Expiry Date – 9/11, ppa 23/11

Development Control – Delegated Officer Report

Application Number: AWDM/0889/18 Recommendation – Grant

Site: 141 Old Shoreham Road, Shoreham

Proposal: Proposed balcony at first floor above flat roof south/west elevation.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 12.10

Site and Surroundings

This application relates to a mid terraced Victorian house on the west side of Old Shoreham Road. The property has been extended at rear roof level and at ground floor rear level. The house is occupied by members of the same family and is informally sub divided with the first and second floor one unit and the ground floor another. They are not self contained.

The property is not in a conservation area and is not listed. It backs on to a public footpath beyond which is the River Adur.

No. 143, to the north has a flat roofed rear extension. No. 139, to the south has a conservatory, set off the boundary with clear glazing. It also has a rear dormer with Juliet railing.

At the time of the site visit the flat roof was largely astro turfed and there was a lounger deck chair on the roof accessed via French doors in the original first floor back wall. There is no Juliet screen across the French doors, notwithstanding the 'existing' elevation drawing submitted.

No. 145 has a rear balcony.

Proposal

Planning permission is sought to formalise the use of the flat roof as a balcony and to erect an 1100mm high wooden balustrade around its three sides.

Relevant Planning History

ADC/0479/09 - Balcony with balustrading above ground floor rear extension (retrospective). Refused 13.5.10

No. 145

AWDM/1484/13 - Retrospective application to extend existing balcony on south side. Refused 10.4.14. Appeal Allowed.

Consultations

None undertaken.

Representations

Neighbours at No. 139 and 143 have confirmed they have no objection to the balcony. The owner of 139 would like to see a screen on the south side closest to him.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2018
Adur Local Plan 2017 Policies 1, 2 and 15 including 'Development Management Standard No. 2 Extensions and Alterations to Dwellings'.

Planning Assessment

Principle

The principle of development can be supported as it upgrades a dwelling within the built up area boundary. For consideration is the impact of the proposals on the character and appearance of the area and the impacts of the development on neighbour amenity.

DM Standard 2 advises "The addition of a balcony to a property anywhere near the boundary would be likely to lead to problems of overlooking. Balconies on terraced or semi-detached properties will therefore usually be resisted."

Character

There is a balcony at No. 145, allowed on appeal, subsequent to the refusal in 2009. No. 145 is a semi detached property and the balcony allowed was a modest extension to an existing one. At the time the Inspector concluded that:

'There does not appear to be any reason not to allow the modest extension in terms of its effect on the open area to the west, or the closer views available from the riverside path.'

In this case the site is mid terraced and so a balcony and railing has the potential to be more visually intrusive. However, the neighbour at 143 has confirmed she too may wish to convert her flat roof into a balcony in the future.

The site backs on to the River Adur and footpath (currently closed) and is south west facing. The footpath between the site and river is well screened with trees on the back garden boundary. The flat roof is already in use.

It is not considered that the formalisation of this flat roof for balcony purposes will be harmful to the character of the area.

Neighbour amenity

At the time of the 2009 refusal the flat roof was being used as a balcony. Following the refusal the then balustrading was removed. It is not known whether the French doors were ever rehung and a Juliet rail erected but the flat roof is again being used as a terrace and has been for some time.

In this case both neighbours have confirmed they have no objection to the continued use of the roof as a terrace. At the moment there is a clear view down both neighbours' gardens, to the rear face of each neighbouring house and onto the clear glazed flank wall of the conservatory at 139. The proposed balustrade is only 1100mm high on all sides. The applicant has confirmed she is agreeable to a condition which requires higher screens on both sides to be erected inside the guard rail. Privacy screens will reduce the amount of overlooking which currently occurs.

Typically, a first floor balcony on a mid terraced house would not be supported. In this case the roof has been used as a balcony for a considerable period of time. It also has the support of both immediate neighbours. The appeal decision at 145 is also a material consideration. As such, and only in these particular circumstances, is the proposal recommended for approval.

Recommendation APPROVE subject to the following conditions:

1. Approved Plans
2. 3 years
3. Within 2 months of this permission details of 1.7m high privacy screens for both sides of the balcony shall be submitted in writing to the local Planning Authority for approval. Only such details as approved shall be erected with 28 days of approval and retained thereafter.

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.

Is recommendation contrary to any representations? No.

Case Officer signed: MOK Date: 22.11.18

Authorised and signed by: Peter Barnett Date: 23 November 2018