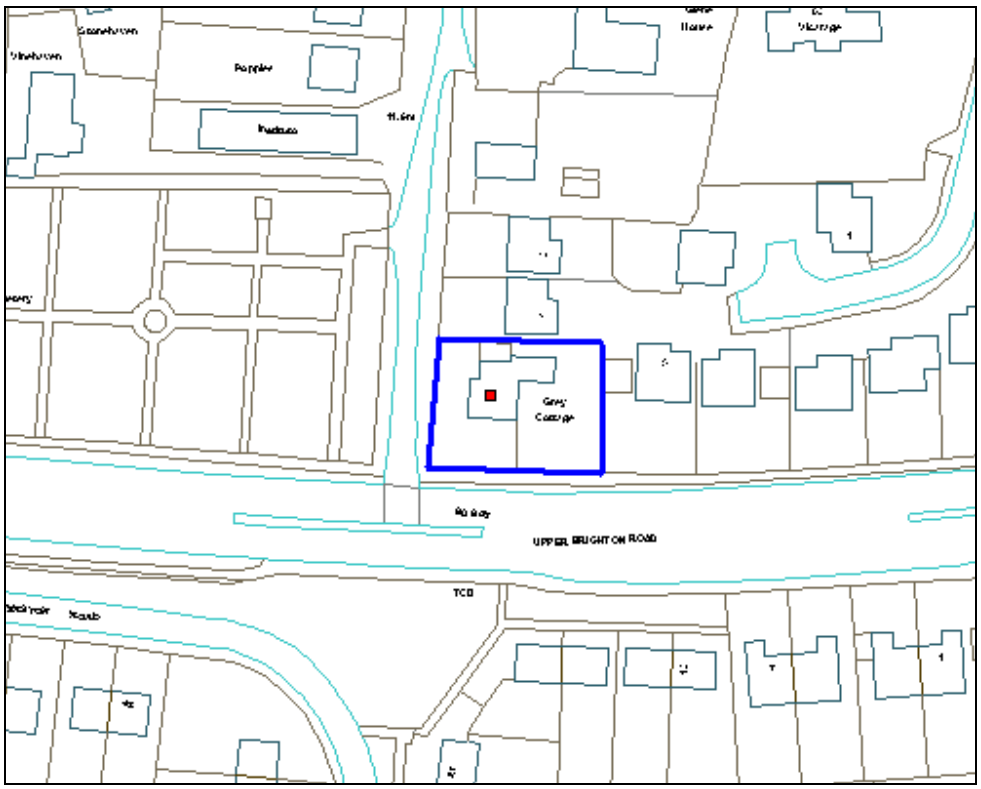
Application Number: AWDM/0019/13 **Recommendation – APPROVE**

Site: **Rose Cottage, Upper West Lane, Lancing**

Proposal: **Retrospective application for single/storey extension on north side (Amendment to planning permission ADC/10/06/TP)**

Applicant: Ms Debra Durling Ward: Manor
Case Officer: Gary Peck



Not to Scale

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Proposal, Site and Surroundings

This application seeks retrospective permission for a single storey extension to the northern side of the property.

Planning permission was previously granted for an extension in 2006, with work eventually commencing in 2009. Work subsequently progressed slowly but is now nearing completion. Following receipt of a complaint in November 2012, it was found that the extension was not being built in accordance with the

previously approved plans and consequently the current application has been submitted in an attempt to regularise the situation.

The application site is within the built-up area as defined by the Local Plan and is accessed via Upper West Lane, an unmade lane to the north of the A27 Upper Brighton Road about 400 metres west of the Lancing Manor roundabout.

The subject property is a bungalow and can be seen from the A27 although is partially screened by existing trees, shrubbery and a brick wall to the front site. Since the extension is to the north of the property it is not visible from views to the south. The extension can be seen from Upper West End Lane but since there is also screening to the western boundary of the property, such views are filtered through the main vehicular access to the property.

To the north of the application site and hence sharing the boundary upon which the extension is situated is 4 Grantsmead, a 2 storey house which is part of a small estate development constructed in the early 1980s and accessed via Seventh Avenue to the east. While the front of Rose Cottage faces west with its back garden to the east, 4 Grantsmead is accessed to the east and its back garden to the west and hence sits back to front with the application property. This means that the extension which is the subject of this application sits mainly alongside the neighbour's rear garden.

Relevant Planning History

Planning permission was granted in 2006 for a single-storey north side extension, including the demolition of an existing garage (ADC/0010/06)

Earlier in 2006, a proposal which included first floor accommodation was refused (L/23/06)

Consultations

Environmental Health suggests that the precautionary land contamination condition is applied.

Representations

1 letter of objection has been received from the occupiers of 4 Grantsmead.

The letter states that the detail and information submitted with the application is inadequate and does not show the difference in roof height from that previously approved, the proximity to the existing boundary and any rainwater drainage plan. The new build has been erected in direct contravention to the approved plan.

The objection is therefore based on the grounds that the extension causes loss of light due to the significant height of the new build above the boundary fence,

exacerbated by proximity to the boundary which also prevents the ability to undertake any maintenance work in the future. Without effective guttering on the boundary edge, rainfall will undermine the existing boundary fence which is already showing evidence of rainwater impact.

Relevant Planning Policies and Guidance

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'
National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

The application seeks to upgrade existing housing stock within the defined built-up area and hence there is no objection in principle to the application.

Although the application is retrospective in nature, the application must still be judged strictly on its own planning merits and therefore the fact that the development has already been constructed does in itself affect the planning judgement of the case.

Visual amenity

The application site is to the eastern side of Upper West Lane and relatively well screened from wider views. Since the extension is to the northern side of the property, its visual impact is limited upon the street scene, only really being visible when standing directly in front of the property. In light of the previous permission, it is not considered there is any adverse impact upon the character of the area as a result of the proposal.

Residential amenity

The key issue in the determination of the application is therefore the effect of upon the amenities of the neighbouring property to the north, 4 Grantsmead. The relationship between the properties is somewhat unusual, Rose Cottage being a relatively modest bungalow fronting onto Upper West Lane while 4 Grantsmead faces internally onto its own road and therefore backs onto to Upper West Lane. In some respects it could be argued that in terms of their impact upon each other, 4 Grantsmead has the greater impact being a 2 storey property house much higher in ridge height than Rose Cottage.

As stated in the officer's report in 2006, previously there was a 'dilapidated' structure on the northern side of the bungalow with a slight lean to roof which did not protrude over the top of the garden fence. The then proposed extension was to be a single flat roof protruding 0.5 metres above the boundary fence. The

officer's report at the time states that the extension would be built 'abutting the boundary with 4 Grantsmead (with a slight gap for maintenance purposes).' From inspection of the approved plans, however, it appears that the maintenance gap was negligible (about 0.2 metres) and the equivalent distance has been maintained as part of this proposal, and thus it is not considered that a refusal could be justified on the distance to the boundary.

It is also noted that the concerns about rainwater run off on the boundary fence were raised by the same neighbour in 2006. The officer's report at that time stated 'Concerns regarding the effects of rainwater on the fence are not planning considerations and should be dealt with as a private matter between both parties.' This remains the position and also not a reason for refusal.

The principle difference is that the roof as constructed steps up to its front section by a further 2 courses of bricks and boarding equating to a further 0.5 metre protrusion over the boundary fence. The eastern most section of the raised part of the roof is clearly visible from the neighbouring garden although the western part is partly obscured by the neighbour's own existing planting.

It is evident that the extension has a greater impact than that previously permitted but given it is a single storey extension along a boundary with a neighbouring 2 storey house, it is considered that the impact is not so material as to warrant a refusal of planning permission. The newly constructed roof remains lower than the main bungalow because of its flat roof design, and the main window affected on the neighbouring property is a west facing kitchen window and thus the angle of the extension to that window is oblique in relationship. Indeed, at present, a greater loss of light appears to occur from the neighbour's own hedging than the extension.

In terms of the visual impact to the rear amenity space itself, even if the higher part of the extension were removed, there would still be a protrusion over the fence as permitted in 2006 and the roof of the main bungalow itself, albeit at a greater distance, would still be visible. It is not considered, therefore, that the revised plans cause an unacceptable loss of outlook.

Contaminated land

Although the precautionary land informative has been suggested by Environmental Health, such a condition was not imposed in 2006 and given that the extension has been constructed is not considered to be relevant on this occasion.

Recommendation

APPROVE for the reason:-

The proposed development would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of

neighbouring properties. It would consequently 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. No windows to be formed in north side wall
2. This permission relates to approved plans:-

Informative:
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework

2nd April 2013