Development Control – Delegated Officer Report

Application Number: AWDM/1824/17 Recommendation – APPROVE

Site: 43 Tower Road, Lancing BN15 9JR

Proposal: Part single/part two storey rear extension.

Date of site visit: 04.01.2018

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to middle of terrace, two storey residential property situated on the south side of Tower Road, Lancing. The site has a fairly deep front garden of approx. 11.5 metres and a very deep rear garden of some 34.5 metres. Tower Road, predominately comprises two storey terraced housing. The site also backs onto railway lines. Lancing railway station lies to the east of the site.

The neighbouring properties have both undertaken rear conservatory extensions with no. 45's being constructed up to the boundary with the application site, no. 41's conservatory is built off the boundary by approx. 1metre.

Proposal

Permission is sought for extensions to the rear (south) of the dwelling comprising:-

Single storey ground floor, flat roof extension up to the boundary with both neighbouring properties, and measuring 3.5m in depth

The width of the extension is some 6.3m and the height will be approx. 2.9m high.

First floor hipped roof extension some 750mm from boundary with no. 45 and 2.35m from the boundary with no. 41. The eaves would be level with the existing eaves of the dwelling and it would repeat the exposed cut foot rafters of the existing dwelling. The first floor extension would measure some 3.05m wide x 2.35m deep x 3.8m high from the top of the ground floor extension and some 6.8m from ground level.

Relevant Planning History:

AWDM/0670/17 Part single and part two-storey rear extension and rooms in roof with rear dormer all to south elevation. **Refused 22.06.2017**

AWDM/1635/17 Lawful Development Certificate for single-storey rear extension to south elevation. Rooms in roof with roof light to front (north) elevation and rear dormer to south elevation. **Permitted 06.11.2017**

Consultations: None

Environmental Health: None

Potentially contaminated land, apply precautionary condition if approved.

Representations: 2 letters of objection from 41 and 45 Tower Road

- Very similar to refused application AWDM/0670/17
- A Lawful Development application granted AWDM/1635/17 for rear dormer which is not shown on this application
- The Lawful Development dormer should be considered with this application as it has a large impact
- Noise disturbance, traffic, access and smells
- Access through our property to accommodate the digger and building supplies, will have a physical negative impact on our garden, fencing and lawn.
- Applicant is a builder who will likely work outside hours and over the weekends creating high level of noise
- Overdevelopment, the extensions would double the size of the existing property
- Access and parking, applicant keeps obstructing access to our drive, which also obstructs our view when driving off our driveway which is dangerous
- The extent of the extensions would be overbearing and would dominate the terrace
- The plans indicate the elevations will go from the existing brick to render, which is out of keeping
- The window and door replacement is also out of keeping
- None of the neighbouring properties have a brick extension, but a glazed conservatory, and none have rear dormers
- The extension is greater than the allowed 3m
- Rain water on the new flat roof will get blown over onto our property
- Our conservatory will be overlooked by the extension and our side windows will be completely blocked from sunlight
- Loss of view from our conservatory and our house
- Loss of light from our house
- Extension will be higher than the fence
- Loss of privacy
- Devalue our property
- Damage to fencing
- Ground floor 3m high which is above the fence by 1m and higher than our conservatory
- Overshadow our glass windows and conservatory roof

Relevant Planning Policies

Adur Local Plan 2017: Policy 15
Development Management Standard No.2 ‘Extensions and Alterations to Dwellings’
National Planning Policy Framework (CLG 2012)
National Planning Practice Guidance

Planning Assessment

There is no objection in principle to the proposed extension which would upgrade an existing property within an established residential area. The key concerns are the effects on the residential amenities and character of the locality.

Visual Amenity

The proposal comprises 2no. separate rear extensions; 1no. on the ground floor; and 1no. on the first floor.

The main purposes of the extensions are to upgrade the existing middle of terrace property by enlarging the kitchen on the ground floor; and moving the bathroom from the ground to the first floor.

Other internal work will take place to modernise the property, but these do not need the benefit of a planning permission.

As can be seen from the history, the applicants have a lawful development certificate for a rear extension and a rear dormer. The rear extension measured 3m in depth which is less than the suggested depth of 3.5m outlined within the Adur Local Plan Development Management Standard No. 2, Extensions and Alterations to Dwellings; and it conforms with the requirements of the Permitted Development legislation; the rear dormer was for a full width dormer, again within the confines of Permitted Development legislation.

Both of these Permitted Development extensions therefore may proceed at any time.

The current application, as amended, seeks to extend the rear, ground floor extension to 3.5 metres, and would accord with the Adur Local Plan, Development Management Standard No. 2. Neighbours were concerned that the approved dormer from the Lawful Development Certificate is not shown on the proposed plans for the current application. However, there is no requirement for indicating it on the current application, as it is not being applied for here.

<u>Ground floor extension</u>

The ground floor extension has a flat roof, which will minimize its impact onto the neighbouring properties, and the 3.5m depth section next to the neighbours would be considered to be reasonable given that it is in accord with the aforementioned Development Management Standard. It will be 500mm deeper than the neighbouring conservatories/extension at no. 41 and only 200mm deeper than the conservatory at no. 45. These distances are not

considered to have a material impact onto either of the neighbours, and the fact that a 3m rear extension could be constructed under permitted development rights.

Both neighbouring extensions have windows facing onto the application site, no. 45 has high level windows right up to the boundary with no. 43, and no. 41's side windows are approx. 1m distant. It is considered that it would not be a priority to safeguard these windows particularly given that both the neighbouring conservatory extensions have principal windows facing to the south (rear) and also have glazed roofs. It is thereby considered that the neighbouring properties would not, thereby, be compromised by a material loss of light.

It is concluded that the overall depth of the ground floor extension will not result in unacceptable loss of visual amenity to either of its contiguous neighbours.

First floor extension

The depth of the first floor extension has been reduced from the earlier refused application by approx. 650mm, and the floorplans identify the 45° degree rule by drawing the lines onto the plans to show that the first floor extension will not result in overshadowing of the first floor windows of the neighbouring properties, due to it also being set off the boundary.

It is thereby considered that the amended first floor extension would not result in overshadowing or overbearing onto the neighbouring properties, and a condition restricting windows in the side elevations would be appropriate.

The first floor extension would be acceptable as drawn on the proposed plan, however, it would not look aesthetically acceptable if the rear dormer were to be constructed together with the first floor extension as it would foreshorten the roof of the first floor extension to abut the rear dormer which would in turn poorly relate in visual terms to the host dwelling, and would detract from its modest scale of the host dwelling. Thereby it would be appropriate to add a condition removing permitted development rights for the dormer. It would therefore give the applicants the option of constructing the rear dormer and rear ground floor extension as per its lawful development certificate or constructing this application, if approved, for the rear ground floor and first floor extension, without the rear roof dormer.

The combination of the ground and first floor would be acceptable as the ground floor extension has now been reduced to 3.5m in line with the Adur SPD on extensions.

The extensions are located wholly at the rear and would have no impact on the street-scene.

Residential Amenity

The most affected properties would be the contiguous neighbouring properties no.'s 41 and 45. The railway lines adjoin the property to the rear, and therefore there is no rear property that is affected.

No. 41 has its own rear conservatory, which using the 45° rule, the ground floor extension will not affect materially affect the daylight or sunlight to that property or result in unacceptable overbearing or overshadowing onto that property. Again using the same rule the first floor extension will also not result in unacceptable harm onto no. 41

No. 45's extension is only 200mm shorter than the proposed extension and thereby will not be significantly affected by the ground floor extension, and for the same reasons as indicated for no. 41, there will be no unacceptable harm to no. 45 either from the first floor extension.

It is therefore reasoned that the ground and first floor rear extensions will not compromise the existing residential amenities of both contiguous properties.

Summary

It is recognized that on the face of it the application appears to be very similar to the earlier refused application. However, enough alterations have occurred, such as the removal of the roof dormer, the shortening of the first and ground floor extensions, so as to now render the proposed development acceptable in planning terms.

The rear extension is only 200mm deeper than no. 45's existing conservatory, and although the extension will be built very close to the extension, it is only 500mm deeper than what is permitted under permitted development rights and is in line with the Adur Local Plan, Development Management Standard no. 2

The first floor extension has been reduced in depth and the ground floor extension also has been reduced in depth. Both extensions thereby will not result in any material overshadowing or overbearing onto either of the neighbouring properties.

A condition is to be attached to any approval, which removes permitted development rights for the rear roof dormer, thereby preventing the dormer being constructed at a later date. It is considered that the triple combination of the rear dormer with the first and ground floor rear extension, would poorly relate in visual terms to the host dwelling, and likely result in an overdeveloped appearance.

Temporary disruption during the building works is inevitable and is not a material planning consideration while access and parking are private matters, or if causing a highway hazard, would be a matter for WSCC Highways; changes to windows and doors of existing residential dwellings or the change from brick to render would not require planning permission (unless within a Conservation Area); and other matters raised such as right to a view and loss of value are not material planning considerations for development.

Recommendation

APPROVE subject to the following conditions

1. Approved plans
2. Standard time limit
3. Materials as per submitted forms
4. No windows in side elevations of ground and first floor extensions
5. Remove PD rights for rear roof alterations
6. Hours of working

Informatives

1. Approved following amendments
2. No dormer to be constructed in conjunction with this PP

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

Case Officer: Eve Hearsey Date:06.02.2018

Authorised by: Peter Barnett Date: 6 February 2018