DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO/ADDRESS: 11/0266 – 58 Poulters Lane

DATE OF SITE VISIT: 14/6

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): None.

SITE AND SURROUNDINGS:

This application relates to a detached house on the north side of Poulters Lane and close to the junction with Offington Gardens. The house was built in the 1970's and has a flat roof projecting garage on its frontage.

PROPOSAL

Permission is sought to create a terrace on this flat roof area by erecting 1100mm high painted metal railings to enclose it. On the west side, close to the boundary with No.60 a Perspex screen, 1750mm high, is to be erected inside the railing to prevent overlooking.

This application follows approval in February this year of a reduced area of enclosure with the same railings. The approval set the railing and Perspex screen in from the west boundary to align with the main flank wall of the house and also set it back from the front of the garage so that it was squared off and did not include the front area of roof over the garage. For aesthetic purposes the applicant would like to push the rail out to the outer edge of the roof but as a compromise has included a rail within the rail to prevent free access to the front most part of the garage roof, where a view of the front rooms of No. 56 to the east would be possible. This compromise position is shown in a revised drawing within this application.

The French doors have been installed and the flat roof tiled ready for use as a terrace, though it is currently not used. This much of the development does not require planning permission.

RELEVANT PLANNING HISTORY:

10/1051 – Proposed screened roof terrace area over existing garage including provision of two pairs of French doors onto balcony. Granted 22.2.11

RELEVANT PLANNING POLICIES:

RES7, H16 and H18 of the saved Local Plan.
BE1, CC1 and CC6 of the South East Plan
PPS1 Delivering Sustainable Development

Core Strategy Policy 16

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

One letter of objection letter received from No. 60 Offington Lane, summarised as follows:

i) This is a resubmission of a revised proposal to which we objected back in January 2011.
ii) Out of keeping with the area;
iii) Loss of privacy
iv) loss of light to side facing kitchen,
v) potential nuisance from noise and cooking smells ,
vi) Concerned about the potential screens appearance and impact,
vii) It will be visible from the road.
viii) A smaller balcony would be more in keeping.
ix) The revised approved plans went someway to meeting our concerns, thereby limiting the impact. These plans are too large to be desirable.

HUMAN RIGHTS:

First Protocol (Protection of Property) of the Human Rights Act 1998 is relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

PLANNING ASSESSMENT:

The application has been revised since first submitted and now includes a railing within the railing to prevent access onto the most forward area of the garage roof. This internal screen is positioned at the point previous approved. The applicant's argument is that a railing in the approved position will look out of place and should be positioned around the outer edge of the roof for aesthetic reasons. They are happy to erect a railing within it to prevent access and thus reduce the privacy to No. 56's front windows.

In addition the railing has again been pushed out to the outer edge of the side wall of the garage which takes it 600mm closer to the neighbour at No. 60, though this is still not on the boundary as there is rear garden access along this side.

The terrace enclosure will be visible from Poulters Lane and at the time of the site visit no other front roof terraces were apparent in the street. The terrace is set back at least 16 metres from the road. This property and neighbouring properties have considerable screen planting on the frontage and so views of the front of the property are interrupted. Given these factors and the

lightweight nature of the proposed enclosure it is not considered that the proposal would be damaging to the streetscene or to the wider character of the area. The railing within the railing is unlikely to be discernable at this distance.

The internal railing is required to minimise any potential intrusion to occupiers of 56 Poulters Lane, to the east. The proposed terrace is now largely set behind the property's own two storey gabled projection and thus views across No. 56's front garden are minimised. Front gardens are nonetheless less private areas.

The occupiers of No. 60, to the west, have again objected to the proposal. They consider this application to be a retrograde step and whilst the approved railing position went some way to allaying their fears this proposal takes them back to their original objections i.e. loss of light to their kitchen. This kitchen window is more than 11 metres away from the Perspex screen proposed. It is not considered that at this distance any significant loss of light will occur. Moving the screen to the outside edge of the terrace, a further 600mm, will have little or no greater impact on the amount of light received to this window. Otherwise, there are no habitable room windows facing the site.

The proposed Perspex screen will protect neighbours at No. 60 from intrusion and overlooking. The detail of this screen is not fully worked through but it is planned to erect it inside the rail to a full height of 1750mm. A condition requiring further details of the screen is recommended.

The insertion of patio doors in the frontage in place of windows does not require planning permission and so use of this flat roof as a terrace cannot be prevented. The flat roof is large enough to be useable without the enclosure and without fear of falling off it. The reduced size of the enclosure minimises potential intrusion. The erection of a rail and screen will benefit neighbours privacy.

RECOMMENDATION

Grant subject to conditions.

1. 5 years
2. Approved Plans
3. Further details of Perspex screen.
4. Railing to be white painted before first use.
5. Internal rail erected before first and forward most flat roof not used to form a balcony.

REASON FOR APPROVAL

The proposed development would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties, including loss of light or overlooking. It would consequently not conflict with the 'saved' policies of the Worthing Local Plan (RES7, H16, H18) and the South East Plan (CC1, CC6, BE1).

REASONS FOR RECOMMENDATION:

The proposal complies with the relevant policies of the Development Plan.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION? Yes

DELEGATED

Case Officer sign..... [redacted] ..Date.....6/7/11.....

Authorising Officer sign..... [redacted] ..Date.....7/7/11.....