Development Management - Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/0047/13

Site: **10 Woodards View, Shoreham-By-Sea**

Proposal: **Retention of loft conversion incorporating rear dormer with 2 Juliette balconies**

Date of site visit: 30 January and prior to application in association with Enforcement investigation/application for Lawful Development Certificate

Neighbours checked: Y

Additional neighbour notifications: Y – additional consultation sent to 14 King's Walk

Proposal, Site and Surroundings

This application seeks the retention of a loft conversion incorporating a large rear dormer with 2 Juliette balconies. The applicant carried out the development believing that it was permitted development however for the reasons set out in the report under reference AWDM/1138/12, it was considered that planning permission was required. The applicant has advised that they reserve the right to appeal against the earlier refusal of the Lawful Development Certificate if this application is refused.

The application site consists of a chalet bungalow and is located on the south eastern side of Woodards View which consists of a mixed character of development. Flats in Nelson Court are opposite across the road while to the rear are a number of properties in King's Walk also of mixed character and design.

Relevant site history

Application for Lawful Development Certificate for existing roof extension refused (AWDM/1178/12)

Consultations

None undertaken

Representations

1 letter of support has been received from the occupiers of 8 Woodards View who consider that the proposal is in keeping with the surrounding area and does not adversely affect the amenities of neighbouring properties.

2 letters of objection from the occupiers of 12 Woodards View and 17 King's Walk have been received on the grounds that the extension has already been built and work should have ceased before it was completed, overlooking and

loss of light. Comments have also been made about a recently erected flue but this does not form part of the application.

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

Principle

The application site is within the defined built-up area and represents an improvement to existing housing stock. Accordingly, there is no objection in principle to the application.

Visual amenity

The extension is located to the rear of the property and therefore difficult to view from public viewpoints. There appear to be other similar rear extensions in the vicinity, albeit on properties of varying sizes such is the mix of dwelling type in the locality, and so it is considered that the proposal has any significant visual impact.

Residential amenity

By extending at first floor level, a new element of residential accommodation has been introduced to the property. While properties in King’s Walk are visible from the extension, the minimum window to window distance is 35 metres to number 16 and in excess of that to other properties. There is already a high degree of similar overlooking between properties in Woodards View and King’s Walk in any case and therefore there is no demonstrable harm caused by the extension.

Conflicting views have been received from the adjoining neighbours. Because of the configuration of the properties on a bend in Woodards View, number 8 is little affected by the extension because of its own siting and outbuilding close to the mutual boundary. This view is confirmed by the representation of support from the occupier.

There is more impact upon number 12 as the alignment of the properties means that their garden is clearly visible from the new extension as well, at an oblique angle, a side window. It has to be borne in mind, though, that the garden is already overlooked by other properties (albeit at a greater distance) and there is a 2 storey property to the other side of number 12 which gives a degree of overlooking at first floor level as is the case with the current extension.

It is also noted that the fallback position is that there are no permitted development restrictions development in the roofspace of the subject property. The requirement for planning permission is set out in the previous

report and is because of the removal of the eaves. Any remedy to the current development (even if considered expedient in enforcement terms, which is highly unlikely) would simply result in the restoration of the eaves and a revised roof extension differently positioned in the roofslope.

The flue does not form part of the application.

Recommendation

APPROVE for the reason:-

The proposed development would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the saved policies of the Adur District Local Plan (AG1, AH7) or the policies of the South East Plan (CC1, CC6, BE1)

Subject to Conditions:-

1. Removal of permitted development
2. Permission relates to approved plans:
   Drawing No: 3383.PL.01 rev A Date Received: 17 Jan 2013
   Drawing No: 3383.PL.01 rev A Date Received: 17 Jan 2013

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

Case Officer: Gary Peck Date: 8 March 2013

Authorised by: JEA Date: 11 March 2013