Development Control – Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/1688/16

Site: **80 Harbour Way Shoreham**

Proposal: **Two storey side extension and rear dormer, single storey front and rear extensions**

Neighbours checked: Y
Additional neighbour notifications: /N

Proposal, Site and Surroundings

The proposal is for:-

- a two-storey side extension with single storey rear extension, to measure (at max) 7.5 metres in height, 10.5 metres in length, and 2.5 metres in width
- a single storey front extension to measure (at max) 3.5 metres in height, 2.5 metres in length, and 3.1 metres in width
- a flat roof box rear dormer to measure (at max) 2.4 metres in height, 3.4 metres in length, and 4.1 metres in width

The application relates to a mid-terraced two-storey dwellinghouse in an outer residential suburb of Shoreham.

Relevant Planning History
None

Consultations
Adur & Worthing Councils Environmental Health Contamination Officer: *full condition*

Representations (summarised)
Objection received from occupier of 78 Harbour Way: *main objection is that plans use a boundary which do not believe is correct. It is not possible from plans to establish location of proposed development. On this basis I object. Having observed comment on plans regarding boundary infraction by number 78, suggest boundary between two properties is long established. Would suggest far in excess of 20 years. Any query regarding boundary should be fully agreed using normal protocols before work is carried out. At front of properties, there is an existing wall which accept is establish boundary. However it is not built as far as beginning of our garage. If this wall fully continued it would have naturally continued boundary running adjacent to easterly wall of our garage. If this wall had been fully continued it would have naturally continued boundary running adjacent to easterly wall of our garage. We believe suggest our garage is built well within boundary lines and not 'slightly over' as plans suggest. Garage is visible on plans recorded at Land Registry since at least 1984. Would suggest even if garage of number 78 had been built slightly over boundary, this would form a new boundary line.*

Either way, we believe we are not encroaching over established boundary line. When consider the boundary adjacent to the easterly wall of our garage, we accept the principal that the boundary should run the full length of our garage. At rear of properties believe the established boundary, after end of easterly wall of our garage, is the westerly wall of garage of number 80 (approximately 12 inches between these two walls). This is true until the southern end of the garage belonging to number 80, at which point a brick wall, approx. 5 feet tall, forms boundary to end of gardens. This long established boundary (by way of use over a prolonged period of time) is not a perfectly straight line as shown on the plans. The plans also suggest boundary and current buildings are built in perfect parallel lines, which is not the case. The land registry documents clearly demonstrate this. I do not object to the extension in principal. I would like assurance that the boundary is not being disputed, as implied in the plans. I would like confirmation that proposed property will not encroach over established boundary lines (as described here) in any way. Specially there should be no overhang from the roof, soffits, and guttering or any other part of the proposed building. I believe that multiple party wall agreements will need to be requested by our friends at number 80.

Relevant Planning Policies and Guidance

National Planning Policy Framework
Saved Adur Local Plan policies: AG1, AH7
Adur Local Plan (submission) 2016 policies: 1, 2, 15, 35

Planning Assessment

Principle

Upgrading of residential accommodation is acceptable in principle.

Visual amenity

Harbour Way is a long street, with varying character along it. The spacing between buildings is somewhat irregular, with some gaps infilled (including No. 82 and 84 to the immediate east). There is a slight but sufficient set in at first floor in the side extension to avoid a ‘terracing effect’ if the next door neighbouring building to the west is similarly extended. The set in is comparable to the infilling between Nos. 82 and 84. Its roof form matches that of the host dwelling. Exterior materials and finishes are to match. All fenestration would be similar to the host dwelling.

The dormer is ungainly but a larger ‘box’ dormer exists on a neighbouring property to the east. It does, at least, not physically overwhelm the roof.

The rear and front extensions are domestic in scale with the rest of the host dwelling. It does not protrude noticeably forward of the building line in the street.

Residential amenity

The neighbours most impacted upon are those either side (the proposal is sufficiently removed from the remainder to avoid harm).

Both neighbours occupy buildings that have themselves been extended by way of single storey flat roof rear extensions.

Neighbour to west (No. 78)

The front extension would be only of a marginal depth, so would not overbear or overshadow. Views from its side window would be directed onto the public front garden.

The dormer is to be positioned above the eaves so would not overbear or overshadow adversely. Views from it would be oblique.

The two-storey side extension would bring built form closer to this neighbouring building. However the neighbour's nearest window to this serves a non-habitable garage, and the side extension would not protrude beyond the silhouette of the existing building. This means adverse overbearing and/or overshadowing would be avoided. No side windows are proposed in any of the side extension at first floor, so overlooking would be oblique with intrusive loss of privacy avoided. Ground floor fenestration would be screened by fencing.

The proposed rear extension is single storey and flat roofed, and the neighbour's window most impacted upon is a non-habitable garage - so adverse overbearing and overshadowing would be avoided.

Neighbour to east (No. 82)

As well as the rear extension, this neighbouring building has been extended by way of a rear box dormer and side extension protruding beyond the building silhouette.

The proposed rear extension is single storey and flat roof. It would not protrude substantially beyond the neighbour's own extension - so adverse overbearing and overshadowing would be avoided. Overlooking from it would be oblique.

The front extension would be only of marginal depth, so would not overbear or overshadow.

The dormer is to be positioned above the eaves so would not overbear or overshadow adversely. Views from it would be oblique.

Contamination

The site is not identified as contaminated on the Council's records. The site does not fall within the buffer zone of any land identified as contaminated.

The nearest site identified as contaminated has been subject to a comprehensive residential redevelopment for 70 plus dwellings built in the late 1990s and early 00s. Any contaminates would likely have been identified at this point.

Flood Risk

The entire site falls within Flood Zone 2. The rear of the site is in Flood Zone 3.

However a cross section has been provided that demonstrates the finished floor level is no lower than the existing building and higher than natural ground level in the garden, so human health would be put at no greater risk from flooding.

Other issues

A boundary dispute is not a material planning consideration. The boundary line annotation on the drawing does not profess legitimacy to its position on the land, which is a civil matter for neighbours to resolve between themselves.

Certificate A has been completed confirming all the development would be built within land owned solely by the applicant. This is sufficient for the purpose of determining the planning application.

Recommendation

APPROVE

Subject to Conditions:-

1. Standard time limit
2. Approved plans
3. Exterior materials and finishes to match
4. Notwithstanding permitted development no further windows at first floor and above in west side elevation

Informative

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.

Is recommendation contrary to any representations? y

Case Officer signed: Matthew Porter Date: 6 January 2017

Authorised and signed by: Peter Barnett Date: 6 January 2017