

Development Management – Delegated Officer Report

Application Number: AWDM/1559/25

Recommendation –REFUSE

Site: 54 Hillrise Avenue, Sompting, BN15 0LU

Proposal: Use of flat roof as a balcony with 1.8m high obscured glass balustrade to sides.

Date of site visit: Assessment has been assisted using the Applicants plans; Earthlight mapping; and Google 3D of the site.

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

No. 54 Hillrise Avenue is a semi-detached bungalow located on the east side of the road and backs on to the Lancing and Sompting Cemetery. The bungalow is set higher than the pavement at the front, and the land rises through to the rear of the site, with the rear being much higher than the bungalow.

The property has implemented the previous planning approval for a hip to gable roof extension and dormers; the rear single storey extension has also been implemented.

The locality comprises predominantly semi-detached bungalows, many of which have been extended on the ground floor and/or into the roof. A few have small front dormers.

The site is not within a Conservation Area and is not a Listed Building.

Proposal

The application proposes:-

- Use the existing flat roof of previously approved rear extension as a roof balcony;
- Erect 1.8m high obscure glazed screening to north and south sides onto the existing flat roof;
- Erect 1.1m high obscure glazed screening to front (east) of the existing flat roof;

Relevant Planning History:

AWDM/0404/25 Householder application for permitted development for Prior Approval for single storey extension to rear of property measuring 4.5m from rear wall of the original house, maximum height 3m and height of eaves of the extension 3m.

Decision: Prior Approval is not required 29.04.2025

AWDM/0402/25 Proposed enlarged dormer to the front elevation, with front sliding windows. Proposed rear dormer with Bifolding glazed doors and a Juliette balcony. Extend the remaining hip roof to be a full gable roof with obscure glazing within the top section of the gable. Alterations to windows on ground floor front elevation. New window on south elevation. Reposition the entrance door on the south elevation. **Approved 05.11.2025**

Consultations: None

Representations: Objections: 50, 56 Hillrise Avenue

- Noisy banging and drilling every day into the evening to construct previous approval;
- Dug out back garden leaving a deep drop next to neighbouring property and has not made it safe;
- Has an Expel air fitted facing onto my property;
- Glass in apex roof facing no. 52 was supposed to be obscure glass but is not;
- Balcony will be on my head when using my patio;
- Loss of privacy as (the use of the balcony) is more than a bedroom;
- Sets a precedent, if our neighbour did the same they would be able to view into our rear dormers used as children's bedroom;
- Devalue our property.

Sompting Parish Council:

- Support but Cllrs suggested this may prove to be unneighbourly.

Relevant Planning Policies

Adur Local Plan Policies 1, 15

Supplementary Planning Guidance comprising: Development Management Standard No. 2 'Extensions and Alterations to Dwellings'

National Planning Policy Framework 2024

Planning Assessment

There is no objection in principle to extensions and alterations to residential dwellings within the built-up area. The key considerations are the effects on the visual and residential amenities of the neighbouring property.

Visual & Residential Amenity

The application relates to the flat roof of the earlier approval for a single storey rear extension AWD/0402/25 refers (see above planning history).

There has been a further application for a hip to gable and front and rear dormers. The proposal also identified that the living will be reversed with kitchen diner living on the first floor and bedrooms on the ground floor. The approved plans did show bifold doors off of the first floor living room opening to view the flat roof and garden beyond, but also identified a Juliet balcony which prevented access onto the flat roof.

Condition 5 of the approval stated *“Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and reenacting that Order with or without modification), no part of the roof of the ground floor rear extension shall be converted into or used as a balcony or terrace nor shall any access from the rear dormer be formed thereto. Reason: To prevent overlooking and unneighbourliness and to comply with policy 15 of the Adur Local Plan.”*

However, the Juliet balcony was never constructed and instead this application has been submitted to use the flat roof a roof balcony, with the construction of a 1.8m high balcony screen to be erected on both the sides of the roof and a third screen to the height of 1.1m high to be erected on the outside edge of the flat roof.

Originally the screen was shown to be on the outside edge of each of the sides of the extension, but following discussions the screen has been moved in to be 500mm from the north side, 700mm from the south side, and 200mm from the back side (east) of the edge of the roof. This thereby leaves a roof balcony space measuring some 5.9m wide x 4.4m deep equating to approx. 26 sq. metres of balcony space.

The applicant has cited another roof balcony at no. 58 Hillside Avenue. No. 58 does have a roof balcony but the difference between that one and this one is that the roof balcony covers approx. two thirds of the width of the roof of the ground floor extension and the ground floor extension does not extend over the full width of the existing bungalow. Another factor relating to that property, is that the door onto the roof balcony is just that, a door. The adjoining bungalow no. 60, has its own rear extension which comes to the boundary with no. 58, thereby there are no neighbours using a patio space directly to the side boundary and will thereby not be overlooked from the use of the roof balcony. It also does not appear to benefit from planning permission.

The Council's DM Standard No. 2 advises:

3.22 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.

The proposed roof terrace will cover the majority of the roof of the extension, and will be very close to the adjoining neighbours property, no. 56. No 56 does not have a rear extension, thereby there is no buffer for them from the use of the roof terrace. There will also be the additional height of the screen close to the side of the wall with the neighbouring property, which will also contribute to overbearing onto the neighbouring property. It is noted that no. 56 is on higher land than no. 54, but this does not negate the unneighbourly presence of the overall structure and use.

Moreover, It is considered that the use of the roof balcony will result in its own challenges with regard to noise and activity, together with any associated paraphernalia that will inevitably be used such as lighting and music together with general conversations, all taking place directly above the outside living space of no. 56.

There have been discussions from the applicant to reduce the overall space of the roof terrace, but none have been considered acceptable which would seriously reduce the unneighbourly impact that the roof terrace and its use would have onto its directly adjoining neighbour no. 56

The other neighbour no. 52 is separated by a gap and the addition of a structure onto the boundary, which would add to the buffer for that property. There would be some noise intrusion, but none that would be materially unacceptable to that property.

Recommendation

REFUSE

1. The proposed roof balcony and screen, due to its height, size and close proximity to the boundary and outside amenity area of the attached property no. 56, would appear overbearing, oppressive and unneighbourly to the detriment of the residential amenities of the adjacent occupiers. The proposal is therefore contrary to Adur Local Plan policy 15 and Supplementary Planning Guidance no. 2 Extensions and Alterations to Dwellings', together with the National Planning Policy Framework.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a

Expiry Date:

satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Is recommendation contrary to letter(s) of representation? N

Case Officer: Eve Hearsey

Date: 1 April 2026

Authorised by: Peter Barnett

Date: 1 April 2026