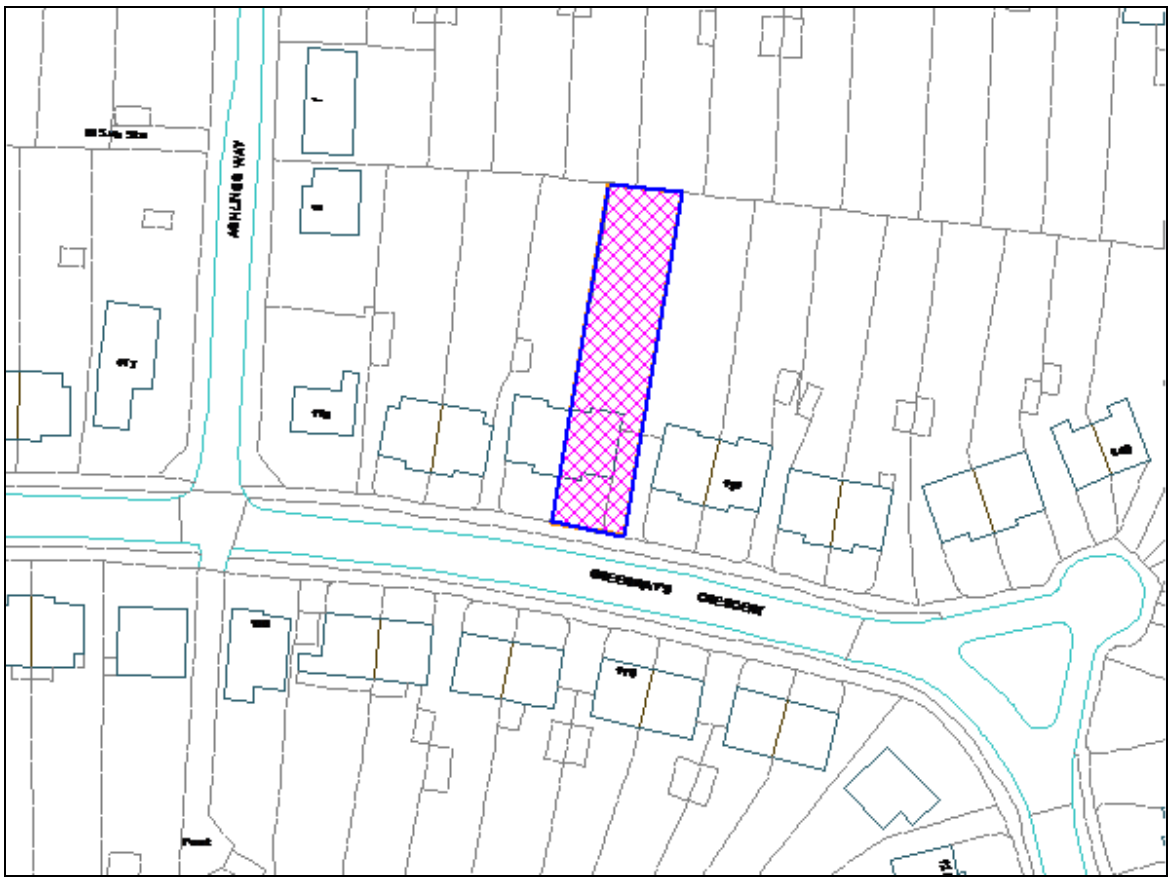
Application Number: AWDM/0605/15 **Recommendation – APPROVE**

Site: **127 Greenways Crescent, Shoreham-by-Sea, West Sussex**

Proposal: **Single storey rear extension**

Applicant: Mr and Mrs B Thornton Ward: Buckingham
Case Officer: Gary Peck



Not to Scale

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Proposal, Site and Surroundings

This application seeks full permission for a single storey rear extension to the easternmost of a pair of bungalows on the northern side of Greenways Crescent.

While Greenways Crescent is mixed in character, the application site is in a run of a pair of bungalows, some of which have been extended in the roofspace with dormers

including the neighbouring property, 125. There is a slope from west to east along the road. The application site and nearby properties have generous rear gardens.

The proposed extension would be 4.5 metres in length along its western boundary adjoining the neighbouring property. There is a slight step in the property along the rear elevation with the eastern part of the property stepping out slightly further at present, meaning that the eastern part of the proposed extension is 3.8 metres in length.

Relevant Planning History

Planning permission was granted for a single-storey rear/side extension & conservatory of 3.5 metres in length in 2003 but was not implemented.

Consultations

None undertaken

Representations

None received

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7, AB23 & AB25 and Appendix 11 'Supplementary Planning Guidance' comprising:
Development Control Standard No.3 'Extensions and Alterations to Dwellings'

National Planning Policy Framework (CLG 2012)
Planning Practice Guidance (CLG 2014)

Relevant Legislation

The Committee should consider the planning application in accordance with:
Section 70 of the Town and Country Planning Act 1990 (as amended) that provides 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

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.

Planning Assessment

The main issue in the determination of the application is the impact upon the neighbouring property but some regard also needs to be given to the current permitted development rights regime and existing supplementary planning guidance.

At present, providing there are no objections from a neighbouring property, it is possible to build a single storey rear extension of up to 6 metres on a non detached property without the need for planning permission. However, these permitted development rights are subject to a number of restrictions, some of which are not entirely logical and do not appear to reflect the intent of the original legislation. One such restriction is that any extension that extends beyond a side wall and is more than half the width of the dwellinghouse requires permission. Because the subject property is stepped at the rear, with a projection of about 0.7 metre, it is deemed to have a side wall at the point of the step and accordingly planning permission is required. If the rear wall had no such step, then permission would not be required if there were no objections from neighbouring properties.

A number of properties in the District have taken advantage of the new permitted development rights, including two other properties in Greenways Crescent who are able to construct extensions of 4.5 and 4.94 metres respectively without planning permission since those properties have a single rear wall.

In this instance, it is noted that the occupiers of the adjoining property have not objected to this application and are aware of the proposals as they were in residence at the time of the site visit and thus visited by the case officer. But for a technicality, therefore, ordinarily this proposal could have been built without the need for planning permission.

However, the fact remains that permission is required and therefore falls to be considered against the Council's own Supplementary Planning Guidance which states that rear extensions of this type should not normally exceed 3.5 metres and indeed the unimplemented permission of 2003 was amended during its consideration to accord with this guidance.

In light of that guidance, and notwithstanding the altered permitted development rights regime since the guidance was adopted, your officers considered that the application as originally submitted, with an extension of 5 metres in depth along the mutual boundary was excessive. Following discussion with the agent, the extension has been reduced in depth by 0.5 metres.

The amended proposal still conflicts with the Council's guidance by 1.5 metres in length (because of the step in the rear elevation, the extension is 0.5 metres shorter on the eastern side but this is the part adjacent to the side access and therefore does not materially affect the neighbouring property) and as such a refusal of the application could potentially be justified.

It has to be noted though that the type of extension proposed is that which the government is currently encouraging as part of its commitment to deregulate the planning system. The current permitted development regime is partly dependent on there being no objections from neighbouring properties, which is the case in this instance. Furthermore, while the extension clearly will have some impact upon the

neighbouring property, the gardens serving these properties are long, in excess of 30 metres, which lessens the impact of a deeper than normal rear extension. The nearest habitable room of the adjoining property serves a bedroom, and therefore it can also be considered that the impact of the proposal would be less than if the nearest room was a lounge or kitchen.

Having regard to these factors, therefore, it is considered that planning permission could be granted in this instance as an exception to policy having regard to the current thrust of national policy. Accordingly, it is recommended that permission is granted.

Recommendation

To GRANT permission

Subject to Conditions:-

01 Full Permission
02 Matching Materials
03 No windows in side elevations