Expiry Date - 13/07/2010

Development Control – Delegated Officer Report

Application Number: ADC/0178/10 **Recommendation – Permit Application**

Site: **149 Greenways Crescent Shoreham-by-Sea West Sussex BN43 6HP**

Proposal: **Retrospective application for summer house in rear garden**

The Application

The application property is a semi detached dwelling located in the north east corner Greenways Crescent. The dwelling has a reasonably large rear garden containing a number of structures, including a shed and trampoline. Retrospective planning permission is sought to retain a timber summerhouse which has been erected in the north east corner of the garden. It sits on a raised base and measures 4.4m wide, 3.8m deep (with a 1.3m deep roof overhang) and 3.3m high from ground level with a pitched felt roof. It requires permission by virtue of being in excess of 2.5m high and within 2m of the northern boundary (it is approximately 0.5m from the northern boundary and 2.5-2.8m from the eastern boundary).

Consultations and Representations

Consultations/Comments

None

Third Parties

1 letter received from the occupier of 21 New Barn Road who states that they have no objection to the summerhouse itself but object to it being placed on blocks which raise it above the height of the fence and results in overlooking when anyone stands on the balcony .

2 letters of support received from the occupiers of 147 and 151 Greenways Crescent

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993 – 2006 (ADC 1996): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No.3 'Extensions and Alterations to Dwellings'
PPS1 'Delivering Sustainable Development (ODPM 2005)

Planning Assessment

Policies

Policy AH7 of the Local Plan states that extensions and alterations should be designed so as not to result in an unacceptable degree of overlooking, a loss of natural light or an overbearing effect on neighbouring dwellings. They should be of sympathetic design and materials to the original dwelling and the area in general. The proportion of the garden area taken up by a proposal should not be excessive.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be accepted.

Visual amenity and character

The summerhouse is a modest building whose visual impact is exacerbated by the large roof overhang. However, it is at the rear of the dwelling and cannot be seen from the street, while the overall garden area taken up by the building is relatively small and does not result in a cramped or over-developed amenity space. It is not considered to be out of character or a particularly unusual feature.

Residential amenity

There has been an objection from the occupiers of one of the dwellings to the east of the site whose rear garden backs onto the site. That dwelling has a rear garden of some 50m in depth and, while it has a view of the roof of the summerhouse, it is not considered that there is any detriment to the outlook from that dwelling. It should be noted that a summerhouse of this size could be built as permitted development if it were moved more than 2m from the northern boundary (it is already 2m from the eastern boundary with New Barn Road).

The neighbours' specific concerns regarding the building being placed on blocks and causing overlooking from the 'balcony' have been responded to by the applicant. He states that:

"The summerhouse is located on an existing (prior to our occupation) raised area of the garden, which previously housed a shed that was closer to our eastern boundary. The single row of concrete blocks (laid flat) has been used to give strength to the base, enable levelling and keep the wooden structure slightly off the ground to minimise water penetration. The ridge height from the lower ground level also falls within the permitted 4 metre maximum, for a dual pitched roof. The structure itself has been treated with a medium brown colour and green shingles have been placed on the roof to help it blend in with the surrounding vegetation."

He goes on to state:

"We do not have a balcony in front of or around the summerhouse and assume Mrs Dale may be referring to the existing raised area of the garden which remains on the eastern side of the summerhouse and maintains the required (more than 2 metres) distance from the boundary. We have already purchased a 'fast growing' 6-feet shrub to plant on this boundary and intend to plant other trees/shrubs along the eastern side and remove the trampoline (directly at the end of Mrs Dale's garden) in the future. The summerhouse/remaining raised garden area is already afforded some cover (to the east) by a neighbouring beech tree.

We do not intend to build any raised decking area or balcony in front of the summerhouse (i.e. the south facing end) and will simply have steps in to it, from a small lower ground-level 'patio' / seating area. This seating area will maintain the integrity/privacy afforded by the existing 6-feet fence between our properties, even whilst standing. It's also probably worth mentioning that whilst in the summerhouse, we are unable to see in to Mrs Dale's garden."

There is no balcony and, while the floor level of the summerhouse is raised above the garden level by 0.5m, there are no windows at the side of the building, which is orientated to face south over the applicant's garden. It is considered therefore that the privacy and amenities of neighbouring occupiers will not be adversely affected by the retention of this building.

Recommendation

APPROVE for reason that:-

1PPi (amended) The summerhouse does not detract from the local environment and does not result in unacceptable detriment to the amenities of neighbouring properties. It consequently does not conflict with the policies of the Adur District Local Plan (AG1, AH7).

Subject to:

1. This permission relates to the following approved plans, date stamped received 18 May 2010:

Expiry Date - 13/07/2010

Appendix 1 (aerial view), Appendix 2 (1:1250 Location Plan), Appendix 3 (1:500 Block Plan), Appendix 4 (Site Plan), Appendix 5 (floor plan), Appendix 13 (elevations)
Reason– For the avoidance of doubt and in the interests of proper planning

Case Officer Peter Barnett Date 22/6/10

Planning Services Manager [redacted] Date 23/6/10.....

Chair of Planning Committee Agreed by email Date 28/6/10....