DELEGATED APPLICATIONS ASSESSMENT SHEET

APPLICATION NO./ADDRESS: WB/08/0251/FULL – 92 Marine Crescent

DATE OF SITE VISIT: 08.04.08

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS: N

PROPOSAL, SITE AND SURROUNDINGS:

The application site is a detached family dwelling fronting the green behind the beach in Goring-by-Sea. The house is one of a group of eight, all of which are near identical in form and character and have a formal and regular appearance.

Permission is sought for a balcony handrail and obscure glass panels around the flat roof of the single storey front extension which is currently under construction.

The proposed railings will be approx. 1.1m in height from the flat roof surface. The railings will extend across most of the frontage of the house leaving a gap of 0.3m to the edge of the flat roof on the eastern side of the property. The railings wrap around the sides of the flat roof and will join with the first floor front wall of the house.

The balcony railings will be constructed from black wrought iron with obscure glazed panels on the eastern side and clear glazed panels elsewhere.

RELEVANT PLANNING HISTORY:

05/1301 – Refusal of application for single and two storey extensions to south and west elevations and raising of existing garage roof. (2005). This application incorporated similar balcony railings to those proposed in the current scheme and they were one of the reasons for refusal. The refusal grounds were as follows;

> *"The proposed development is unacceptable by virtue of its design, siting, massing and position, which would be incongruous with the form and shape of the neighbouring group of dwellings of which the application site forms a part and would thereby interrupt the distinct pattern in the character and appearance of the group of properties in a prominent location and give rise to visual harm to the street scene.* ***Furthermore the proposed balcony enlargement would adversely impact upon the amenities and living conditions of neighbouring occupiers in terms of increased activity, noise and disturbance and its closer proximity.*** *The proposal thereby conflicts with Policies BE1 and H16 of the Worthing Local Plan 2003 and Policies DEV1 and CH1 of the West Sussex Structure Plan 2001-2016".*

06/1033 – Refusal of application for erection of two first floor extensions to south (front) elevation. (2006). In this application there were no balcony railings but there were doors leading on to the flat roof surface.

There has also been some involvement with the enforcement department (Ref. **07/0240**) regarding the single storey front extensions, the side extension and the balcony for which this application is for. It has been resolved that the single storey front extensions (including porch area) are allowable as 'permitted development'. A separate application for the side extension has been submitted and is pending consideration.

RELEVANT PLANNING POLICIES:

West Sussex Structure Plan 2001-2016
DEV1, CH1

Worthing Local Plan 2003
BE1, H16

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

A letter of objection has been received from the neighbour to the east at 90 Marine Crescent making the following points;

- The proposed balcony on the south side of the house will introduce a considerable loss of privacy and overlooking at No.90. Especially when No. 90 use their balcony in summer months.
- Neighbours roof terraces have always been about 20ft away from theirs. The proposal will bring No. 92's roof terrace much closer to theirs and with the increased height it will create overlooking and privacy problems.
- Overlooking in to 4th bedroom located at the back of the roof terrace.
- A scheme including a balcony with obscured glass was rejected under Ref. 06/1033/FULL.

PLANNING ASSESSMENT:

The main issues for consideration are the impact of the proposal on the character of the existing property and street scene, and the impact on the living conditions of adjoining properties.

Originally there were railings around the flat roof above the garage on the south-west side of the property. These have subsequently been removed. The property is one of eight similar properties in a group along this part of Marine Crescent. All eight properties were originally built with a balcony and railings above the garage on one side of the property. This is still the case and there has been no extension of the balcony feature on any of these properties, so to introduce a balcony across the whole frontage of No. 92 would create a look that would be incongruous with the other seven dwelling houses within the group.

The closer proximity of the proposed balcony to 90 Marine Crescent would introduce a higher degree of overlooking, noise and disturbance, and loss of privacy and would therefore impact upon the amenities and living conditions of the occupiers of that premises.

RECOMMENDATION:

Refusal

REASONS FOR RECOMMENDATION:

By reason of its close proximity, the proposed balcony would adversely impact upon the amenities and living conditions of neighbouring occupiers at No. 90 Marine Crescent, in terms of increased activity, noise and disturbance and loss of privacy through overlooking. The proposal thereby conflicts with Policies BE1 and H16 of the Worthing Local Plan 2003 and Policies DEV1 and CH1 of the West Sussex Structure Plan 2001-2016.

HUMAN RIGHTS:

Article 8 (Right to Respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application. It is accepted that the proposal, if refused, would have some impact on the applicant's Rights. However, it is considered that the harm caused by the development outweighs these and that in the public interest the application should be refused. Accordingly, it is considered that the decision complies with the Human Rights Act 1998.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION?

No.

DELEGATED

Case Officer
Sign..... [redacted] .....Date.....11.04.2008.....

Authorising Of
Sign..... [redacted] .....Date.....14.4.08.....