expiry
30.11.07

Development Control – Delegated Officer Report

Application Number: ADC/0614/07 Recommendation - Refuse

Site: 3 Overhill Southwick West Sussex BN42 4WL

Proposal: Small first-floor rear balcony with N.side privacy screen

The Application

The application property is a detached bungalow located within a street of similar properties in the built up area of Southwick. Many of the bungalows within the street have been altered and extended to include rooms in the roof, with dormers and roof extensions.

The property obtained permission for a gabled rear extension (part-hipped) with rooms in the roofspace, including part gable at front (side dormers added as 'permitted development') under ADC/0087/07. Permission is sought for a small first-floor rear balcony with north side privacy screen. The balcony would be 1.0m in depth by 3.3m in width.

Located directly to the west of the site is an industrial unit used by the Mitsubishi garage, to the west of this is another larger retail warehouse fronting Old Shoreham Road. To the north and south are similar scale detached bungalows.

Side dormers to the property were built under permitted development rights.

Consultations and Representations

Third Parties: There have been no third party objections to the application.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-16 (WSCC 2005): LOC1, DEV1, DEV4-5.
Adopted Adur District Local Plan 1993-2006 (ADC 1996): AG1, AH7, and Appendix II 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'.

Planning Assessment

Policies
Structure Plan policies seek to protect, and where possible, enhance the character and distinctiveness of an area, requiring high standards of design, layout and construction (DEV1). Policy AH7 of the Local Plan states that

extensions and alterations should be designed so as not to result in an unacceptable degree of overlooking, a loss of natural light or an overbearing effect on neighbouring dwellings. They should be of sympathetic design and materials to the original dwelling and the area in general. Dev Control Standard No.3 'Extensions and Alterations to Dwellings' states ,amongst other things, that proposals should not result in direct overlooking of rooms in neighbouring properties, nor excessive amounts of overlooking of garden areas.

Residential amenity

The property under ADC/0087/07 obtained permission for a pair of doors in the rear gable with a Juliette balcony. The proposal would enable the occupier to gain access via the doors onto the balcony which would have views from the west down round to the south. A proposed 1.8m high obscure glazing screen would obscure views to the north.

The main concerns with the proposals are the effect on the privacy of No.1 directly to the south, No.5 to the north and No.124 Downland Avenue to the NW.

The proposed obscure glazing screen would prevent views to the north and would eliminate loss of privacy from the half of the garden directly adjacent to the rear of the property, whilst the western half of the garden would be overlooked.

To the NW the garden of No.124 Downland Avenue is due south and therefore would be mostly in view. The property has a flat roofed detached garage to the south east of the property which obscures views towards the sunroom which is on the east of the rear elevation. The distance from the proposed balcony would be 25m from the rear west side windows of the property which is considered far enough to prevent loss of privacy to an extent that would require refusal on this basis alone. The most part of the rear garden would be visible but it is considered that the balcony in itself would not increase the level of overlooking from that of the already approved doors.

To the south No.1 has a rear flat roof extension on the north side, which has no windows in its north elevation, but does have double doors which open out onto the garden to the west. The property shares a drive with the application property and there are two flat roof garages at the end of it, the southernmost of which is owned by No.1 and obscures to a certain extent views towards very rear of the garden. As originally approved the double doors did not have any views directly towards the south. Although the balcony is not of a size that would lead to extensive use by multiple persons it is still considered that the dwelling to the south would experience an excessive loss of privacy from the rear garden area adjacent to the property where previously private enjoyment was possible. Visually if the applicant were to include an obscure glazed panel into the southern side it would protrude over the ridge line of the roof and would look out of keeping and incongruous.

Recommendation

REFUSE for the reason that:-

H22R – amended.

The proposed balcony would, through excessive overlooking, detract from the residential amenities and quiet enjoyment of No.1 Overhill, and the introduction of an obscurely glazed screen to compensate for this would appear out of keeping and incongruous, contrary to the policies of the West Sussex Structure Plan (DEV1) and the Adur District Local Plan (AG1, AH7).

Case Officer: [signature]
Date: 26.11.07 [signature]