Expiry Date - 27/12/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1433/23 **Recommendation – APPROVE**

Site: **92 Marine Crescent Worthing West Sussex BN12 4JH**

Proposal: **Reinstatement of the balcony and balustrade to the southwest of the property and extended balcony and balustrade to the southeast of the property and construction of external stair with glass balustrade.**

Date of site visit: 22/11/23

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is located to the north of Marine Crescent opposite the greensward and seafront in a predominantly residential area of Worthing. The property comprises of a detached, two storey house, feature catslide glazed roof to the front, timber clad and rendered elevations and a tiled pitched roof. There is a large area of flat roof to the front of the building at first floor level used as a balcony. The property is set back from the road behind a low wall and hedge, front garden and paved driveway with parking for several cars. There is a covered terrace and swimming pool to the rear.

The property is not within a conservation area, is not a listed building and there are no protected trees on site.

Proposal

Planning permission is sought for reinstatement of the balustrade to the west side and extension of the balcony to the east side and installation of balustrade surround and construction of external stairs with glass balustrade to the west side.

A new frameless clear glass balustrade would be installed to the south, east and west perimeter of the existing flat roof area to the front of the building. The balustrade would be 1.1m high.

New steel external stairs would be added to the west side elevation of the house providing access to the balcony from ground floor. A glass balustrade of the same height as the balcony would be fixed to the stairs.

Access to the balcony from first floor would remain as existing via the sliding doors to both front bedrooms. The balcony area would be extended across the east side of the roof.

The application has been amended to remove the 1.8m high obscure glazed screens to the sides and replace these with 1.1m high clear balustrades.

Relevant Planning History:

10/0051/FULL - Proposed roof access and balustrading to existing roof terrace – Refused – Dismissed at Appeal

09/0222/FULL - Creation of full width roof terrace to front elevation with roof access, transparent glazed balustrading to south elevation, and translucent glazed panels to east and west elevations – Refused

08/0451/FULL - Retrospective application for a single storey flat roof extension and alterations to south elevation – Approved

08/0251/FULL - Provision of balcony handrail and obscure glass panels around flat roof (under construction) – Refused

08/0176/FULL - Erection of single storey extension to side elevation to extend existing utility room. (Retrospective) - Approved

06/1033/FULL - Erection of two x first floor extensions to south (front) elevation - Refused

05/1301/FULL - Erection of single and two storey extensions to south and west elevations and raise existing garage roof. – Refused

Consultations:

WSP - The applicant is applying for the reinstatement of a balcony and balustrade to the southwest of the property and extended balcony and balustrade to the southeast of the property, and construction of an external stair with glass balustrade.

Following a review of the submitted information, we have no objection to the application on surface water drainage grounds. Due to the site, size, location, and type of development we would recommend the approval of the application.

Representations:

Two representations received prior to amendments of the application:

- ***Goring and Ilex Conservation Group*** - Our committee has considered the application and although we have no comment regarding the balustrade, we do have concerns regarding the height and extent together of the proposed privacy screens which our committee considers to have an adverse effect on the open aspect of these properties and the general amenity of the area.

- I only object to the 6ft translucent balcony to the SW elevation as it will destroy the panoramic views from my balcony.

Officer response: The plans have been amended to remove the 1.8m high, obscure glazed privacy screens from the proposal and replace these with 1.1m high clear glass. Neighbours were re-consulted on the amendments and no further comments received.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

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 locality.

Visual Amenity

The property is one of a group of eight buildings forming a crescent fronting on to Marine Crescent. This group has a distinctive character with central catslide roof and first floor balconies to the front and side. Some of these properties have been modernised by replacing the catslide roof tiles with glazing and adding glass balustrades and full width balconies, giving a more contemporary appearance.

No.88 located to the east of the application property has a similar appearance to that proposed with a full width balcony and glazed balustrade. No.94 has a glazed balustrade to the front and side, No.82 has a full width front extension but no balustrade, No.84 has consent for a full width balcony and glazed balustrade, while the remaining properties have metal balustrades to the front and/or side.

Whilst it is recognised that a similar application at this property was refused in 2010, the reason for refusal was in relation to impact on neighbours rather than the visual impact. The officer report for the refused application referred as follows; *'The form and character of the development would not reflect the predominant design of this group of buildings and it is not considered to compatible with its surroundings,'* and that *'its visual impact will detract from the character and appearance of the property and the surrounding area in general'*. Although this was noted in the report the impact on visual amenity did not form part of the reason for refusal.

Since the above decision, a very similar scheme was approved under application AWDM/0975/14 which noted that*, 'The extensions and alterations will be clearly visible from Marine Crescent and Alinora Avenue and they will*

radically alter the appearance of this property. Whilst in themselves they are acceptable and not considered to be harmful to the appearance of the property or streetscene, especially given the apparent trend for such works in the locality, it is felt that the very exposed flank elevation treatment onto Alinora Avenue, the fenestration detail in particular, could be improved and so these details are reserved by condition.' The current proposal at No.92 does not include the same fenestration detail to the flank elevation and is in a less exposed position, between two houses.

A more recent scheme was approved at No.84 under application AWDM/1984/21 which permitted a very similar balcony and balustrade. This application was considered to '*retain the defining characteristics of this group of buildings'.*

The design, scale and materials of the proposed balcony and balustrade are very similar to the alterations carried out at No.88 and as approved at No.84. The full width balcony additions to this group of buildings are the result of more recent planning approvals and the current application would follow this more contemporary approach by repeating the frameless glazed balustrade design that reflects the character of the surrounding street scene, which is recognised as being very different to the character as it stood at the time of the 2010 application at this site.

It is therefore concluded that, as the character of the street scene has evolved dramatically and now portrays a much more contemporary appearance and viewed in context with the very similar balcony and balustrade constructed at No.88, there would be no significant harm to the visual amenities of the locality as a result of this application.

Residential Amenity

The previous application for similar works at this property was refused under 10/0051/FULL for the following reason:

The proposed development, by reason of its form, siting and close proximity, would adversely impact upon the amenities and living conditions of the occupiers of No.90 Marine Crescent, in terms of increased activity, noise and disturbance and loss of privacy through overlooking. The proposal thereby conflicts with Policies BE1 and H16 of the Worthing Local Plan 2003 and Policies CC6, BE1 and SCT1 of The South East Plan 2009.

The very similar scheme approved in 2014 at No.88 included an extension of the balcony across the width of the property. The balcony to the west side already existed and allowed overlooking to the neighbour's lounge and front garden at No.90 however no mitigating measures or screening were required.

A similar scheme was approved at No.84 under AWDM/1984/21 extending the balcony across the full width of the property.

The extension of the balcony across the east side of the existing flat roof at No.92 would have the same relationship with No.90 in terms of overlooking, as already exists to the west side where the balconies to No.94 and 92 have always been adjacent to each other.

At the time of the previous decision at No.92, in 2010, none of the other properties in this group had full width balconies. Since this decision, planning permission has been granted for the same at No.84 and 88 and the character of the area has changed considerably with front balconies becoming a more common feature in this location.

The current application was amended to remove the 1.8m high opaque privacy screens proposed to the side elevations of the balcony following objections to this element of the proposal from neighbours. Both immediate neighbours confirmed that low, clear glazed balustrades were preferable to high privacy screens to avoid blocking views from their own balconies. No concerns relating to overlooking or loss of privacy were raised by either neighbour.

No.94 is located to the west of the application property and has a clear glazed balustrade to the balcony area to the east side of the building and adjacent to No.92. The relationship between these two properties will not change as a result of the proposed balustrade (which was always positioned on this side of the building) and would continue as existing with no increase in overlooking. The only new element of the proposal that would affect this neighbour is the addition of external stairs to the side of the house providing access to the balcony from ground floor. There are no openings to the side of the neighbour's property and no additional overlooking would occur as a result of the stairs in this position. Use of the external stairs, is unlikely to happen on a frequent basis, due to the existing access at first floor and their external position open to the elements and this addition is not considered to result any significant increase in noise or disturbance to the neighbour.

No.90 is located to the east side of the application property and has a balcony with metal balustrades to the west side. The balustrade would extend to the same depth as the neighbours balcony, around the perimeter of the flat roof. Whilst there has been a flat roof with direct access from first floor to this side of the roof since at least 2009, the installation of clear balustrading to the perimeter would define its use as a formal balcony. There is potential for increased opportunities for overlooking between the balconies, however this relationship is the same as that existing between other balcony pairings in this group and when considered in context with the more recent approvals of similar schemes, the level of overlooking is not considered to have a significant detrimental effect on amenity. The privacy screens originally included to mitigate any additional impact from overlooking were considered by the immediate neighbours to be more intrusive in terms of blocking the view than any concerns relating to a potential increase in overlooking.

The more recent planning approvals demonstrate that full width balconies extending to both sides of the catslide roof feature have become an accepted form of development for this specific group of properties. The large, open

balconies take advantage of the sea views across the greensward opposite. It is clear from the correspondence and comments received during consideration of the application that maintaining views from neighbouring balconies was a priority over any measures to protect from overlooking, such as the high privacy screens originally proposed. Any increase in noise and disturbance is considered to be very limited in comparison to the existing use of the flat roof with unrestricted access from first floor.

The proposal is therefore not considered to elevate overlooking, noise or disturbance to an unacceptable level or result in any significant detrimental impact on the residential amenities of adjacent occupiers and in context with previous decisions in considered acceptable.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Balustrade as specified in app documents, height, transparency, finish.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

Case Officer: Amanda Haslett Date: 20/12/23

Authorised by: Jo Morin Date: 20.12.2023