Expires 27/2/09

Development Control – Delegated Officer Report

Application Number: ADC/0002/09 **Recommendation – Refuse Application**

Site: **7 Benbow Close Shoreham-by-Sea West Sussex BN43 5RY**

Proposal: **Two-storey rear extension**

The Application

The application site is the northern end-of-terrace house located on the east side of Benbow Close, Shoreham Beach. The property is three storey in height with a modest rear garden enclosed by 2 metre high walls and fencing. Like many of the other clusters of housing within the estate, this terrace of 5 houses is surrounded by open pedestrian walkways to the rear and south with a row of garages set against the northern side boundary. The northernmost two houses are completed in white cladding at first and second floor level with the ground floors completed in a dark stock brick to match the other houses in the terrace.

Planning permission was recently refused under ADC/0293/08 for a two storey rear extension with pitched roofs above a 3.5 metre deep ground floor segment and 2 metre deep first floor element. A 'Juliet' style window was proposed in the first floor rear elevation. This proposal was refused for reason that:

> *The proposed extension, by reason of its large size and unsympathetic design, would be out of keeping in scale and appearance with the existing building and would detract to an unacceptable extent from the visual amenities and residential environment of the locality and thereby conflict with the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH7).*

Permission is again sought to erect a two storey extension off the rear elevation. This revised extension will still extend the width of the property (3.5 metres) however it will now be to a depth of 2.3 metres at both ground and first floor levels with standard windows located within the rear elevation only. The roof will be pitched such that the overall structure will meet the sills of the top floor windows at a height of 6.1 metres. As with the main house the ground floor will be completed in matching brick with white UPVC cladding at first floor level.

Consultations and Representations

Third Parties

Three letters of objection have been received from the residents at No's 4, 8 and 12 Benbow Close on the grounds that:

- The house is already large and is used to accommodate students who are noisy and unruly at night. Any such enlargement would serve to block light to properties.
- This proposal would set a precedent for other houses in the terrace to undertake similar extensions which would further adversely impact on the privacy and daylight of the other houses.
- The proposal will create a 'tunnel' outlook to neighbouring properties with their outlook dominated by brick flank walls.
- Disruption caused by construction work to a neighbouring private office.
- No.9 built a 2-storey extension without planning permission that had to be reduced to a single storey extension due to its significant impact on neighbouring light and privacy.
- The proposal would have a devastating impact on the appearance of the building and is inappropriate for a terraced town house.

Contributors

No representations have been received.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, CH1, DEV1
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'
PPS1 'Delivering Sustainable Development' (ODPM 2005)

Planning Assessment

Policies

Structure Plan policies seek to protect, and where possible, enhance the character and distinctiveness of an area, requiring high standards of design, layout and construction (DEV1) and to maintain and enhance the character and sense of place of settlements (CH1).

Policy AG1 of the Local Plan states that development within the built-up area will normally be permitted subject to other policies in the Plan and to it not detracting from the local urban environment.

Policy AH7 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 and accord with the Council's adopted standards, in this case, the. DC Standard No.3 'Extensions and Alterations to Dwellings' (which was subject to the same consultation as the Local Plan itself). It states that rear extensions to terraced houses should not exceed 3.5 metres in depth at ground floor and 2 metres in depth at first floor level if within 1 metre of a common boundary. Extensions abutting a boundary will not normally be permitted whilst two storey extensions should have a pitched roof to match the existing house.

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

The site is in a highly visible location with wide pedestrian walkways to the north, rear and south of the large three storey terrace. Within the terrace only the central house No.9 has extended to the rear with a large single storey addition (SU/304/78/TP).

In terms of appearance the proposed extension will be set at 2.3 metres in depth at ground and first floor levels and completed in brick and UPVC cladding to match the main dwelling. Whilst this would not look out of place on a detached property, on a terraced dwelling this proposal will serve to markedly change the uniform appearance of the terrace. It is noted that the other similar terraces within the wider area are mostly unmodified with the exception of a few modest ground floor extensions. No other property, both in this terrace and the surrounding area, has extended at rear first floor level in such a manner. Should this proposal be accepted then it would set a clear precedent for further such extensions, the combined impact of which would be clearly detrimental to the visual amenity of the area.

It is therefore considered that the size of this proposal, although modified and simplified from the previous refusal, will still create an incongruous feature that overdominates the appearance of the building and sets a precedent for further such extensions within the wider area, contrary to local plan policy AH7, structure plan policy DEV1, and DC Standard No.3.

Residential Amenity

The proposal has been revised from the previous refusal to a depth of 2.3 metres at both levels. Whilst the ground floor segment now falls within Class 1 of the Town and Country Planning (General Permitted Development Order 1995 (as amended) the first floor element requires planning consent. DC Standard No.3 is explicit in stating that first floor extensions within 1 metre of a common boundary with an attached dwelling should not exceed 2 metres in depth to avoid overdominating and blocking light to the attached dwelling. In this instance the first floor segment has been enlarged from 2 metres as previous to 2.3 metres in order to match the ground floor section. It is considered that this will still serve to overdominate the outlook to the neighbouring dwelling and thus remains unacceptable. It is acknowledged that these properties are perhaps unique in that the main living quarters are sited at first floor level with bedrooms/utility spaces at ground floor level and bedrooms at second floor level (hence the desire of the applicants to extend their first floor living space) however this does not alter or justify the detrimental impact that a two storey extension built close to the boundary will have on the adjoining property's amenity.

In terms of privacy it is not considered that this proposal will afford any greater degree of overlooking than already exists. This is aided by the inclusion of two rear first floor windows as opposed to a 'Juliet' balcony as before.

Recommendation

REFUSE on ground that :-

B5CR 'The proposed extension...'

Case Officer:.....

Date:27/1/09

PB 28/1/09