Development Management - Delegated Officer Report

Application Number: AWDM/0245/14 **Recommendation – Approve**

Site: **6 Lewis Road, Lancing**
West Sussex, BN15 0NT

Proposal: **Retrospective application for shed in rear garden**

Date of site visit: 5 March 2014

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a shed that has been built in the rear garden of a semi-detached house on the west side of Lewis Road. It measures 3m high, 4.6m wide and 3.2m deep and is located on the rear boundary. Permission is required because it exceeds 2.5m in height and is within 2m of the boundary. It has a flat roof with a slight overhang at the front.

The applicant uses the shed as a personal gym. It has glazed entrance doors and a window on the north elevation facing the applicant's garden. There are also two windows on the west elevation which face the rear of properties in Lynchmere Avenue.

Relevant site history

None

Consultations

Lancing Parish Council: No objections

Representations

2 letters received from the occupiers of 40 & 42 Lynchmere Avenue objecting to the application on the following grounds:

- Noise disturbance from gym equipment
- Lights visible from within shed
- The building does not resemble a normal shed, being too high and intrusive.
- Windows in west end face neighbouring properties and cause loss of privacy
- Loss of trees
- Positioned too close to boundary

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’
Assessment of Saved Policies (ADC 2013)
National Planning Policy Framework (CLG 2012)
Planning Practice Guidance (CLG 2014)

Planning Assessment

Principle

The proposal comprises upgrading of the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the dwelling and its surroundings.

Visual amenity

The shed is larger than would normally be expected, being higher than the detached flat-roofed garage in the applicant’s garden, primarily because it is sited on a raised concrete base and wooden blocks. It is also used to house gym equipment and the applicant therefore required a higher ceiling to enable weights to be lifted above his head. However, it does not dominate the garden area and is not considered to constitute an overdevelopment of the site. It is of a reasonable quality and will eventually weather naturally and become softer in appearance. On balance, it is not considered that the shed causes sufficient visual harm to warrant refusal.

Residential amenity

The shed is used a personal gym and complaints have been received about noise and lights from the shed causing disturbance to the occupiers of the dwellings at the rear in Lynchmere Avenue. Of particular concern is the presence of two windows in the west elevation which directly face the gardens and rear windows of the affected dwellings. Although they are obscure-glazed windows, they do allow light to penetrate and do result in a perception of overlooking.

The applicant has agreed to board over the windows and it is considered that this would be sufficient to reduce the impact on the neighbours to an acceptable degree. The shed is located on the boundary and is visible from the rear of those properties in Lynchmere Avenue. However, it is some 18m from the end of the nearest dwelling and is not considered to be overbearing or intrusive to an extent that would warrant refusal, or necessitate a reduction in height or screening. The window and door on the north elevation offer only oblique views of the neighbouring properties and it is not considered that they need to be altered.

The shed is reasonably well screened from the property to the south by vegetation and that property is not considered to be adversely affected by the building.

Recommendation

APPROVE for the reason:-

The shed does not cause unacceptable visual harm and, subject to the boarding over of the windows in the west elevation, it does not cause unacceptable harm to the amenities of neighbouring properties. It consequently does not conflict with the saved policies of the Adur District Local Plan (AG1, AH7) or the policies of the National Planning Policy Framework

Subject to Conditions:-

1. Approved plans
2. Within one month of the date of this permission, the windows in the west elevation shall be boarded up in accordance with details to be submitted to and approved in writing by the local planning authority and those windows shall thereafter remain permanently boarded up.
3. The gym shall be used for purposes ancillary to use of house and not for commercial purposes.

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 31 March 2014

Authorised by: Gary Peck Date: 31 March 2014