DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ ADDRESS: WB/10/1086/FULL 79 Offington Lane

DATE OF SITE VISIT: 2 February 2011

NEIGHBOURS CHECKED : Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): N

SITE AND SURROUNDINGS:

The site comprises a detached two-storey house located on a backland site on the west of Offington Lane accessed via an access driveway between No.s 75 and 81 Offington Lane. Offington Lane comprises a range of housing types and designs with those nearest the development being single-storey.

TPO No.35 of 1990 covers a group of trees along the Offington Lane frontage as well as selected trees at the rear, although there are no trees within the application site protected by this Order.

PROPOSAL:

Retrospective permission is sought for a single-storey garage extension and conservatory on the north side of the property.

The extension is 4.7m wide on the north side, with the conservatory element partially wrapping round the rear north-west corner of the house and extending into the rear garden by 4.2m. French doors in the south elevation of the conservatory open into the garden. The extension projects forward of the main front elevation by 1.3m. At the front there is a gap of approximately 2m between the north side of the extension and the site boundary, although this narrows towards the rear. The extension has a lean-to roof having a maximum height of 5m where it attaches to the flank of the original house. The front-projecting element is formed as a short dual-pitched gable with a central ridge approximately 4.8m high. The rear conservatory element has a glazed, hipped and pitched roof with a central ridge approximately 4.8m high. The external materials consist of face brickwork at the front and rear. At the time of the site visit the roof covering and flank elevation were unfinished.

The submitted drawings are inaccurate in that they do not show the high-level windows on the north flank of the conservatory.

RELEVANT PLANNING HISTORY:

Planning permission was refused in September 2008 under WB/08/0637/FULL for a 2-storey extension on the north side on the following ground:-

The proposed extension would, by virtue of its width, height, and siting in relation to the neighbouring property to the north, represent an overbearing form of development, causing a loss of light, outlook and an increased sense of enclosure to those occupiers. The proposed development would therefore be contrary to saved policies H16 and H18 of the Worthing Local Plan and contrary to the objectives of Supplementary Planning Guidance 'Extending or Altering Your Home'.

The property has subsequently been enlarged by rooms in the roof involving hip-to-side gables and front and rear dormers undertaken without planning permission, apparently as permitted development.

The current application arises following an enforcement complaint and subsequent investigation by the Planning Enforcement Officer.

RELEVANT PLANNING POLICIES:

Saved Worthing Local Plan policy BE1, H16 and H18
South East Plan CC1, CC6, BE1
Submission Core Strategy policy 16

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES :

A letter of representation have been received from the occupiers of Garden Cottage commenting that work has been carried out without the necessary consents being obtained and has carried on during weekends and bank holidays at unsociable hours; ash from burning cleared trees and dust from construction has been an issue with neighbours suffering verbal abuse when drawn to the attention of the applicant;

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if refused, would have some impact on the applicant's Rights. However, it is considered that the harm caused by the development outweighs these and that in the public interest the application should be refused. Accordingly it is considered that this decision complies with the Human Rights Act 1998, with regard to Article 8 and Article 1.

PLANNING ASSESSMENT:

The proposal constitutes up-grading the existing housing stock and can be suppoted in principle. The determining issues raised by this proposal are:-

- Impact on the amenity of occupiers of neighbouring residential properties;
- Impact on the integrity of the design of the proposed extensions and character of the townscape.

Impact on the amenity of occupiers of neighbouring residential properties

The extension is sited to the south and west of 79a Offington Lane a modern detached, 'backland' bungalow, sharing the same access drive off Offington Lane. The main outlook from the living room of No.79a faces east and west with secondary

windows in the south side. There is a distance of approximately 3-4 metres between the side elevation of 79a and the newly constructed wall of the extension. [The submitted site plan is inaccurate, there being a greater distance between these properties than indicated on the OS plan.] The scale and bulk of the single storey extension does not have an unduly dominant or overbearing impact on the rear of 79a, being partially screened from view by trees and shrubs on the boundary (within the curtilage of 79a). The latter are not included in the above-mentioned Order.

The submitted drawings do not show the fixed high-level windows that have been inserted into the north elevation of the conservatory. However in view of their high level position it is not considered that they give rise to unacceptable overlooking of 79a.

The comments concerning the allegedly unneighbourly manner in which construction has taken place on site, whilst regrettable, are not material to the determination of this application and the concerns raised are more effectively dealt with by other legislation.

Impact on the integrity of the design of the proposed extensions and character of the townscape.

The vertical side of the lean-to roof extension (to be tile-hung) results in a slightly awkward visual relationship where is joins flush with the main front elevation of the house, but is not so unsightly as to warrant refusal, particularly given the 'backland' situation of this dwelling.

RECOMMENDATION:

APPROVE subject to:-

1. The materials and finishes of the roof of the garage extension hereby permitted shall, prior to commencement of its use, be completed to match those of the existing building unless otherwise approved in writing by the Local Planning Authority.

   Reason: In the interests of visual amenity and to comply with saved Policy BE1 of the Worthing Local Plan.

2. The external finishes of the north flank wall of the garage extension/conservatory hereby permitted shall, prior to commencement of use of the garage extension/conservatory, be completed in render to match the upper floor of the existing building unless otherwise approved in writing by the local planning authority.

   Reason: In the interests of visual amenity and to comply with saved Policy BE1 of the Worthing Local Plan.

3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings (other than as hereby approved) shall be formed in the north flank

wall of the garage extension/conservatory without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To prevent overlooking and to comply with saved Policy H18 of the Worthing Local Plan.

REASONS FOR RECOMMENDATION: + Approved plans condition

Subject to the recommended conditions relating to the external finishes, the development would not detract from the surrounding local environment and does not give rise to unacceptable detriment to the amenities of neighbouring properties. It consequently does not conflict with the 'saved' policies of the Worthing Local Plan (BE1, H16, H18), the South East Plan (CC1, CC6, BE1) and submission Core Strategy policy 16.

IS RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION? Y

DELEGATED

Case Officer sign..... [redacted] .....Date.....1·3·11.....

Authorising Officer sign..... [redacted] .....Date.....1/3/11.....