# Development Management – Delegated Officer Report

**Application Number: AWDM/0883/15 Recommendation: APPROVE**

**Site: 24 Kings Walk, Shoreham-By-Sea**

**Proposal: Reduction in height of the existing east and west side privacy screens**

**Date of Site Visit: 8 July**

**Neighbours Checked:** Y

**Additional neighbour notification:** N

**Proposal, Site and Surroundings:**

This application seeks permission for the reduction in height of the existing east and west side privacy screens of a first floor balcony which was granted permission under a previous application in 2013.

The application site is on the southern side of Kings Walk facing across the road to the beach. As is commonly the case in the area, the character of surrounding development is mixed, but the property to the west (23) is of a similar scale and also has a balcony at first floor level – the screens serving the balcony are of a lower level and clear glass. To the east is number 25, a house with windows facing towards the balcony.

**Planning History:**

Planning permission was granted in 2013 for the proposed extension of front roof terrace (AWDM/1541/12). The application was amended during its determination to provide privacy screens to the east and west sides.

**Consultations:**

None undertaken

**Representations:**

1 letter has been received stating that the principle of reducing the sidescreens is fully supported but they should be reduced to the same height as the panels to the front for the following reasons:

- The screens are proposed for privacy reasons but the previous balcony had level screens and there is no expectation of privacy therefore
- The glass in the sidescreens glows in the sunlight and should be kept to a minimum
- Outlook will be adversely affected by the presence of raised screens

- The screens as built were not constructed in accordance with the approved plans submitted under the previous application. If the sidescreens were level in height with the front screens then there would be less chance of any future discrepancy.
- The neighbours were not notified regarding the amendment to the previous application and would have objected to increased height of the sidescreens.

**Relevant Planning Policies:**

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7, AB23 & AB25 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

**Planning Assessment**

The principle of a balcony development was established by the previous permission and in any event that was an extension to an existing balcony and accordingly there is no objection in principle to the current proposal.

The previous application was amended during its consideration to provide privacy screens to both sides of the balcony to prevent overlooking occurring from the extended balcony. The neighbour to the west has pointed out that they were not consulted on this amendment and would have objected to the revision had they been advised.

Notwithstanding the potential objection to the last application that may have occurred, there is nonetheless a valid planning permission for a balcony with side privacy screens and this was indeed implemented last year.

Following concerns raised, officers inspected the site prior to the submission of the application and considered that while the side privacy screens did restrict overlooking to neighbouring properties, they could equally be said to adversely affect the street scene and the amenities of neighbouring properties by being higher than the screens serving properties in the vicinity. The prevailing character of the area is that some degree of overlooking is common between balconies and in any case there was a balcony at the property beforehand with lower screens.

It is considered, therefore, that the screens could be lowered in height. It is notable that no objections have been received on the grounds of loss pf privacy and the single representation that has been received is on the grounds that the screen should be lowered even further.

Given that there is a valid planning permission for a higher screen and that the applicant has expressed a preference to retain some height for privacy, albeit to a lower level than previously approved, there is no justification, in planning terms, for requiring the side screens to be lowered to the same level as the front screens.

However, as the neighbour has pointed out, it is apparent that there was an extent of deviation between the previously approved scheme and how it was actually erected (although not to an extent that would warrant enforcement action) and given the nature of the plans that have been submitted for clarity and accuracy it is felt that it would be beneficial to specify the size of the side screen by condition.

Having regard to the above, the application is considered acceptable.

**Recommendation**

**APPROVE**

**Subject to Conditions:-**

1. Full Permission (amended time limit)
2. Specification of side height of balcony above front screen
3. Approved Plans

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

Case Officer: Gary Peck Date: 29 July 2015

Authorised by: Appleton Date: 30th July 2015