Introduction

This Planning Statement has been prepared by Domus Architecture Ltd in relation to an application to vary a condition attached to a planning permission, submitted on behalf of our client Mr Bernard and relating to the use of approved flat roofs as balconies.

This statement should be read with the submitted drawings:

1817-A2-03 Rev Q	GA First Floor Plan
1817-A4-01 Rev L	Proposed Elevations

Grant of Planning AWDM/0970/23

The consent for this project was granted on 04 September 2024 with the description as follows:

Demolition of existing dwelling and construction of a 4-bedroom detached dwelling over 3 levels with rear terrace and associated works. New outbuilding with raised terrace to the south. New detached garage with guest bedroom over and cycle store to the north. Application to vary condition 1 (approved plans) of previously approved AWDM/0923/21. Amendments: increase in height of house by 0.85m, addition of lightwells to front. Increase in height to garage block by 0.37m; addition of cladding to garden room

Condition 14 of the Grant of Planning states:

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no part of the area identified on the approved first floor plan as sedum flat roof shall be converted into or used as a balcony or terrace nor shall any access be formed thereto other than for purposes of maintenance.

Reason: To prevent overlooking and to comply with Policy 15 of the Adur Local Plan

Policy 15 of the Adur Local Plan relates to the quality of the built environment and public realm. It ensures that development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping. A relevant part of the policy states that development should:

Make a positive contribution to the sense of place, local character and distinctiveness of an area; and not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space.

In the original submission for AWDM/0970/23, the proposals sought permission for use of the flat roofs as balconies with clear glazed balconies. Officers requested that the balconies be omitted in lieu of sedum roofs due to overlooking concerns from the adjacent neighbour at 44 Brighton Road:

"Our objection to the balconies remains the same due to the overlooking/overbearing into 44a garden and not in keeping with the theme of Brighton Road."

The applicant wishes for the balconies to be re-introduced into the design on the basis that there are several other examples of balconies facing Brighton Road in the locality and that overlooking is not materially different from the approved proposals.

Justification: Aspect

The aspect distance from the new dwelling at 44a and the approved windows of the application house is 22.8m. To the edge of the glazed balustrade, the aspect distance is reduced to 22.1m and as such the difference between the 2 is marginal. There is no material difference between someone stood at the window, to someone stood 1m closer on a balcony. The distance from 44a to the large bedroom windows of the previous approval AWDM/1288/20 would have been 19.8m. 1.8m high opaque glazed screens are proposed to the flanks to mitigate any direct overlooking to the side boundaries.

Justification: Policy

Page 10 of the Worthing Borough Council Space Standards SPD states:

"Private balconies on the front elevation of flats may be acceptable if the building is set back from the street onto which they face."

Paragraph 2.4 on page 5 of the Adur District Council 'Space around new dwellings and flats DevelopmentManagement Standard No 1 states;

"The space required between buildings is affected by the location of principal windows and the need to maintain privacy between facing windows and allow light to enter such windows. A distance of 22m is the minimum required between facing principal windows in order to retain sufficient privacy. For developments over 2 storeys in height this distance will need to be increased."

The layout provides a building set back from Brighton Road and aspect distances more than the council's space standards.

Justification: Character

Balconies facing Brighton Road are a feature in the immediate street scene. They can be found on properties 38, 185a, 187, 195 and 197 Brighton Road. The balcony on 38 Brighton Road is very similar in context, with an aspect of less than 15m to the garden of Unit G of the recently approved application AWDM/0384/22 and associated amendments.

Conclusion

This statement is written in support of the reinstatement of front facing balconies to the new dwelling at 42 Brighton Road, Lancing. The proposals exceed the space standards set out in the council's development guidance, is set back from the facing street, as required by the same guidance and furthermore, would be in keeping with other balconies found in the locality.

The council are encouraged to reconsidered their original permission in this regard and to approve the use of the flat roofs as balconies with access via glazed sliding doors and with clear glazed balustrading to the front elevation and 1.8m high opaque glazed screens to the sides.