Development Management - Delegated Officer Report

Application Number: AWDM/0208/16 Recommendation – Refuse

Site: 275 Upper Shoreham Road, Shoreham-By-Sea

Proposal: Balcony at second floor south elevation.

Date of site visit: 4 March 2016

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property is a semi-detached dwelling on the south side of Upper Shoreham Road, close to Buckingham Park. A Certificate of Lawfulness has recently been granted for the construction of a large flat-roofed dormer on the rear roofslope with Juliet balcony. This application seeks permission to form a balcony at 2nd floor level with access from the proposed dormer. The balcony would be located on the west side of the property over a two storey projection at the rear that currently has a hipped roof. The roof would be removed to form the balcony, with a 1.1m high glazed balustrade around the edge. The balcony would measure 3m wide and 1.7m deep.

Relevant site history

AWDM/1863/15 - Application for Lawful Development Certificate for proposed rear dormer to south elevation – granted

Consultations

Southern Water – No objection

Representations

None received

Relevant Planning Policies

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' National Planning Policy Framework (March 2012)

Planning Assessment

Principle

The proposal comprises upgrading of 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 balcony would be at the rear but it would be visible from the street due to the space between the site and its neighbour and the elevated location of the balcony. The approved Certificate of Lawfulness includes the removal of the pitched roof over the existing rear projection so the current proposal would not have a significantly worse visual impact. On balance, the proposal is considered to be acceptable in visual amenity terms.

Residential amenity

The proposed balcony would be at 2nd floor level which is higher than most balconies at the rear of two storey dwellings. There is a first floor balcony on a couple of properties to the east of the site but this would be the first balcony at this higher level. It would not be screened and views would therefore be possible towards the rear gardens of neighbouring dwellings. It would be approximately 4m from the boundary with 277 and 273 but clear views would be possible because of its elevated position. It is acknowledged that the proposed dormer would also allow views towards these properties but such views would be limited and would be less intrusive than would be possible from a person standing on the balcony.

Advice in DC Standard No.3 states:

"*The addition of a balcony to a property anywhere near the boundary would be likely to lead to problems of overlooking. Balconies on terraced or semi-detached properties will therefore usually be resisted*."

A number of dwellings along the street have similar rear projections which could be used to form balconies in the future should this application be granted. It is considered that the harm to residential amenity is sufficiently serious to warrant refusal of the application.

Recommendation

REFUSE for the reason:-

The proposed balcony, by reason of its elevated position at second floor, would be an unneighbourly and intrusive feature, resulting in overlooking and a loss of privacy for adjoining occupiers to the detriment of their residential amenity. The proposal is therefore contrary to saved policy AH7 of the Adur District Local Plan, supplementary planning advice in Development Control Standard No.3 "Extensions and Alterations to Dwellings" and the relevant paragraphs of the National Planning Policy Framework relating to good design and sustainable development.

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Case Officer: Peter Barnett Date: 21 March 2016

Authorised by: Gary Peck Date: 21 March 2016