Expiry Date - 19/04/2023

Development Control – Delegated Officer Report

Application Number: AWDM/0198/23 Recommendation – APPROVE

Site: 29 Phoenix Way Southwick West Sussex BN42 4HP

Proposal: Proposed single storey rear extension

Date of site visit: 13/03/2023

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings:

The application property is situated to the south-west side of Phoenix Way within a residential area. The property is a semi-detached two-storey household comprising facing brickwork elevations and a tiled hipped roof, set back from the road behind a shallow wall and small front garden. The rear garden space of the property is of a good size and comprises an unusual rear projecting lean-to structure which recesses at a lower height to the north of this elevation, a decking and grass area, and a small-scale outbuilding to the north-west corner of the plot.

The attached property to the south-east No. 30 is a mirrored copy of the application property, differing only by way of extensions to the rear, and side and front (garage and porch) of No.30. The adjacent property to the north-west No. 28 is separated by a reasonable gap serving as this neighbour's driveway and leads to their garage which, together with an outbuilding further to the rear, abuts the boundary with the application property. This property also features a single-storey rear extension.

Proposal:

Permission is sought for the demolition of the existing lean-to which would be replaced with a single-storey flat roofed rear extension comprising facing brick elevations.

The existing lean-to measures approximately 2.7m deep (at maximum), 6m wide, and 3.1m at peak height (shallowing to 2.15m). The proposed extension would measure approximately 6.85m deep, 6m wide, and 3.3m high with 2no. roof lights. The only openings proposed would be orientated towards the applicants own garden.

Representations:

There were 3 properties notified of the planning proposal. At the time of writing this report there was 1 representation made by the occupants of the attached property No. 30 neither objecting to nor supporting the Planning Application. Comments were made regarding the following:

- Party Wall structural survey
- Structural integrity of Party Wall line

Consultations: None.

Relevant Planning History:

No planning history at the application property.

Most recent (and relevant) planning permission granted at the attached neighbouring property to the south-east No. 30 for Single-Storey Rear Extension under SW/85/86/TP/2289, decision issued 16/01/1987.

Planning permission granted at the neighbouring property to the north-west No. 28 for Single-storey rear extension under ADC/0245/08, decision issued 24/06/2008.

Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 1, 15
Supplementary Planning Guidance comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'
National Planning Policy Framework 2021

Planning Assessment

Principle

The proposal comprises upgrading a residential property located within the built-up area and can be supported in principle. The relevant issues are the effects on the character and appearance of the surrounding area and the effects on the amenities of neighbouring residential occupiers.

Visual Amenity

Whilst the majority of the development would be out of visual point, the side profile of the rear extension would be visible to a small section of the public realm on Phoenix Way by virtue of the gap between the application property and No. 28. This however is not considered to be harmful to the visual amenities of the area owing to the limited views from the street scene and appropriate materials proposed.

The proposed extension would not exceed the original side wall of the property and would rather harmonise with the existing layout by virtue of its proposed alignment with the wall. In view of the plentiful examples of rear extensions along Phoenix Way, most notably at the adjacent properties, and the wider area, the proposed extension would not result in an undue precedent. The proposed scale, massing, and form of the development is considered acceptable when read within the context of the dwelling and surrounding area.

Residential Amenity

The most affected properties would be the adjacent neighbours to the south-east (No. 30 Phoenix Way) and north-west (No. 28 Phoenix Way).

The extension would project the entire width of the property's rear building line up to the boundary with the attached neighbour No. 30. Whilst it is acknowledged that the proposed extension is of a generous size and would exceed the existing projection of the extension at No. 30, it is considered that this is to an acceptable degree (approx. 2.55m) and conforms to the Council's DM Standard by keeping within a projection of 3.5m. It is also of note that the '45 degree rule' has been successfully demonstrated; the extension would not compromise the nearest habitable room of No. 30. The proposed extension would not appear overbearing nor would it result in an unacceptable loss of light for the attached neighbour No. 30.

Coupled with the presence of No. 28's existing rear extension and garage/ outbuilding abutting the boundary with the application property, it is considered that the proposed extension would be located a sufficient distance from this neighbour to have a materially harmful impact.

The openings on the proposed extension would face into the applicants own garden. Therefore, no unneighbourly overlooking would occur.

Other

The comments made by the occupants of No. 30 in relation to the Party Wall are not material planning considerations and as such cannot be considered in the decision of planning permission.

The applicant should have regard to the Party Wall Act 1996 as advised as an informative in respect to the construction of the extension at the boundary with No. 30.

Recommendation:

APPROVE subject to Conditions:-

1. Approved Plans
2. Standard Time Limit

3. Materials
4. No Side Openings

Informatives:-

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. You are advised to ensure that the development works accord with the Party Wall Act 1996, which set out responsibilities for the undertaking of works at or close to the party wall of any neighbouring owner. Further information can be found at:

   https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance

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

Case Officer: Jason Albon Date: 18.04.2023

Authorised by: Peter Barnett Date: 19 April 2023