# Development Management - Delegated Officer Report

**Application Number: AWDM/1419/20 Recommendation – APPROVE**

**Site: Nova Villa, 63 Old Fort Road, Shoreham-By-Sea**

**Proposal: Provision of a new shared external access stair and alteration of existing flat roof areas on both 63 and 63a Old Fort Road to provide roof terraces including perimeter glass balustrades.**

**Date of site visit: 3.11.20**

**Neighbours checked: Y**

**Additional neighbour notifications: N**

**Proposal, Site and Surroundings**

The application site is a pair of semi detached dwellings permitted in 2008 under ADC/0156/08 replacing an existing bungalow.

Consent is sought for a proposed shared external access stair to the front of the property to access the existing flat roof to provide roof terraces for both the dwellings. The original plans showed a higher balustrade to the side and the footprint of the terraces wider, closer to the sides of the building. Amended plans were sought by officers to improve the visual appearance of the balustrade by making it consistently 1.2 metres to the front and side and setting it in. This was also to limit any impact in terms of residential amenity and overlooking. Limiting the terrace to the frontage of the roof and setting in from the sides.

**Representations**

1 representation received from owner/occupier of 61 The Meadway in relation to the amended plans: -

Objection on the grounds of loss of privacy from the western side of the property.

A previous application on this site was given permission as long as -

10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), no part of the roof of the dwellings hereby approved shall be used as a balcony or terrace and access to the roof shall be limited to maintenance purposes only.
Reason: To prevent overlooking and to comply with policy AH7 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.

Consideration should be given to a higher not lower balustrade height and opaque glass on the western side of the balcony if approval is to be granted and could the balustrade be at least 2 metres inside the west elevation.

**Consultations**

**Adur and Worthing Services: - Environmental Health**: - No comment

**Private Sector Housing:** -No comment

**Relevant Planning Policies**

Adur Local Plan 2017 Policy 15
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (February 2019)
WSCC Guidance on Parking at New Developments (Sept 2020).

**Planning Assessment**

**Principle**

The proposal comprises upgrading the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the dwelling and its surroundings.

**Visual amenity**

The proposed balustrade will be visible from the street, at the front and side the balustrade as amended is 1.2 metres high. The changes result in an improved appearance with the side and front balustrade of equal height therefore not resulting in an awkward junction. The footprint of the terraces has also been reduced which limits the amount of useable space moving away from the side and reducing the visual impact of the balustrade. As amended it will not be an obtrusive or dominant feature. The changes to the access to the roof terraces are also minor and in terms of the overall appearance of the building are in keeping.

The character of the street is varied and many buildings of differing form, scale and design are present. Terraces and balconies are commonplace here and this does not set a precedent for any harmful development in this case. The use of part of the roof as a terrace is therefore acceptable here.

**Residential amenity**

The balustrade to the side has been reduced in height from that originally proposed to 1.2 metres in height. This is to address visual amenity issues, however the terrace has been set in from the side of the roof by 1.8 metres therefore reducing any

potential for overlooking. Directly either side are the roofs of the adjacent properties. Therefore no direct overlooking will occur to affect the amenities of the occupiers here. It is considered therefore that a higher balustrade was not required here.

There are dwellings to the front and rear of the site. To the front properties will be visible from those using the roof terrace however this will be on the other side of the road and no greater overlooking will occur than currently exists mutually between properties opposite. To the rear are neighbouring gardens and properties beyond. An objection has been received from no. 61 The Meadway stating that the screening should be higher and obscurely glazed. Those using the terrace, particularly on the western side will have views towards the rear and properties on The Meadway. However, due to the terraces being limited to the front section of the roof only and set in from the side there is considered to be limited impact. The terrace is 6m from the rear edge of the roof and there is 31 metres from the rear of the terrace to the rear of No. 61. It is considered in the light of this distance that the relationship is acceptable. No direct overlooking will occur that would warrant refusal in this case, or which would necessitate the requirement to increase the height of the balustrade.

It is noted that the representation made reference to the condition limiting the use of the roof as a terrace when consent was granted for the pair of dwellings. This condition does not entirely preclude the future use of the roof. However it does mean that consent is required for such development and therefore control can be given and in this case the area of roof for this use has been limited to avoid any adverse impact.

**Recommendation**

**APPROVE**

**Subject to Conditions:-**

1. Approved Plans
2. Standard 3 year time limit
3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), no part of the roof of the building other than hereby permitted shall be converted into or used as a balcony or terrace.

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

1. Proactive with amendments

Case Officer: Hannah Barker Date: 5th January 2021

Authorised by: Peter Barnett Date: 6 January 2021