expires 24/11

Development Control – Delegated Officer Report

Application Number: ADC/0476/08 **Recommendation - Application Refused**

Site: **276 Old Shoreham Road Southwick Brighton West Sussex**

Proposal: **Erection of wooden balustrade on rear flat roof to form balcony**

The Application

The application property is semi detached and lies on the south side of Old Shoreham Road. It has a single storey flat roofed extension at the rear with a pergola attached projecting further into the rear garden. Doors have been installed at the first floor bedroom allowing access to the roof of the extension. This application seeks to formally use this area as a balcony by erecting a wooden balustrade, 1.2m high, around the edge of the roof.

Consultations and Representations

Consultations/Comments

None

Third Parties

None received

Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005) (saved policies): LOC1, DEV1
Adopted Adur District Local Plan 1993 – 2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No.3 'Extensions and Alterations to Dwellings'
PPS1 'Delivering Sustainable Development (ODPM 2005)

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.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be accepted.

Visual amenity and character

The balcony would be at the rear of the dwelling and would not be visible from the street or any public viewpoint. Its appearance will not detract from the character of the property.

Residential amenity

The balcony would be immediately adjacent to the adjoining half of this semi detached pair of houses, no. 274. That property has a conservatory at the rear which projects to roughly the same distance as the extension at no.276. There is some vegetation on the boundary between the properties but it is not substantial and it is considered that the introduction of a balcony would result in the potential for prolonged overlooking and a loss of privacy to the neighbouring occupiers. To a lesser extent, there would also be overlooking of no. 278 to the east, although there is more separation between the properties due to the presence of a shared driveway in between.

It was suggested that moving the balcony from the edge of the extension may help to reduce overlooking but, after due consideration, it was not considered that such an amendment would sufficiently overcome the objections to this proposal. Balconies are usually more acceptable at the rear of large detached properties with good separation from their neighbours, rather than terraced or semi-detached dwellings such as this. The concern over such development is such that it has recently been deemed not to be 'permitted development' in the recent amendment to the General Permitted Development Order. To allow a balcony here would also set an undesirable precedent for further balconies on other properties in the area.

Recommendation

REFUSE on the ground that:-

1. H20R (amended) "The proposed balustrade and formation of a balcony, by reason of its proximity to the boundary, would be detrimental to the residential amenities of the adjoining property resulting in overlooking and a loss of privacy, contrary to....."

Case Officer..... Date...12/11/08

12/11