Development Management – Delegated Officer Report

Application Number: **AWDM/0985/20** **Recommendation: APPROVE**

Site: **102 Downsway, Southwick**

Proposal: **Retrospective application for single storey rear extension.**

Date of Site Visit: **18 June**

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks part retrospective permission for a single storey rear extension of 4.8 metres in depth which was originally permitted under the neighbour notification scheme. However, although it was confirmed at the time that the extension would not protrude above the eaves, in order to comply with the requirements of the neighbour notification, the extension has been constructed (not complete at the time of the site visit) quite clearly breaking the eaves and hence planning permission is now required.

The application site is on the eastern side of Downsway and is one of 6 terraced bungalows set well back from the road. The properties at the northern end of the row, including this and its neighbour to the north, have unusually long gardens for the general area of almost 30 metres in length, at the end of which is a copse of trees screening the site from the playing field beyond.

The neighbour to the north is immediately adjacent to the extension, but the neighbour to the south is separated by an outbuilding and accessway between buildings.

Planning History:

Householder application for permitted development for prior approval for single storey extension to rear of property measuring 4.8m from rear wall of the original dwelling, maximum height 3.1m and height of eaves of the extension 2.5m – prior approval not required in December 2019 as no objections had been received.

Consultations:

None undertaken

Representations:

A representation has been received from the immediate neighbour to the north stating that her fence had been smashed, and that noise and dust disturbance had been caused for a number of months.

Relevant Planning Policies:

Adur Local Plan (2017): 15: Quality of the Built Environment and Public Realm, 34: Pollution and Contamination

Supplementary Planning Guidance: Development Management Standard 2, Extensions and Alterations around dwellings.

National Planning Policy Framework (CLG 2019)

Planning Practice Guidance (CLG 2014)

Planning Assessment

The main issue in the determination of the application is the effect of the proposal upon the neighbouring property to the north, as the building works are not visible from any public viewpoint.

The principle of an extension was established under the householder application scheme, where no objections were received to the proposed extension and therefore the work could proceed in accordance with the submitted details without further recourse to the Council. It is disappointing, therefore, that despite the previous agent confirming that the works would match the eaves of the bungalow, the extension has not been constructed in accordance with those details. Work has now halted pending determination of the application.

Ordinarily, extensions of 3.5 metres in length are considered acceptable adjoining a mutual boundary as set out in Supplementary Planning Guidance. The extension exceeds such guidance by 1.3 metres. The fallback position is now compromised somewhat as the applicant no longer has the right to construct the extension under the householder scheme and hence full planning permission is required for any alterations. If unaltered, the retention of the extension would clearly be unacceptable.

At the pre-application stage, it was therefore suggested that the roof on the northern side be dropped to eaves level with the neighbour, with a small dummy pitch running into the wider flat roof of the extension. This allows the extension to be retained in terms of its internal living space but also reduces the extension to a height anticipated by the neighbour under the original notification. The neighbour did not object to the length of the extension under the original consultation and concern now appears to be the length of the time the extension has been in unfinished situ, exacerbated by the necessity to resolve the outstanding planning application.

Accordingly, it is considered that the grant of planning permission with a timescale for completion but reducing, in terms of the impact upon the neighbour, to a scale anticipated under the original notification is considered the most equitable solution to bring the matter to a close. In light of the apparent failure of the existing works to have protected the neighbour through dust suppression, a condition shall be imposed to ensure this is now controlled by condition.

Recommendation

To GRANT planning permission subject to the following conditions:

01 Approved Plans

02 The roof alterations on the northern side of the extension shall be completed no later than 2 months from the date of this permission.

Reason: The retention of the extension in its current form for a longer period would be unacceptable

03 No windows…northern side…

04 Dust suppression

Is recommendation contrary to letter(s) of representation? N – but concern expressed as to condition of building work

Case Officer: Gary Peck Date: 18 August 2020

Authorised by:  Date: 19 August 2020