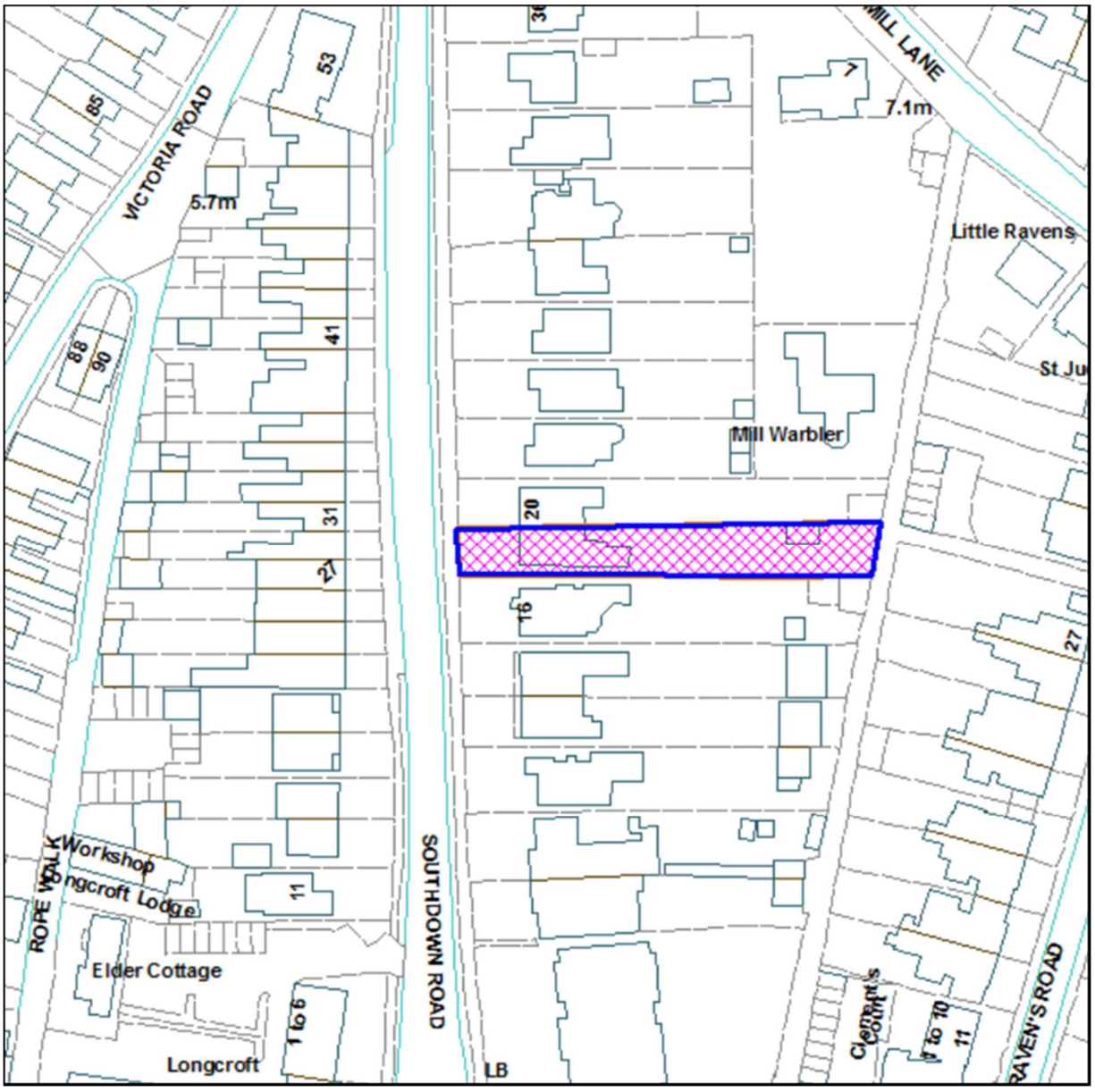
Application Number:	**AWDM/1846/21**	**Recommendation - Approve**
Site:	**18 Southdown Road, Shoreham-By-Sea**	
Proposal:	**Proposed garden room. Application to vary Condition 1 (approved plans) and Condition 3 (materials) of approved AWDM/1761/20 to allow use of concrete cladding to garden room, insertion of window to south elevation and reversal of roof pitch**	
Applicant:	Mr Anthony Rathbone	Ward: St Nicolas
Agent:		
Case Officer:	Eve Hearsey	



Not to Scale

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Proposal, Site and Surroundings

18 Southdown Road, Shoreham is a semi-detached dwelling and has a long rear garden measuring some 9.5m wide x 45m in length from the rear of the dwelling to the rear boundary. The garden room, the subject of this application, is positioned some 28m from the rear of the dwelling and 10m from the rear boundary.

There is a rear vehicular access behind the properties in Southdown Road and Raven's Road, which is accessed from gaps off Raven's Road together with Mill Lane to the north. The access is a private access and mainly unmade up, and measures approx. 3.5m wide along its main length.

The proposal is to amend the previous approval for the garden room by using a change of external cladding; provide an additional window in the south elevation; and to alter the pitch of the roof from having the fall to be onto the rear garden of the application site in lieu of onto the neighbouring property no. 20.

The site is within the Shoreham Conservation Area.

Relevant Planning History

SU/10/89/TP/OA: Outline application for a proposed dwelling – refused and appeal dismissed

SU/195/89/TP/OA Outline application for erection of a cottage to rear – refused and appeal dismissed

AWDM/0810/13 Demolish existing garage and construct a single storey replacement building to be used as a 1 bedroom holiday let – refusal and appeal dismissed

AWDM/1761/20 Proposed garden room

Consultations

Adur District Conservation Advisory Group: After careful consideration the only point raised by members was re the external cladding, i.e. the concrete panel alternative gives a far less attractive finish than that already existing despite using the same colour. As this will not impact on the street scene we recommend Approve

WSCC Highways: The revision has no highway implications and therefore no highway concerns would be raised to this application.

Representations

Letter of support 16 Southdown Road:

The building as it stands looks more than acceptable. Its construction is neat and well-built and in our opinion adds to the outlook in the area. It is considerably better to look at than some of the other dilapidated structures in other rear gardens and adds a new vibrancy to the view.

Letter of objection 22 Southdown Road:

· Does not enhance the Conservation Area
· The building has been allowed to go ahead despite being too tall
· The building was supposed to have been clad in natural timber and is now clad in a plastic cement shiplap with plastic windows despite not yet having permission to do so
· I understand it is encroaching onto neighbours land
· I understand that the north boundary wall has been upgraded with fire resisting materials
· Why is there no mention of the fire separation in any previous correspondence
· The previous report states that the garden room will not be higher than 2.5m
· The previous report states the cladding would be Siberian Larch
· The building is constructed off a concrete raft which is considerably higher than that which was approved
· The cladding is now cement plastic cladding which adversely affects the visual amenities, the character and appearance of the Conservation Area
· The proposal is contrary to County and Regional Policies
· If the current application was presented to Planning Committee they would not have approved it
· Why and how have you not corrected this planning anomaly

Letter of objection 20 Southdown Road:

· The application of variations is a concern as it is virtually complete
· The changes already made make a mockery of the Planning process
· I assume the radical changes should go before the Planning Committee before the work changes are made
· Fibre cement concrete cladding is already on 3 of the 4 walls
· The window to the south elevation is already in place
· The reversal of the roof pitch is also in place
· No objection to the roof pitch, but do object to the height of the roof from our side being substantially higher that it was before by at least 229mm
· The new concrete base is higher than before
· The new build height should be reduced by 229 – 305mm or moved away from the boundary by 1m
· Variations are a charade
· Contrary to policies
· Previous decision ignored
· Considerable noise and disturbance from the build
· Design and appearance not in keeping with Conservation Area
· Materials
· Loss of privacy from the build
· Loss of light from the new height

· Asked applicant to lay the cladding vertically on our side instead of horizontally, they were only willing to do this if we foot the bill for the new materials and the planning application
· Request my emails and letter are put before the Planning Committee
· Require specific answers to points raised

Letter of representation 25 Ravens Road:

We have no objection to the application other than it could possibly be the forerunner of an application for a change of use to residential accommodation, to which we would object.

We have read the applicants' letter and it would seem most unusual for them not to have realised that the garden room was to be clad in Siberian Larch.

Relevant Planning Policies and Guidance

Adur Local Plan: Policies 1,15,17
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'
National Planning Policy Framework (HCLG 2019)
National Planning Practice Guidance (CLG)

Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Section 73A and also Section 72 Planning (Listed Building & Conservation Areas) Act 1990 which require the Local Planning Authority (LPA) to pay special attention to the desirability of preserving or enhancing the appearance of the Conservation Area.

Planning Assessment

Principle

The proposal involves new development within the built up area and is therefore acceptable in principle subject to there being no harm to the visual and residential amenities of the locality, including the designated Conservation Area.

Condition 1 of the previous permission required that the development be carried out in accordance with the approved plans

Subsequent to the earlier permission, an additional window has been added into the south elevation of the outbuilding. This window faces onto the garden of the application site, and will not have any material effect onto the neighbouring property to the south given the over 30m distance from the house at no. 20 to the outbuilding, together with the over 6m separation from the side elevation of the structure to the boundary with no. 20.

The second alteration is the reversal of the roof pitch, namely to allow the fall to be to the applicants land in lieu of onto the neighbouring land. The change has meant that the height of the structure at the boundary with no. 20 will be some 10cm higher than the height of the structure to the garden side of no. 18.

This change of height is considered to be negligible and thereby will not materially impact onto the existing residential amenities of no. 20 by way of any significant loss of light or the creation of any material overshadowing onto that property.

Condition 3 of the previous permission required the external materials and finishes of the development to be in accordance with the application unless otherwise approved in writing by the Local Planning Authority.

The external materials have been changed from the approved Siberian Larch cladding to 'Hardie Plank Soft Green'. The composition of the cladding is shown on their site as being 'Portland cement, sand, cellulose fibre, water, selected additives.'

The material used has a different look to it than Siberian Larch, but it is being used on an outbuilding which is sited more than 28m from the application dwelling, and more than 30m from those raising concerns to the alterations, plus it is a rear garden and thereby will have no material effect on the character or the appearance of the Shoreham Conservation Area or the existing visual amenities of the neighbouring properties.

Members are also requested to note that the previous report for the garden room AWDM/1761/20, which went to Planning Committee in February 2021, stated that the height would be 2.5m, whereas the actual the height proposed was 2.631m (with the width being 5m and the length 6.150m).

The garden room has been constructed at 2.6m in height and thereby conforms to the approved plans. While the concerns of the neighbours who were under the impression that the building would be 2.5m in height is understandable, the difference between the respective heights is some 10cm and is not considered material in planning terms particularly given the distance of over 30m from the dwelling at no. 20 to the garden room. Accordingly, there would be no justification to refuse planning permission on this basis.

The proposal is therefore considered to be acceptable.

Recommendation

APPROVE subject to the following conditions:-

1. Approved plans
2. Building to be used ancillary to the main dwelling and for no other purpose
3. No windows facing no. 20