Development Control – Delegated Officer Report

Application Number: AWDM/1238/20 Recommendation – APPROVE

Site: 121 Kings Road, Lancing, BN15 8EQ

Proposal: Retention of balcony at rear of second floor

Date of site visit: Site visit made on 15 July by Planning Services Manager prior to the submission of the application. Further assessment has been assisted using the Applicants plan and photos; Earthlight mapping; and Google 3D of the site.

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

No. 121 Kings Road is a two storey semi-detached dwellinghouse situated on the north side of the road. It has a garage extension to the side, close to the boundary with no. 123, and an outbuilding across the rear boundary of the garden.

Many of the surrounding properties have undertaken rear extensions and outbuildings, and some have constructed rear roof dormers i.e. no.'s 119 and 123. No. 121 has also undertaken a hip to gable roof extension and have rooflights to the front roofslope. No. 19 Ingleside Crescent, a bungalow directly behind no. 119 Kings Road, has a rear dormer.

The proposal seeks retrospective planning permission to retain a render faced balcony which is within part of the new render faced rear roof dormer.

The dormer measures approx. 3.3m deep x 5.8m wide x 2.4m high. Within that space, a balcony has been created and the balcony measures approx. 1m deep x 4m wide, and has 2no. fully glazed doors leading onto it from the bedroom. Plus, there are 1.1m high safety railings on the outside edge of the balcony, and a long window box is positioned onto the railings

Relevant Planning History: None

Consultations: None

Representations: Lancing Parish Council: No objection

Objections from no.'s 19 & 23 Ingleside Crescent, together with no.'s 123 & 125 Kings Road

- Loss of privacy
- Noise
- Space for people to sit and congregate on the balcony

- Overlooking into bedroom and living room
- Need obscure glass on full height doors
- Not in keeping with the area
- Have also built an oversized outbuilding in the garden without planning permission
- They park over the pavement preventing pedestrians from passing
- Not permitted development
- Have converted the garage into an extra room
- Assume building regulations have been complied with
- Construction also included an en-suite toilet; stud external walls, not blockwork with painted boarding; no tile hanging
- Loud music during construction and continuing
- Still work to complete

Relevant Planning Policies

Adur Local Plan 2017 Policy 1, 15
DM Standard No.2 SPG - Extensions and alterations to dwellings
National Planning Policy Framework (2019)
National Planning Practice Guidance

Planning Assessment

Principle

There is no objection to the proposed development for a balcony.

The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character of the dwelling and its surroundings.

Response to objections

The pertinence to planning points raised within the objections are discussed as follows:-
It is considered that there will be no greater loss of privacy from the balcony than from a bedroom with a window;
The noise from persons using the balcony could also be generated from persons using a room with the window open, or from using the garden;
Persons can sit in a garden or in a room with a window open, or on the balcony, there is no pronounced difference between these locations;
Overlooking can occur from a window or a garden;
There is no requirement for providing obscure glazing on the glazed doors;
The dormer itself is in keeping with the area as others exist in the locality;
The dormer has been constructed under permitted development;
The balcony does need planning permission;
The outbuilding is not part of this application being considered here;
Parking on pavements is not a planning matter;
Conversion of the garage into habitable accommodation does not need planning permission and is not being considered on this application;
Building Regulations is separate legislation to planning and therefore is not a consideration here;

The en-suite is not for consideration here, only the balcony;
The materials used for the external walls of the dormer are rendered as per the existing dwelling, and thereby are in accordance with the permitted development criteria for this property;
The plans have been amended to show that render has been used for the dormer and the balcony;
Loud music being played by the construction workers, is not a planning matter;
Planning has no input in the time taken to complete the development.

Amenity

Roof dormers are not out of keeping in the area, as many have already undertaken such development, indeed both neighbouring properties have dormers as too does the property behind the application site i.e. no.'s 119 and 123 Kings Road, together with no. 19 Ingleside Crescent. Two of these properties have objected to the application.

However, in the case of the development the subject of this application, a small balcony within the dormer has been included, and it is the balcony that needs planning permission, hence this application. Section 73A of the Planning Act makes contingency for retrospective planning applications.

This balcony itself measures some 1m in depth x 4m in width, and has railings at the outside edge to 1.1m in height, thereby leaving a gap of some 1.2m between the top of the railings and the new roof/ceiling.

It is considered that the overall dimensions of the balcony are modest, and the reality of the numbers of persons that could comfortably access the balcony at any one time would also be modest. Neighbours have reported that there were a relatively high number of persons using the balcony, may well have been trade persons in the construction of the dormer and balcony.

Correspondence from the applicant's agent suggests that they anticipated using it for plants and have put a long window box over the balustrade to plant up.

Importantly, the distance from the balcony to the properties to the rear is some 22m to those directly to the rear and fanning out from those the distance grows. In planning terms this is considered to be an acceptable separation distance so as not to result in material loss of existing residential amenities to properties

Recommendation

APPROVE subject to the following condition(s)

1 Approved plans
2 No windows to the side elevation facing no. 119

Informative
1. Approved without amendments

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

Case Officer: Eve Hearsey Date: 23.09.2020

Authorised by: Gary Peck Date: 23 September 2020