Expiry Date – 9/7

Development Control – Delegated Officer Report

Application Number: AWDM/0432/18 Recommendation – Refuse

Site: 3 Nicolson Drive, Shoreham

Proposal: Single-storey rear extension to south elevation to include demolition of existing garage.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 15/6

Site and Surroundings

This application relates to a semi detached house built in the 1970's on the south side of Nicolson Drive close to the junction with Buckingham Road. The property has been extended into the roofspace. As built it has a garage at the rear accessed off The Martlets. Otherwise the rear garden is quite small.

Proposal

Planning permission is sought to demolish the garage and to build an 'L' shaped rear extension which measures 6.95 metres in depth adjoining the boundary with No. 5 and is 3 metres deep adjacent to No. 1. Including the parapet it is 3.35 metres high. A reduced size store is to be built up to the back garden boundary behind the extension and onto the shared boundary with No. 5.

Relevant Planning History

None.

Consultations

None undertaken.

Representations

None received.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2012
Adur Local Plan 2017 Policies 1, 2 and 15 including 'Development Management Standard No. 2 Extensions and Alterations to Dwellings'.

Planning Assessment

Principle

The principle of development can be supported as it upgrades a dwelling within the built up area boundary. For consideration is the impact of the proposals on the character and appearance of the area, the impacts of the development on neighbour amenity and the impact on the living conditions of future occupiers of the property.

Neighbour amenity

Policy 15 of the adopted local plan states:

'Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping. Development should:

- *Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development;*
- *Include a layout and design which take account of the potential users of the site;*
- *Make a positive contribution to the sense of place, local character and distinctiveness of an area; and not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space;*

When considering applications for extensions or alterations to dwellings, proposals will be expected to comply with the criteria contained in the Council's adopted Development Management Standard No.2 "Extensions and Alterations to Dwellings" (as amended or superseded by other Council guidance in force at the time an application is considered) or any other appropriate national standard.'

Development Management Standard No.2 "Extensions and Alterations to Dwellings" states:

The effect on neighbouring properties

2.2 Proposals will not be granted planning permission if they have an unacceptably adverse effect on neighbouring properties. The main detrimental effects could be related to:

- Privacy - the proposal should not result in direct overlooking of rooms in neighbouring properties, nor excessive amounts of overlooking of garden areas.
- Daylight - any proposal should not reduce the daylight to neighbouring properties to an unacceptable extent.
- Outlook – the fact that a neighbour may be able to see an extension would not in itself make a proposal unacceptable, the outlook of neighbouring properties should not be dominated by the extension since this could be overbearing and oppressive. However, the loss of a distant view would not normally be considered a valid reason for refusing an application.

2.3 The extent to which the above factors are affected will depend on the size and position of the extension, as well as its location and orientation relative to neighbouring properties. Clearly extensions to a large detached house or bungalow on a large plot are far less likely to affect neighbouring properties that ones to small terraced or semi-detached houses or bungalows. In addition a single storey extension would be less likely to have an adverse effect on neighbouring properties that a two storey extension, which would be more likely to reduce daylight to neighbouring properties and lead to problems of overlooking. It should also be noted that the use to which an extension is to be put may affect its impact. For instance a first floor bathroom with obscured glass would not lead to problems of overlooking and may be acceptable where a bedroom would not.

Rear extensions

3.2 The closer a rear extension is to the boundary of a neighbouring property the more likely it is to adversely affect that property, by way of overlooking or loss of daylight. On semi-detached or terraced dwellings single-storey rear extensions which abut, or are within 1m of a common side boundary with an attached dwelling, should normally be no deeper than 3.5m.

3.6 On single-storey rear extensions that are not clearly visible from the road a flat roof is usually acceptable.

No. 5 Nicolson Drive does not have a rear extension. The proposed rear extension at nearly 7 metres depth and 3.35 metres in height will significantly impact neighbour amenity and the living conditions of occupiers at No. 5. The extension is due west of No. 5 and will reduce the amount of afternoon sunlight received onto their back living room and the most intimate part of their rear garden. Daylight too received at No. 5 will be harmed. The extension proposed will also be overbearing at 3.35 metres high not least as it is proposed to run the entire length of the shared garden boundary.

No. 1 will not be harmed. The rear wall of No. 1 is 2 metres deeper than the original back wall of No. 3 and the proposed extension is only 3 metres deep adjacent to the common boundary.

Future living conditions of occupiers of No. 3

Development Management Standard No.2 “Extensions and Alterations to Dwellings” states:

3.5 A rear extension should normally allow the retention of a rear garden of at least 11m depth (between the rear wall of the extension and the rear boundary of the property) and of adequate area. The Council’s requirements for garden areas are summarized in Appendix 1.

Appendix 1 – Garden Area

The area required for a rear garden depends on the size of dwelling that it is proposed to serve. Small semi-detached and detached dwellings (up to 3 bedrooms) 85 sqm

The existing house only has a small rear garden. The proposed rear extension would considerably reduce it. Measuring from the proposed floorplan the remaining garden would only be 25 square metres in area. This plan indicates all existing mature

shrubbery is to be removed. This is an adequately sized garden for a family dwelling of this size and be harmful to future occupiers living conditions and continue to adopted council policy.

Character

The scale of this extension is excessive and uncharacteristic of the area. The flat roof proposed is acceptable on this rear elevation.

Recommendation REFUSE for the following reasons:

1. The proximity, depth and height of the proposed rear extension would result in an unacceptable loss of light and outlook to and would have an overbearing impact on No. 5 Nicolson Close to the detriment of their residential amenities. The proposal is therefore contrary to policy 15 of the Adur Local Plan, Development Management Standard No. 2 'Extensions and Alterations to Dwellings' and the relevant paragraphs of the National Planning Policy Framework.

2. The scale of the proposed extension represents an overdevelopment of this site which would leave the existing house with an inadequately sized rear garden for a family home of this size harmful to the occupiers' living conditions. The proposal is therefore contrary to policy 15 of the Adur Local Plan, Development Management Standard No. 2 'Extensions and Alterations to Dwellings' and the relevant paragraphs of the National Planning Policy Framework.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 3/7/18
Authorised and signed by:	Peter Barnett	Date: 3 July 2018