Development Control – Delegated Officer Report

Application Number: AWDM/1364/14 Recommendation – APPROVE

Site: 61 Berriedale Drive, Sompting

Proposal: Retention of conservatory attached to existing single storey rear extension

Date of site visit: 10.04.2015

Neighbours checked: Y

Additional neighbour notifications: Y (59 Berriedale Drive)

Proposal, Site and Surroundings

The application property is located on the northerly side of Berriedale Drive and comprises a semi-detached bungalow property. The road is residential in nature and incorporates pairs of semi-detached bungalows some of which have been extended to the rear and with dormer extensions in the roof.

This application seeks retrospective planning permission for the retention of a conservatory attached to a single storey extension at the rear of the property. The conservatory measures 6.5 metres in width, 2.6 metres in length, 2.6 metres in height to the eaves and 4 metres in total height. The conservatory is built on a brick plinth and incorporates uPVC and clear glazed exterior walls and a clear glazed hipped roof.

Planning permission is required for the conservatory as it exceeds 3 metres from the original rear wall when combined with the single storey flat roofed extension to the rear of the property.

Consultations:

Sompting Parish Council support this application

Representations:

One letter of objection has been received from the occupiers of 63 Berriedale Drive who have raised concerns that the conservatory causes a loss of privacy to their conservatory and lounge/dining room and the high level side windows overhang their boundary when opened.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 ‘Supplementary Planning Guidance’ comprising: Development Control Standard No.3 ‘Extensions and Alterations to Dwellings’ National Planning Policy Framework (CLG 2012).

Planning Assessment

There is no objection in principle to the conservatory to the rear of the existing dwelling providing that the development would have no harmful impact on the visual amenities of the area or to the amenities of neighbouring residential occupiers.

Visual amenity

The westerly side profile of the conservatory cannot be seen from Berriedale Drive from the gap between No.'s 59 and 61 Berriedale Drive as it is set back 2.5 metres from the westerly side wall of the original bungalow and partially screened by the garage to the westerly side of the application property and the single storey rear extension.

The conservatory is attached to a single storey flat roofed extension which extends the width of the bungalow to the rear. The property however benefits from a lengthy rear garden and therefore the conservatory does not appear cramped within the plot and an adequate amount of amenity space is left to serve the dwelling. Despite its relatively substantial form the conservatory still appears as a lightweight glazed addition to the original bungalow that would cause no adverse impact or harm to the visual amenities of the surrounding area.

Residential amenity

The residential occupiers that would be most affected by the conservatory are located within the neighbouring properties, 59 Berriedale Drive to the west of the application property and 63 Berriedale Drive to the east of the application property.

The western and eastern boundaries of the application site are lined with 1.7 metre high close boarded fences which provide some screening of the conservatory to the neighbouring bungalows on both sides. The proposed conservatory however is relatively high when compared to the application property and the neighbouring bungalows to the east and west. As the conservatory measures 2.6 metres to the eaves and 4 metres in total height the easterly and westerly clear glazed side panels, high level windows and glazed roof are clearly visible above the fence lines.

To the west the side windows in the conservatory are distanced to the neighbouring garden by 5 metres and 7 metres to the side wall of the neighbouring rear extension. As there is a reasonable degree of separation distance between the conservatory and the westerly neighbouring property and the side window within the neighbouring extension is predominantly below the fence line it is not considered that the conservatory causes any harmful loss of privacy to the amenity of the westerly neighbouring occupiers.

To the east the conservatory is located 0.3 metres from the neighbouring garden and attached bungalow. The close proximity of the conservatory to the easterly neighbouring bungalow and the lower position of the neighbour's rear conservatory means that the clear glazed panels and high level windows within the eastern side wall of the conservatory look directly into the easterly

neighbour's rear garden and conservatory above the boundary fence. The high level windows on the eastern side also open over the boundary to the neighbouring property and there is a side door within the easterly side of the conservatory, these openings have the potential to cause further loss of private amenity to the occupiers of the easterly neighbouring bungalow.

In order to overcome the loss of amenity to the easterly neighbouring occupiers, it has been recommended to the Applicant that the existing clear glazed panels, single door and high level windows on the eastern side of the conservatory are replaced with fixed obscure glazed panels. The Applicant originally submitted a brochure specification showing obscure glaze film that could be stuck to the easterly side walls of the conservatory. Whilst this may have overcome some of the concerns, it was not considered to be a permanent solution to the loss of the neighbouring privacy issue as it could easily be peeled or scrapped off at any point.

Subsequent to further discussion, the Applicant has confirmed to Officers that he is committed to replacing the clear glazed panels, single door and high level windows with fixed obscure glazed panels but the quote obtained for these works will require approximately 6 months of further saving. As the Applicant is keen to protect his family's privacy and that of his easterly neighbouring occupiers he has also confirmed that in the interim period he will be installing the obscure glazed film to the eastern side panels/windows and door within the conservatory and the high level windows in the eastern side of the conservatory have now been altered so that they are non-openable.

Taking into account the Applicant's commitment to replacing the existing clear glazed panels, single door and high level windows with fixed obscure glazed panels within six months of the date on the decision notice and in the interim period obscure glazing film will be installed on the existing eastern side panes it is considered that a compromise has been reached that would ensure that the easterly neighbouring occupiers would not suffer any further loss of privacy as a result of the retention of the conservatory.

In order to ensure that the agreed works are carried out, the obscure glazing film will be required by condition to be installed within 1 month of the date of decision and the fixed shut obscure glazed panels on the eastern side of the conservatory will be required by condition to be installed within 6 months of the date of decision. The Council's Enforcement department will be monitoring these conditions to check that the works are undertaken within the required timescales.

APPROVE

Subject to Condition:-

1. The Frostbite Window Film shown in The Window Film Company Specification submitted to the Council on the 30th April 2015 shall be installed on the eastern side panels, high level windows and door of the conservatory within 1 month of the date shown on this decision notice. *Reason: In the interests of neighbouring amenity and to comply with saved policy AH7 of the Adur Local Plan.*

2. Within six months of the date shown on this decision notice the existing clear glazed panels, single door and high level windows within the eastern side of the conservatory shall be permanently replaced with fixed shut obscure glazed panels details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the installation.
   Reason: In the interests of neighbouring amenity and to comply with saved policy AH7 of the Adur Local Plan.

Informative

1. Proactive Statement –Amendments

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

Case Officer: Rebecca Tier Date: 28th May 2015

Authorised by: Jo Morin Date: 28.05.2015