Expires 14/1/08.

Development Control – Delegated Officer Report

Application Number: ADC/0700/07 **Recommendation – Permit Application**

Site: **20 The Avenue Shoreham-by-Sea West Sussex BN43 5GJ**

Proposal: **Enlarged first-floor rear window (amendment to ADC/0042/07) (retrospective)**

The Application

The application site is a detached house located on the south side of The Avenue, Shoreham. The property has recently received permission for a large two storey rear extension under ADC/0042/07.
This application seeks retrospective permission for an enlarged rear first floor window in the approved extension. The window as installed is, according to the supplied plans, 0.2 metres taller than approved.

Consultations and Representations

Third Parties

No.22 The Avenue have objected on the grounds of increased overlooking.

Contributors

No representations have been received.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005): LOC1, DEV1
Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved until adoption of the new Adur Development Plan): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'

Planning Assessment

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.

Residential Amenity

The window as approved under ADC/0042/07 had a width of 1.7 metres and a height of 1.2 metres. It was noticeably smaller than the dormer window it replaced (3.2 by 1.2 metres) and was thus considered to offer no significant overlooking concerns.

This application states that the approved window was 2.3 metres in width and 1.2 metres in depth which is clearly incorrect and this was noted by the neighbouring objectors during a telephone conversation. In any case the proposed window has been enlarged to 2.3 metres in width and 1.4 metres in depth. Whilst this is clearly larger in width and height than the approved window, in terms of area it is still less than the original dormer window (3.22 sqm as opposed to 3.84sqm).

Given that the proposed window is set in 4.2 metres from the boundary with No.22, is smaller than the original dormer window and sited 3.2 metres further to the rear, in real terms the amount of potential overlooking afforded is still less than prior to the extension being built. The depth of the extension is such that only the rear third of No.22's rear garden as a maximum has the potential to be overlooked, most of which would be at an oblique angle.

It is therefore considered that, although it can be argued that the degree of potential overlooking is increased by this enlarged window, overall it will still be less than afforded prior to the extension being built and a significant portion of No.22's rear garden will still attain absolute privacy. There is thus no conflict with local plan policy AH7.

Recommendation

APPROVE for reason that :-

1PPi (amended)

Subject to:

~~1. C1Ci~~ No conditions

PB 7/1/08

Case Officer:..... Date: 7/1/08.

Planning Services Manager:..... Date: 7/1/08.

Planning and Regulatory Committee Chairman:..... Date: 7/01/08