Development Management - Delegated Officer Report

Application Number: AWDM/0807/18 Recommendation – Approve

Site: 9 Sandown Road, Southwick

Proposal: Application to vary condition 12 of previously approved AWDM/1726/16. Amendment: Ground floor windows not to be obscure glazed and restrictors to be installed to first floor windows.

Date of site visit: 27 June 2018

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a newly constructed dwelling in Sandown Road. Condition 12 of the permission requires all rear windows to be obscure-glazed and non-opening below 1.7m. As built, the first floor windows are obscure glazed and fully opening. The ground floor windows are clear glazed and fully opening.

The application seeks to vary Condition 12 to allow the ground floor windows to remain as built but with opening restrictors fitted. At first floor, it was originally proposed that the bedroom window would remain as built with fully opening window (required by Building Control as a means of escape) but the two bathroom windows are to have restrictors fitted. Following consultation with Building Control it is clear that a window can have detachable restrictors fitted if used as a means of escape. Consequently, it is now proposed that all of the first floor windows, including the bedroom, are to have restrictors fitted.

Relevant site history

AWDM/1726/16 - Demolition of existing buildings and subdivision of plot with new detached scout hall and separate detached house with access from Sandown Road

Condition 12 of this permission states:

The windows in the rear (east) elevation of the dwelling hereby approved shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and they shall not subsequently be altered in any way.

Consultations

None

Representations

2 letters of objection received from the occupiers of 33A Phoenix Way and 3 Sandown Road:

- Object to bedroom window being fully openable and not obscure (it appears to have clear glass with blinds)
- Original condition should be fully complied with

Relevant Planning Policies

Adur Local Plan 2017 Policy 15
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (March 2012)

Planning Assessment

Principle

The proposal comprises upgrading the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the dwelling and its surroundings.

Visual amenity

The alteration to the windows has no discernible impact on the appearance of the building.

Residential amenity

The main issue is whether the windows as constructed will cause a loss of privacy for neighbouring residents, primarily the occupiers of the flats in Phoenix Way and the adjoining dwelling at 3 Sandown Road.

At ground floor, the rear windows do not cause a loss of privacy and it is considered that they can remain clear glazed and openable as constructed without the need for opening restrictors. Views from the windows are no more intrusive than those that can be obtained from the rear garden of the property.

At first floor, the windows are obscure glazed but openable. The distance to the affected flats in Phoenix Way is less than the usual 22m but it is considered that the obscure glazing and restrictors fitted to all windows will minimise any potential loss of privacy.

On balance, therefore, it is not considered that the level of harm to the amenities of neighbouring residents is serious enough to warrant refusal.

As the original permission related to the construction of both the house and scout hut, it will be necessary to reimpose several conditions relating to the use of the scout hut as this permission will replace the original consent.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Time limit
3. Remove PD rights
4. Use restriction
5. Hours of use
6. The first floor windows in the rear (east) elevation of the dwelling hereby approved shall at all times be obscure-glazed and they shall have restrictors fitted within one month of the date of this permission to limit the extent of their opening to a maximum of 100mm. They shall not subsequently be altered in any way (other than in an emergency when the restrictors can be detached to enable the window to be fully opened).

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

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.

Case Officer: Peter Barnett Date: 17 July 2018

Authorised by: Gary Peck Date: 18 July 2018