid harm arising, including by way of intrusive overlooking given the distances involved and relationship between buildings).

Neighbour to east

The upper floor side window does not serve as a principal means of light or outlook. The ground floor side window is a secondary means of light and outlook for the kitchen. The principal outlook and light to the kitchen is via rear facing fenestration.

The first floor extension would extend only half way over the flat roof of the rear extension. It would protrude only some 1.1 metres beyond the neighbour's own rear wall at first floor. It would comfortably exceed the light and outlook standards set out in the Council's adopted Standards.

Outlook and light to the ground floor side window is already curtailed by boundary treatment. It will be reduced more so when the extension at ground floor is completed out, lessening any reliance on this window for light and outlook. The principal means of daylight and sunlight and aspect to the kitchen is from the rear facing fenestration, which would be unaffected by the first floor extension.

No windows or openings are proposed in the side elevations of the extension. No direct window-to-window relationship would occur from the side bedroom window. Views from it onto the neighbour's side window would be acute in the extreme.

In such circumstance, the severity of any resultant overbearing or overshadowing would not be adverse in nature, and any overlooking would be oblique in nature and no unacceptable loss of privacy would occur.

Given these reasons, the proposal satisfies the relevant criteria related to residential amenity set out in Saved Local Plan policy AH7 and allied Development Control Standard No. 3 *'Extensions and Alterations to Dwellings'.*

Recommendation

APPROVE

Subject to following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

2. The development hereby permitted shall be carried out in accordance with the following approved plans:-

   Drawing No. 02 Rev A titled Proposed Floor Plans & Elevations date valid 22-03-2016

   Reason: For the avoidance of doubt and in the interests of proper planning.

3. Exterior materials and finishes to match
   {\b Reason}: {\i In the interests of visual amenity and to comply with saved policy AH7 of the Adur District Local Plan.}

4. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings (other than as hereby approved) shall be formed in the side elevations of the extension hereby permitted.

   Reason: To prevent overlooking and to comply with saved AH7 of the Adur District Local Plan.

Informatives:

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.

A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

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

Case Officer: Matthew Porter Date: 12-4-2016

Authorised by: Peter Barnett Date: 12 April 2016