



Report by the Executive Head of Planning, Regeneration and Wellbeing

Planning Applications

The Committee is requested to consider the following planning applications in accordance with the power contained within **section 70** of the **Town and Country Planning Act 1990** which states:-

(1) Where an application is made to a local planning authority for planning permission—

(a) subject to sections 91 and 92 (time limits), they may grant planning permission, either unconditionally or subject to such conditions as they think fit; or

(b) they may refuse planning permission.

(2) In dealing with such an application the authority shall have regard to-

(a) the provisions of the development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations,

and

Section 38 (6) of the **Planning and Compulsory Purchase Act 2004** which states:-

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

1

Application Number: AWDM/1421/12 Recommendation – APPROVE

Site: 18 Garden Close, Shoreham-by-Sea

**Proposal: Loft conversion to extend hip to gable end, including front
and rear dormers**

2

Application Number: AWDM/1475/12 Recommendation – APPROVE

Site: 94 Greenways Crescent, Shoreham-by-Sea

Proposal: Detached garden store and raised decking (retrospective)

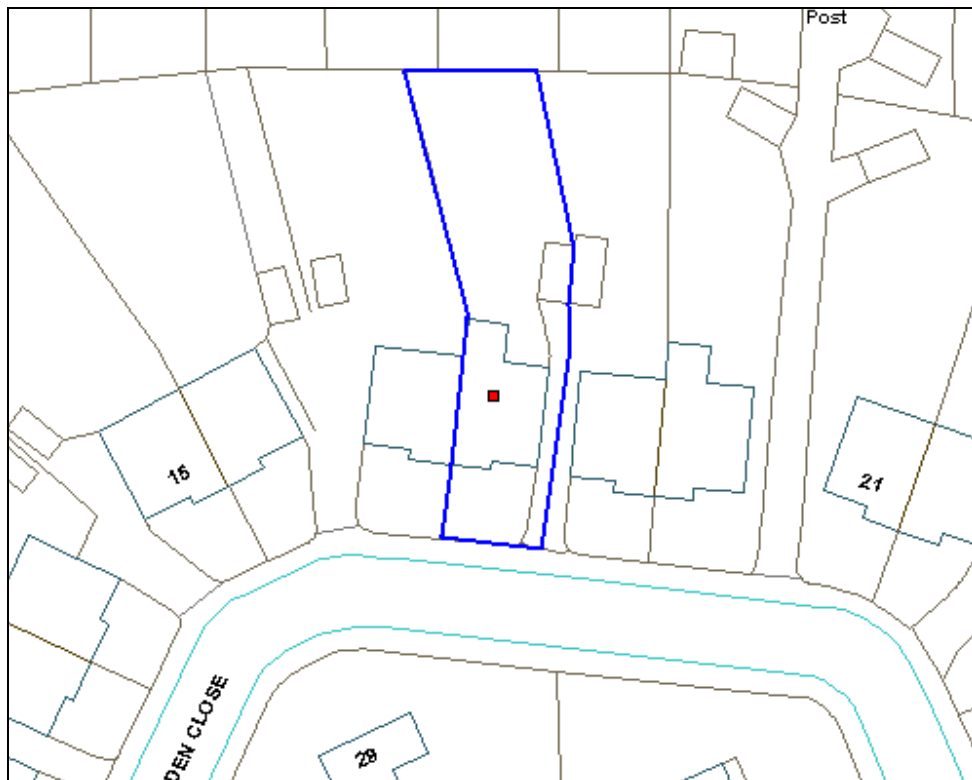
Application Number: AWDM/1421/12 **Recommendation – APPROVE**

Site: 18 Garden Close, Shoreham-by-Sea

Proposal: **Loft conversion to extend hip to gable end, including front and rear dormers**

Applicant: Mr James Powell
Case Officer: Rebekah Smith

Ward: Buckingham



Not to Scale

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Proposal, Site and Surroundings

The application relates to a semi-detached bungalow on the north side of Garden Close. This is a predominantly residential area comprising of similar semi detached bungalows on the outer edge of the circle of Garden Close, many of which have been extended into the roof including the adjoining bungalow at No. 17. There are detached bungalows on the opposite side of the road in the inner side of the circle and

further south there is a two storey flat building and a small shopping parade fronting onto Upper Shoreham Road at the entrance of the street.

As originally proposed permission is sought to extend the hipped roof to a gable end and construct front and rear dormer extensions and install a rear rooflight window. Amended plans are expected to revise the proposals to a part hipped roof and to alter the width and positioning of the dormer to match the adjoining bungalow at No.17. The rear dormer window would measure 5.6 metres in width by 2.9 metres in height approximately. A side window is proposed in the gable.

Matching materials are proposed.

The application is brought to Committee for consideration as the wife of the applicant is a member of Council staff.

Relevant Planning History

None relevant to the application site.

No.17 - ADC/0262/07 - Permission granted for a front dormer (rear dormer and part hip gable built as permitted development)

Permission granted for full gable end and dormers at No.6 (174/96 refers), No.7 (ADC/111/10 and ADC/345/10 refer), and No.14 (ADC/443/10 refers).

Consultations

None relevant

Representations

None received

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'
South East Plan (GOSE 2009): CC1, CC6, BE1
National Planning Policy Framework (CLG 2012)

Planning Assessment

Visual amenity

The dwelling sits within a road where there are many roof alterations and extensions, including hip-to-gable extensions. As originally proposed the hip-to-gable extension and front dormer proposed at No.18 would imbalance the appearance of the pair of semi-detached dwellings. However, No.17 has itself been extended with a part hipped gable extension and front dormer window and the applicant has agreed to amend the proposals to match the appearance of those approved at the front of No.17. Amended plans are expected prior to the meeting to show a matching front dormer and matching barn-hip to give a more balanced appearance with No.17. Although the dormer extension would still be relatively large, it would be clearly set within the edges of the roofspace as is the case at No.17 so that a reasonable amount of roofslope would be visible on each side. On balance, therefore, and taking account of the number of other such extensions in the street and that this would match No.17, it is not considered that a part hipped gable extension and front dormer to match the roof alterations at No.17 would unduly harm the character or appearance of the bungalow or street scene.

At the rear, the proposed dormer would be of box-like appearance. However, it would be set well down from the ridge and not readily visible in the streetscene. Having regard to the permitted development fallback position where a similarly large dormer and may be constructed without a planning application, and taking into consideration the number of other similar rear dormer extensions in the vicinity, it is considered that a refusal on design grounds would not be justified. The rear rooflight and side window is not considered to cause any significant harm to visual amenity.

Residential amenity

The roof extensions would have a limited impact on residential amenity given their scale and the relationship with the neighbouring bungalows. A first floor window in the new gable would face the windows in the side of No.19 but this is to serve a WC only and can be restricted by condition to be obscure glazed. Therefore it is considered that the proposed roof extensions would not pose any significant threat to residential amenity in terms of loss of light, outlook or privacy.

Recommendation

Subject to the receipt of satisfactory amended plans, 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 South East Plan (CC1, CC6, BE1)

Subject to Conditions:-

1. Standard 3 year time limit
2. Materials to match existing dwelling etc
3. Side window to be obscure glazed and non-opening to 1.7m

4. No further windows or other openings in east wall/roofslope of the extension etc
5. 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.

4th February 2013

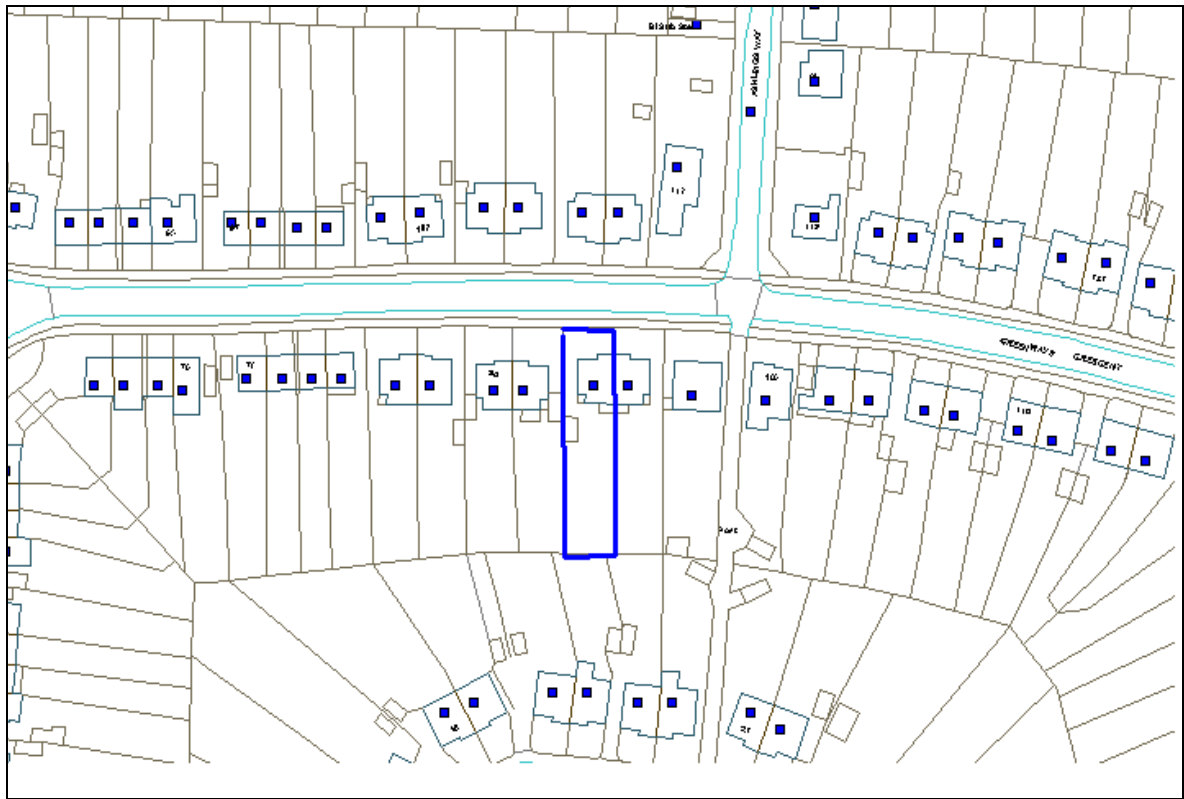
Application Number: AWDM/1475/12 **Recommendation – APPROVE**

Site: 94 Greenways Crescent, Shoreham-by-Sea

Proposal: Detached garden store and raised decking (retrospective)

Applicant: Mr A Sidaway
Case Officer: Matthew Porter

Ward: Buckingham



Not to Scale

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Proposal, Site and Surroundings

The application property is a semi-detached bungalow in an outer residential suburb of Shoreham. Its garden is substantially lower than the bungalow building because of changes in ground level. The street consists of bungalows and houses, many extended and altered.

The proposal is for a free standing garden building (4 metres in height, 3.2 metres in width, and 5.5 metres in length), together with raised decking (4.2 metres in length and 7.4 metres in width). Both developments are nearing completion hence this application is retrospective. A previously approved extension is also under construction.

This application is presented to Committee as the applicant is related to a Council staff member.

Relevant Planning History

AWDM/0252/11 - Single-storey rear extension and extension of roof to form part gable with front and rear dormers – approved August 2011

Consultations

None

Representations

Objection received from the occupiers of No. 96 Greenways Crescent (summarised):- *Decking will intrude terribly on our privacy. Neighbours have clear view of our family. Impact on sale price and potential sale. If they move new buyers would be within their rights to move temporary panels leaving us further exposed*

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7
South East Plan (GOSE 2009): CC1, CC6, BE1

Planning Assessment

Principle

Upgrading of residential accommodation is acceptable in principle. Property devaluation is not a material planning consideration.

Visual impact

The garden building is positioned at the rear of the property and is not conspicuously visible from public vantage point.

Its scale is appropriate to that of the main building. It has been built with materials and finishes to match the main house, so blends reasonably well with the existing building.

The roof design of it is somewhat unbalanced when viewed from the rear. However, overall, sufficient attention has been given to achieve a satisfactory standard of design and ensure no visual harm would arise from it.

The design and materials of the decking is typical of such a garden structure, and is not harmful visually.

Impact on neighbours

The neighbouring properties principally affected by this proposal are either side of the application site.

Both neighbours have built their own raised decking. This means the garden building is appreciated as single storey from the habitable rooms of neighbouring properties, with the majority of their long gardens unaffected by it. It is not unduly overbearing on either neighbouring property as a result.

The lounge serving the neighbour to the west has lost only marginal light since the majority of its fenestration is unaffected. The garden building is set off from the other shared boundary. Therefore it does not adversely overshadow either neighbouring property.

Views from the garden building are southward into the garden, so views from it onto either neighbour are not intrusive.

Some noise and disturbance has resulted from the decking but this remains domestic in its nature. Facing westward, this decking is screened by the neighbour's own garage. However intrusive views into the private garden of the neighbour to the east have resulted, harming the amenities of this neighbour by reducing their privacy.

This unacceptable overlooking would be negated by the permanent solid fence 2 metres in height to be installed to this boundary. The timely installation of this fence can be secured by a planning condition.

Recommendation

APPROVE for the reason:-

Subject to the installation of a screen to the decking, the development has taken place without detract from the local environment and 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 and AH7) and South East Plan policies (CC1 CC6, BE1)

Subject to:-

1. Approved Plans.

2. Within 2 months of date of permission the decking fence shall be erected on east side of decking, and retained at all times thereafter.

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.

4th February 2013

Local Government Act 1972
Background Papers:

As referred to in individual application reports

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Schedule of other matters

1.0 Council Priority

- 1.1 As referred to in individual application reports, the priorities being:-
- to protect front line services
 - to promote a clean, green and sustainable environment
 - to support and improve the local economy
 - to work in partnerships to promote health and wellbeing in our communities
 - to ensure value for money and low Council Tax

2.0 Specific Action Plans

- 2.1 As referred to in individual application reports.

3.0 Sustainability Issues

- 3.1 As referred to in individual application reports.

4.0 Equality Issues

- 4.1 As referred to in individual application reports.

5.0 Community Safety Issues (Section 17)

- 5.1 As referred to in individual application reports.

6.0 Human Rights Issues

- 6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessments contained in individual application reports.

7.0 Reputation

- 7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

8.0 Consultations

8.1 As referred to in individual application reports, comprising both statutory and non-statutory consultees.

9.0 Risk Assessment

9.1 As referred to in individual application reports.

10.0 Health & Safety Issues

10.1 As referred to in individual application reports.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 Matter considered and no issues identified.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made (or conditions imposed) which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the applicant is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.