Application No.: ADC/0765/07 Recommendation – Refuse Application

Site: 36 Downland Avenue, Southwick, West Sussex

Proposal: Rear Roof Terrace (Retrospective)

The Application

The application site contains a detached double storey house with brick walls and a clay tile hip ended roof, located on the southern side of Downland Avenue within the built-up area of Southwick.

Originally constructed in the 1950's, approval to a flat roofed single storey extension was granted in 1976 (SW/5/76). In June 2007 it was brought to Council's attention that a wooden balustrade had been erected around the perimeter of the rear extension, and a first floor window had been converted into a glazed door in order to use the area as a rear roof terrace. Retrospective approval to those modifications are now being sought.

Surrounding development includes a mix of detached and semi-detached double storey dwellings. It appears that a small number have elevated patios or terraces that have been erected under permitted development rights.

Consultations and Representations

No representations have been received on the application.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plans 2001-2016 (WSCC 2005):

LOC1, DEV1

Adopted Adur District Local Plan 1993-2006 (ADC 1996):

AG1, AH7 & Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No. 3 'Extensions & 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. They should be of sympathetic design and materials to the original dwelling and the area in general.

Visual Amenity, Character & Appearance

The materials proposed are considered complimentary to those of the existing dwelling and not to have a detrimental impact on the visual amenity of the dwelling or surrounding locality. Notwithstanding the above, the terrace itself is out of character with surrounding development and would set an undesirable precedent for similar proposals within the immediate area.

With regard to the small number of elevated patios / terraces in the area, none appear to have required or obtained Council approval, although of note, each appears to be of a lesser size and/or located at a lower height than that to which this application relates.

Residential Amenity – Privacy

Of particular concern is the impact on privacy the proposal will have on surrounding properties. Due to elevation of the terrace (which is exacerbated by virtue of the land falling away to the rear of the site) and a lack of mature vegetation, the terrace has expansive views over numerous rear gardens to the south, east and west of the subject site. It is on this ground that refusal is recommended, particularly given the precedent it would establish for further similar development within the immediate area.

Recommendation

REFUSAL for the reason that:-

1. H18R (amended as below)

   Having regard to the limited area of the site and its relationship to existing residential properties, the proposal would give rise to an unneighbourly form of development which would be detrimental to the~~re~~ residential amenities and environment of the locality, resulting in a loss of privacy and an overbearing effect on existing dwellings, and conflicting with the policies of the West Sussex Structure Plan (DEV1) and the Adur District Local Plan (AH2).

2. B10R (undesirable precedent)

Case Officer: ..... Date: 16/1/08

PB 16/1/08