expires 09.04.10

Development Control – Delegated Officer Report

Application Number: ADC/0031/10 Recommendation - Permit

Site: **53 Park Avenue Shoreham-by-Sea West Sussex BN43 6PG**

Proposal: **Double garage, new vehicular access onto Upper Shoreham Road (easternmost existing access stopped up) and front porch to dwelling**

The Application

The application is the resubmission of a refused scheme dating from 2008 (ADC/0134/08) for a detached garage to be sited to the north of the dwelling.

The application property is the northern half of a pair of 1950's semi-detached bungalows, located on the western corner of the junction between Park Avenue and Upper Shoreham Road.

The current application is for a detached garage with pitched roof with front and rear gables, aligned in an east-west direction. The garage would be 5m wide, by 5.8m deep, by 3.5m in height. Permission is also sought for a north side porch which would be 2.5m wide, by 0.8m in depth, by 3.1m in height. It too would have a ridged roof with front gable.

The property is notable for being set back in its plot so that the outside garden area is comprised of the areas to the front (east) and side (north) of the dwelling, whereas there is no real 'back' garden. The garden area is very well screened by a brick wall with close boarded fence above, 1.5m in height, along the entire east side and part of the northern boundary. Behind the boundary wall is a mature hedge of conifer trees, which also returns in and arc from the northern boundary back to the NE corner of the bungalow. The hedge and boundary wall result in the applicant's garden being very private. The property notably has no form of pedestrian or vehicular access onto Park Avenue, with the main access to the site being from Upper Shoreham Road.

Site history

SU/142/83/TP - Detached garage at side (north). Approved 07.08.10
SU/54/87/TP - Vehicular Access onto Upper Shoreham Road. Approved 28.04.87
SU/69/94/TP – Additional vehicular access onto Upper Shoreham Road. Approved 23.05.94
SU/156/04/TP – Detached double garage in front garden (accessed from Upper Shoreham Road). Refused 23.08.04
ADC/0134/08 – Double garage and new vehicular access onto Upper Shoreham Road (existing access stopped up).

ADC/0312/09 – Application for certificate of lawfulness for proposed detached garage on north side of bungalow using existing access. Approved 01.09.09

The most recently refused application was for a garage that would have been 5.7m wide, by 5.8m deep, by 4.5m in height to the ridge of the part-hipped roof. The garage would have been located to the north of the dwelling, set back from the front elevation by 2.3m.

The application was refused for the reason that: *The proposed garage would be an obtrusive and incongruous feature out of keeping in terms of scale and its siting forward of the main dwelling adjacent to the road, to the detriment of the visual amenities of the locality and, if permitted, the LPA would find it difficult to resist further similar proposals related to other dwellings in the road, the cumulative effect of which would be to spoil the character and appearance of the area, contrary to the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH7).*

Consultations and Representations

West Sussex County Council: The Highways Officer had no concerns with the former similar application subject to the implementation of pedestrian visibility splays (ADC/0134/08)

Third Parties: No third party objections.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved until adoption of the new Adur Development Plan): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'

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.

Visual Amenity
The original garage proposed would have had an overall height of 4.5m with a ridge length of 2.7m in the east to west orientation. The impact of this from views from the north would be limited however due to the relatively well screened boundaries to the north and east. It was originally identified by the officer that the garage in itself was sympathetic in design to the main dwelling,

officer that the garage in itself was sympathetic in design to the main dwelling, and that the only issue was the prominence of the garage's siting forward of the natural building line (onto Upper Shoreham Road), its bulk which was considered excessive, and which may lead to an unwanted precedent.

The current application is for a detached garage in a similar location to that of the refused former application. The size however has been reduced, so that the ridge height would be 1m less at 3.5m, with the width also being reduced by 0.8m to 5m, and the depth remaining 5.8m. Whilst the reduction in the overall size would result in the garage from having less prominence, particularly due to the existing well screened north side boundary, the issue of its siting is still a relevant concern.

In the interim period since permission was refused for the double garage (ADC/0134/08), a Lawful Development Certificate has been issued for a garage to be located directly between the north elevation of the dwelling and the boundary with Upper Shoreham Road. Ordinarily this would not have been considered 'permitted development' however since the amendments to the General Permitted Development Order in October 2008, such structures at the side of dwellings are now considered 'permitted development' subject to height restrictions (2.5m), them not occupying more than 50% of total garden area, and subject to them being for an incidental use.

The LDC was issued for a garage that would be 4.5m – 4.8m in width, by 5.8m in depth, by 2,5m in height with a squat dummy pitched roof. It would be sited directly to the north of the dwelling in a particularly prominent position opposite the junction with Greenways Crescent, unscreened other than by a 1m high wall. It is considered that the garage that could be constructed under permitted development would by unsympathetic in design to the original dwelling, and incongruous in its prominent siting, due to the open nature of the west side of the northern boundary.

The existing set of proposals would be far more sympathetic in their design, and far less incongruous in their siting than those of the LDC if it were to be built, it is therefore considered that, on balance, the proposals would be less detrimental to the visual amenity of the surrounding area than the garage that could be erected as permitted development.

The proposed porch only slightly exceeds the dimensions of one that would be permitted development. It is modest in size and relates well to the northern elevation in terms of its height and location.

Access and Parking

The site currently has two access points onto Upper Shoreham Road. It is proposed that the easternmost one will be stopped up, and moved 4.7m to the west. The garage would be located so that the boundary wall would be extended over the former access terminating in a matching pier. This still allows for the retention of the large hardstanding area to the side of the bungalow as existing, and the exiting of vehicles onto the main road in a safe

manner. County Highways raised no objection to the former refused application but recommend that pedestrian visibility splays should be secured as part of any permission. The usual height of these splays is 0.6m (2m x 2m) however the wall proposed is to be 1m to match the whole of the boundary. A 1.5m wide splay can be achieved to the east of the new access and 2m to the west. Although the 0.6m high splay cannot be achieved, in this case it is considered that the affect on highway safety would not be any worse than currently exists with the vehicular access on the east of the site, being as it is adjoined by similar height walls, and a large hedge.

Recommendation

1PPi

1. C1Ci
2. C12Ei
3. C9Kii – amended
   .....until the existing easternmost access to the site....etc
4. C8Fi
5. C9Ai
6. C9F – amended
   .... shall not exceed 3.5m.....These splays shall be 1.5m by 1.5m on each side.....in excess of 1m above ...etc.

7. C11D – amended to read hedge.
8. Notwithstanding the Lawful Development Certificate granted 01.09.2009 ref: ADC/0312/09, or 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 garage or other buildings shall be erected between the side of the dwelling and Upper Shoreham Road, other than as hereby approved, unless permission is granted by the Local Planning Authority on an application in that behalf.
   Reason: *In the interests of amenity and to comply with policy AH7 of the Adur district local Plan.*

Case Officer: [redacted] PB 5/3/10

Date: 5/3/10