DELEGATED APPLICATIONS ASSESSMENT SHEET

Application No: AWDM/0666/11	Recommendation – Approve
Site	118 Harbour Way Shoreham-By-Sea West Sussex BN43 5HH
Proposal:	First floor side extension and rear balcony together with repositioned roof lantern

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS: N

PROPOSAL, SITE AND SURROUNDINGS:

The application property comprises a post-war semi-detached house on the south side of Harbour Way previously enlarged by a single-storey wrap-around side and rear extension, and front porch. The surrounding area is predominantly residential in character. The site is located opposite the entrance into a new residential housing estate on the north side of Harbour Way.

Permission is sought for a first-floor side extension above the existing single-storey extension. It would be set back 0.7 metres from the front wall of the main dwelling, and marginally set in from the rear wall. It would be sited adjacent to the common boundary with the neighbouring property to the east, No.120. The extension would have a gabled-ended pitched roof of the same design as the existing house, but with the ridge positioned 0.4m lower. The additional accommodation would consist of a bedroom and bathroom. The works would necessitate removing an existing roof lantern, which it is proposed to re-locate on the flat roof of the existing extension 2.6 metres south of its current position and at 90 degrees.

In addition, it is proposed to construct an enclosed balcony on the flat roof of the existing rear extension accessed via French doors which would replace an existing bedroom window. The balcony would be 1.8m deep and 2.85m wide. It would be positioned 2.5m from the boundary with the attached house to the west, No.116. It would be enclosed by obscure-glazed screens on either side and a safety screen at the rear.

RELEVANT PLANNING HISTORY

Single-storey side and rear extension approved May 2003 (SU/66/03/TP refers).

RELEVANT PLANNING POLICIES

Saved Adur District Local Plan: AG1, AH7

South East Plan: CC6, BE1

RELEVANT CONSULTATION RESPONSES/REPRESENTATIONS

An objection to the balcony has been received from the occupiers of the attached house on the grounds that it is difficult to maintain privacy. The proposal would result in:-

i) The garden of 116 being overlooked resulting in a loss of privacy and a feeling of "being watched" by anyone sitting on the balcony.
ii) Loss of privacy in the bedroom. Despite the obscured glass, any one on the balcony would feel very close to the bedroom, particularly in the Summer when bedroom windows are open.
iii) Creation of a noise disturbance close to the main sleeping area. Although the applicant is unlikely to create noise, future occupiers may not be so considerate and this would cause a great deal of anxiety in view of the proximity.
iv) Overbearing and oppressive impact on the outside dining and patio area.

The Council's Development Control Standard identifies that balconies can cause problems of overlooking and will normally be resisted on terraced or semi-detached properties. The Council's document on Model Conditions & Reasons for Refusal removed entitlements for balconies and terraces. [The Model Conditions and Reasons for Refusal pre-dates the change to 'permitted development' entitlements in the GPDO.]

A representation in support of the application has been received from the neighbour at 120.

PLANNING ASSESSMENT:

The proposal constitutes improvement of the existing housing stock and can be supported in principle. The relevant considerations are the effects on the visual and residential amenities of the locality.

The effects on the appearance of the dwelling and surrounding streetscene

The resulting 2-storey side extension would set back from the front of the existing dwelling and would be subordinate in scale. It has been designed to match in appearance in terms of shape, external finishes and window proportions those of the existing dwelling. DC Standard No.3 states that side extensions should be set back at least 1m from a side boundary to avoid a 'terracing effect'. However, other first-floor side extensions have been permitted up to the side boundary on nearby dwellings, most recently at No.96 (ADC/0014/10/ refers), thus refusal would be difficult to substantiate on these grounds.

In this case the application property marks a stagger in the building line with the adjoining properties to the east sited slightly further forward (north) in their plots, which minimises the likelihood of a 'terracing effect' occurring should No.120 be extended in the future.

The proposed balcony is a minor feature and would not be visible in public views.

The effect on the residential amenities of neighbour occupiers

The adjoining property to the east has been enlarged by a single-storey side and rear extension. A balcony structure has been formed on the flat roof of the rear extension accessed via French doors in the first-floor rear elevation and enclosed by a timber balustrade, but there are no formal records relating to this.

The rear of the proposed first-floor extension would roughly align with the rear of the single-storey side/rear extension at No.120 and in view of the separation distance from the first-floor windows serving habitable accommodation would not be unduly overbearing in effect, or give rise to an unacceptable degree of overshadowing. No windows are proposed in the flank wall of the extension and the insertion of future windows can be controlled by condition.

The proposed extension would not impact on the amenities of No.116. However, strong objection has been raised to the proposed balcony. Notwithstanding DC Standard No.3 which states that balconies on terraced or semi-detached properties will usually be resisted (paragraph 3.22), each application should be considered on its merits.

The proposed obscure-glazed screening (shown at approximately 1.6m high) is intended to prevent sideward views from the balcony into the neighbour's garden or the rooms of the house. Views would essentially be directed southward down the garden. However, it is considered that the privacy screen should be at least 1.8m high to safeguard against the possibility of overlooking. This can be dealt with as a condition of planning permission. There is an argument that views from a window tend only to be passing or fleeting, whereas as views from a sitting out area are more intensive in effect. However, the distance of the balcony from the boundary, combined with the height of the privacy screen at 1.8m, are considered sufficient safeguards to prevent direct overlooking of the neighbour's garden and living accommodation.

A single-storey extension has been added to the west side of the rear elevation of No.116 within French doors facing east. There is a patio area within the recess adjacent to the boundary with No.118. Despite the increased height of the proposed privacy screen at 1.8m it would be located sufficiently distant from the boundary (2.5m) as not to be considered overbearing, either in relation to the patio or the nearest bedroom windows in the rear of No.116.

Despite the proposed obscure glazing the occupiers of No.116 would be aware of movement and noise arising from activity on the balcony. However, the balcony is small in area (4.725 sqm) and less than 2m deep which would curtail the extent of its use, for example, compared to the enjoyment of the

garden generally. The applicant reduced the depth of the proposed balcony prior to the current application being registered to try to address the concerns raised by the neighbour. Consideration has been given to the fact that noise and activity on the balcony would be closer to the bedroom window of No.116 than general activity arising from the use of the garden. However, having regard to the modest size of the balcony, its distance from the common boundary combined with the proposed obscure-glazed privacy screen, it is considered the physical effect of the balcony or its use would not intrude so severely on the privacy or residential amenities of No.116 as to warrant refusal on these grounds.

RECOMMENDATION

APPROVE

REASON FOR APPROVAL

Due consideration has been given to the representations made by third parties. However, it is considered the proposed extension and alterations would not detract from the appearance of the dwelling or the character of the built environment generally and subject to the conditions of planning permission can take place without significant harm to the amenities of neighbouring residential occupiers. The proposed development does not therefore conflict with the saved policies of the Adur District Local Plan (AG1, AH7) or the policies of the South East Plan (CC!, CC6, BE1).

Subject to:-

1. Standard time limit
2. Approved plans
3. Materials to match
4. No new windows in flank of first-floor extension
5. Obscure-glazed (not less than obscurity level 4) privacy screen 1.8m high on sides of balcony.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?

Yes

DELEGATED

Case Office[redacted]
Sign.....Date.....18·11·11.....

Authorising Officer
Sign.....[redacted].....Date.....18/11/11.....