~~PE~~ DD: 6/12.

Application No.: ADC/0625/07 Recommendation – Refuse Application

Site: 8 Beach Green, Shoreham-by-Sea, West Sussex

Proposal: First Floor Balcony to Rear Elevation

The Application

The application site contains a mid-terrace dwelling that has been converted into a downstairs and upstairs flat with brick and white render walls and a clay tile side gable ended roof located on the northern side of Beach Green, within the built-up area of Shoreham.

Conversion of the original terrace dwelling into two flats appears to have occurred in the mid 1950's. The owner of the first floor flat is now proposing the erection of a 1.4m deep by 4m wide balcony at the rear of the flat, including installation of a rear door from the adjacent conservatory, and support poles at either end that extend into the ground directly below. The proposed width and depth of the balcony is the same as an existing overhanging eave.

All three of the attached terrace dwellings have a rear balcony, each of which extends further to the rear than the balcony proposed in this application. A significant difference however, is that the balconies overhang a downstairs garage as opposed to an independent flat.

Consultations and Representations

Third Parties: Two objections have been received on the application, both on behalf of the owner of the downstairs flat, who is going blind and has a strong need for light in order to safely move around her dwelling.

The objections relate to a potential loss of light as a result of the balcony's erection, and also query whether the applicant has the right to propose the erection of support poles below the balcony outside her flat.

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plans 2001-2016 (WSCC 2005):

LOC1, DEV1

Adopted Adur District Local Plan 1993-2006 (ADC 1996):

AG1, AH7 & Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No. 3 'Extensions & 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.

Visual Amenity

Located at the rear of the dwelling, the extension will be largely obscured from public view, aside from perhaps those who utilise the tow path along the river approximately 15 – 20m to the rear. By virtue of being shorter in depth than the adjoining balconies it may look slightly out of character with the rest of the combined terrace building, however it would be no worse than the current situation where a 4m gap exists between existing balconies on either side.

Residential Amenity – Privacy

As the rear garden is used communally and is already overlooked by the existing balconies (and tow path to the rear), the extension would not result in any additional loss of privacy for adjoining occupants.

Residential Amenity – Daylighting

Where there is concern is the extension's impact on access to daylight for the flat below. Where an existing balcony overhangs part of the existing flat, the dining room below suffers badly from a lack of daylight such that artificial light is required to use the room during the majority of the day. Whilst the proposed balcony does not extend as far to the rear as that existing balcony, it is expected to have a similar adverse impact on the downstairs kitchen and bathroom. Presumably this is why the existing overhanging eave was constructed using translucent sheeting in the first place.

This impact is exacerbated by the personal circumstances of the occupant below, however refusal is warranted notwithstanding those personal issues.

Recommendation

REFUSAL for the reason that:-

1. The proposed ~~extension~~ balcony would be detrimental to the residential amenities of the ~~downstairs~~ ground floor flat by virtue of resulting in ~~an adverse~~ loss of light, contrary to the policies of the West Sussex Structure Plan (DEV1) and the Adur District Local Plan (AH7).

Case Officer: ..... Date: 3/4/07