Expiry Date - 03/11/2010

5

Application Number: AWDM/0875/11 Recommendation – APPROVE

Site: 7 The Avenue, Shoreham-by-Sea BN43 5GJ

Proposal: Enlargement of bungalow to form two-storey house (amendments to permission ADC/0329/10)

The Application

The application site is a former detached bungalow (with attached flat-roofed garage) which is currently being extended to form a two-storey house following the grant of planning permission in October 2010 (ADC/0329/10). During the course of the construction of the extension, it came to the Council's attention that it was not being built in accordance with the approved drawings. This application therefore seeks retrospective permission for these amendments, namely:-

- Alterations to the front extension to increase its width by adding a porch feature with three rooflights in the front mono-pitched roof;
- The construction of a raised patio at the front measuring 4.7m wide, 4.1m deep and up to 0.6m above the ground level at its southern end (the ground slopes down from the house to the road);
- The addition of extra rooflights to the east and west side roofslopes;
- The re-positioning of a large east side landing window;
- The re-positioning of a ground floor WC window; and
- Widening of the rear patio doors.

The area is characterised by various dwellings types, mainly detached in The Avenue and, to the west of the site, along Erringham Road, semi-detached houses. Directly adjacent to the site to the west is a two-storey detached dwelling No.5 The Avenue and to the east is a detached chalet bungalow, No.9, which has been altered with a two-storey rear extension and dormers to the front.

Consultations and Representations

Third Parties: 2 letters have been received from the residents of No's 5 and 9 The Avenue objecting to the proposal for the following reasons:-

- Extension on east side appears to be higher than anticipated resulting in a loss of light to No.5
- Garage extension also blocks light to lounge of No.5
- Loss of privacy at front and rear
- Rooflights contravene requirements of Condition 3 of original permission in that they are clear-glazed and opening
- Moving of large fixed window on west side wall brings it closer to bedroom window at No.9 and will cause light pollution
- Rooflights on front elevation will cause light pollution to No.9
- Front patio will cause noise and light pollution
- Possible damage to boundary hedge
- Rear patio doors have been widened causing more light pollution

Relevant Planning Policies and Guidance

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'
PPS1 'Delivering Sustainable Development' (ODPM 2005)

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 overall size of the dwelling has not been increased as a result of the amendments.

The most significant change is the construction of the patio at the front where it will be visible from the road. However, it is not of overly substantial size and, as the dwelling is set back from the road, it will be some 12m from the front boundary. 1.1m high panels will be placed around the edge of the patio. It is not considered that the front patio, including the overall 1.7m height of the panels plus raised terrace on its forwardmost part, would be unduly harmful to the streetscene or detrimental to the character and appearance of the extended dwelling.

The other alterations largely involve the position and number of window and rooflight openings and are not considered to result in harm to the appearance of the building.

Residential amenity

The front patio is raised 0.6m above ground level at its southern end but it is not considered that this will result in any loss of privacy for the adjoining residents. Both side boundaries contain reasonable hedge and vegetative screening which will help to prevent overlooking into adjoining gardens. The patio is set forward of its neighbours and any views that may be possible would be restricted and over the front garden only and not towards the dwellings themselves. The issue of light and noise disturbance is not considered to be a significant issue in view of the small size of the patio and its position facing the street.

The additional window and rooflight openings have caused concern for the neighbouring residents. The rooflights are clear glazed and opening.

Condition 3 of the original permission states that "The glazing in the eastern side elevation of the dwelling shall at all times be of obscured glass and fixed to be permanently non-openable with the exception of small top-hung opening light in the ground floor WC window." This condition does not refer to the single rooflights shown in each side of the roof on the approved plans but it does apply to the large east side landing window and ground floor WC window. These are to be obscure-glazed and non-opening (other than the small opening light in the WC window).

The rooflights contained in the present retrospective application are clear glazed and opening but the bottom of the rooflights are at least 1.75m above the floor of the

rooms in which they are installed (shown on the plans as a cupboard and shower room). Consequently, no overlooking or loss of privacy is anticipated towards No.9 to the east. To the west, two rooflights are also installed, serving a bathroom and a bedroom, but they are also 1.75m above the floor level and are not expected to cause loss of privacy to No.5. As stated above, one rooflight has already been approved on each of the east and west roofslopes.

The large landing window on the east side elevation was approved under the original application and the main issue is whether its position 0.5m further south causes a significant increase in harm. It faces the main bedroom window in the side of No.9 The Avenue. However, the new window will be both obscure-glazed and non-opening and, while large, it is not considered that light spillage from the re-sited window, compared with its original position, will be so significant as to cause nuisance.

It is considered that the proposed amendments are relatively minor changes which do not harm the amenities of adjoining residents or the character of the area.

Recommendation

APPROVE for reason:-

The development does not detract from the local environment and does not result in unacceptable detriment to the residential amenities of neighbouring properties. It consequently does not conflict with the policies of the Adur District Local Plan (AG1, AH7) and PPS1.

Subject to:-

1. The glazing in the eastern side elevation of the dwelling shall at all times be of obscured glass and fixed to be permanently non-openable with the exception of a small top-hung opening light in the ground floor W.C window.
2. Notwithstanding 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 additional windows or other openings shall be formed in the east or west side walls of the building without the prior permission of the Local Planning Authority on an application in that behalf.
3. The development hereby permitted shall be carried out in accordance with the following approved plans:-
   Location Plan and Block Plan - received 31 October 2011
   Section through rooflight window – received 22 November 2011
   Drawing No.3D (Floor Plans) – received 22 November 2011
   Drawing No.4B (Elevations) - received 22 November 2011.

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