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CHARTERED TOWN PLANNER

Planning and Building Control Division
Arun District Council
Maltravers Street
Littlehampton

Thursday, 19 September 2013

Dear Sir/Madam:

Re: 37 Lincoln Avenue, Rose Green

Replacement single storey rear extension

Resubmission of AW/156/13

I write in connection with the above case and have the pleasure of enclosing my clients' householder planning application. This application is a resubmission of AW/156/13 which was refused on the basis of its impact on the dwelling to the south, no. 35.

The intention is to demolish the existing single storey rear extension and construct a replacement single storey rear extension. Whilst the existing extension is constructed on the boundary, the proposed replacement extension is set off the boundary.

In design terms the extension, being located to the rear of the property, will have no impact upon the visual amenities of the street scene.

There will be no impact on the neighbour to the north due to the separation of the two properties by way of a shared drive along with the fact that they have a rear extension protruding further back.

The single issue, as confirmed in the refusal of planning application AW/156/13, is the impact, or otherwise, of the proposed replacement rear extension upon the amenities of the adjoining neighbour to the south [no 35].

The neighbouring property has a single storey rear extension – to a depth of 3m – which extends across part of its rear elevation, but leaves a strip approximately 2m in width wherein the original rear elevation is visible. In this part there is a window which I understand [from plans submitted as part of a previous planning application for that property] to serve a bedroom. Along the common boundary, commencing at the end of the applicants existing rear extension [at depth of approx. 2.4m] there is a 1800 high fence and a short distance beyond this the neighbour has planted high Leylandii as well as a small tree closest to the extension. These are illustrated in the two photographs on the next page.

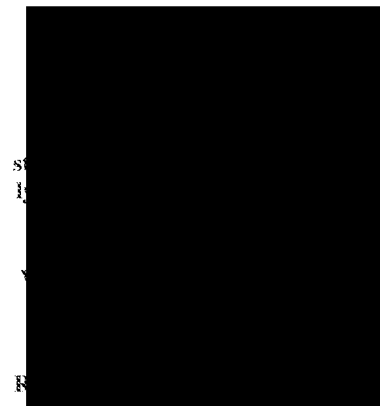
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View looking towards rear elevations of 35 & 37 Lincoln Av. This shows bedroom window of 35 along with existing rear extensions to both properties. Recent planting by neighbour is also clearly evident.



View looking south from 37 to common boundary fence with 35. This shows end of 35's rear extension (on left) along with their recent planting.

Also of direct relevance to this application is the fact that 35 Lincoln Avenue has obtained planning permission under reference AW/182/08 for "*Proposed loft conversion with front & rear dormers & rear elevation.*" This permission has been implemented as the front and rear dormers have been constructed. However, to date the rear extension has not been constructed.

Nevertheless, the permission for this rear extension remains extant and I have shown the extent of it on drawing 'Sheet 4 – Proposed Floor and Roof Plans and Elevations' [see proposed floor plan at top right hand side]. In the previous application it is clear that the case officer placed little weight on this extant planning permission – I presume because it relied on actions by the neighbour and there could be no guarantee of that happening.

I am aware that the Council uses a 45 degree line as a rule of thumb for assessing the impact of extensions upon neighbours - with the 45 degree line being taken from the mid point of the nearest affected window of the neighbour's property.

In addition, the applicant can erect under permitted development rights a 3m deep extension up to the boundary.

The proposed extension has been set off the boundary but I have shown a line from the centre of the neighbours window to this 3m point on the boundary and then projected that line into the applicants garden. This line, in my submission, provides a clear indicator as to where any extension should not project beyond.

Following this guide the extension has been set off the boundary and the rear corner [nearest the neighbours property] has been cut off in order to ensure that there is no transgression over this line.

In addition I have shown a 45 degree line taken from the vertical in order to demonstrate that the height of the extension and its siting away from the boundary will not cause any adverse impact by virtue of its height.

On this basis it is clear that the proposed amended rear extension will cause no greater impact than what the applicant could construct under permitted development rights.

This fall-back position is highly material to the determination of this case.

On this basis there is no sound reason to justify resisting this scheme. Accordingly planning permission should be granted.

The following points are also relevant on the consideration of this application:

- The proposed extension is to the north and will cause less impact than the rear extension at 35 itself, which is to the south and positioned very close to the rear window;
- The proposed extension has been set off the boundary whereas the existing extension is on the boundary;

- From the point of 3m back on the boundary, the neighbour has planted a tree and Leylandii hedging. These will have the effect – within a very short period of time – of wholly obscuring all of the extension which is more than 3m back.

Based upon these considerations I conclude that it is justifiable to conclude that, notwithstanding the 45 degree rule, the particular site circumstances of this case are such that the amended design of this rear extension of some 5m, set off the boundary and with the corner cut off, is wholly acceptable.

With regard to planning policy, DEV19 is relevant since it relates to ‘Extensions to Existing Residential Buildings’. It states that permission will be granted provided that five criteria are met. These include:

- (i) The extension sympathetically relates to and is visually integrated with, the existing building in siting, design, form, scale and materials;
- (ii) The extension is visually subservient to the main building;
- (iii) The extension does not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties;

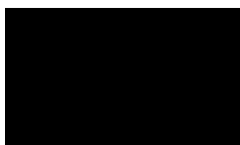
In respect of these criterion I submit the following judgements:

- i. The extension – by virtue of the materials, design and detailing – IS sympathetic and visually integrated to the existing building;
- ii. The extension –being single storey and to the rear – is visually subservient to the main building;
- iii. There will be no overlooking or overshadowing of neighbouring properties. The particular circumstances in this case [including being to the north; the permitted rear extension of the neighbour’s and the recent planting that the neighbour has undertaken along the boundary] are such that it will not be overbearing. Moreover the extension has no more impact than an extension 3m in depth on the boundary would have.

For the detailed reasons set out in this letter, it is my professional judgement that the application is acceptable on all counts and I therefore trust that officer support will be forthcoming.

However, can I ask that if there are any queries concerning the applications that the case officer, prior to any formal recommendation being formulated, contacts me?

Yours sincerely,



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Chartered Town Planner