# Development Control – Delegated Officer Report

**Application Number: ADC/0066/09** **Recommendation – Refuse Application**

**Site:** **42 Old Fort Road Shoreham-by-Sea West Sussex BN43 5RJ**

**Proposal:** **Front/side extension to garage and first-floor rear balcony (partially on posts and partially on swimmingpool roof)**

## The Application

The application property is a detached two storey dwelling on the south side of Old Fort Road, the rear of which faces onto Shoreham Beach. It has two garages at the front, at either end of the dwelling, and a large flat roofed single storey rear extension containing a swimming pool which projects 12.5m into the garden.

It is proposed to extend in an L-shape around the front and side of the garage to increase its width by 1.8m and depth by 2.3m. It will project as far to the front as the neighbouring garage at No.40 and will bring the building up to the side boundary with No.40.

At the rear, a balcony is proposed across the entire width of the dwelling and, as originally submitted, projecting 5.5m from the recessed rear elevation and 3m from the existing rear first floor extension, over part of the flat roofed swimming pool extension and partly on stilts.

Following concerns from the planning officer over the size of the balcony, amended plans have been received reducing its depth by 1 to the eastern side and 0.2 metres to the western side. Privacy screens 1.8m high are to be provided on both the east and west sides of the balcony to prevent direct overlooking towards the rear of the neighbouring properties.

## Consultations and Representations

2 letters of objection received from the occupiers of 44 Old Fort Road and 55A Old Fort Road, raising the following concerns about the original plans:

- Loss of privacy to conservatory at rear of 44 Old Fort Road. Would be happier if size was reduced and a privacy screen erected

- Concern at possible loss of sea view if an extension is built above the garage and swimming pool (*NB, loss of view is not a valid planning consideration. In any event, no first floor extension is proposed*).

## Relevant Planning Policies and Guidance

Adopted West Sussex Structure Plan 2001-2016 (WSCC 2005): LOC1, DEV1
Adopted Adur District Local Plan 1993 – 2006 (ADC 1996): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising Development Control Standard No.3 'Extensions and Alterations to Dwellings'
PPS1 'Delivering Sustainable Development (ODPM 2005)

## Planning Assessment

### Policies

Structure Plan policies seek to protect, and where possible, enhance the character and distinctiveness of an area, requiring high standards of design, layout and construction (DEV1). Policy AH7 of the Local Plan states that extensions and alterations should be designed so as not to result in an unacceptable degree of overlooking, a loss of natural light or an overbearing effect on neighbouring dwellings. They should be of sympathetic design and materials to the original dwelling and the area in general. The proportion of the garden area taken up by a proposal should not be excessive.

DC Standard No.3 states that 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.

Government policy is set out in Planning Policy Statement PPS1 'Delivering Sustainable Development'. Relevant paragraphs are 17, which refers to the commitment to protecting and improving the environment; 18 which states that planning should seek to maintain and improve the local environment and help to mitigate the effects of declining environmental quality through positive policies on issues such as design; and 34 which states that good design is indivisible from good planning and that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area, should not be accepted.

### Visual amenity and character

The proposed extension to the garage will bring it further forward of the house but it will not project as far forward as the other garage at the property. It will also be line with the front of the adjoining garage at No.40 and it is not considered that the proposal will have any adverse effect on the street scene.

The proposed balcony will not be visible from the street but will be seen from the beach. Balconies are common features in the area and it is not considered to be visually harmful.

**Residential amenity**

The garage extension will bring the building up to the boundary with No.40. However, the extension will be largely hidden by the garage at No.40 and there will be no adverse residential impact.

Although the size of the balcony has been reduced it does remain at a maximum depth of 5.8 metres on the western side and therefore is considered to result in a loss of privacy to both neighbours at 40 and 44 Old Fort Road in particular no. 40 to the west where the balcony is at its greatest depth. Despite the addition of privacy screens it is considered on balance that the depth of the balcony is excessive.

## Recommendation

REFUSE for reason that :-

1. H20R amended – The proposed balcony by reason of its excessive size would be detrimental to the residential amenities of the adjoining properties resulting in a loss of privacy that would be contrary to the policies of the West Sussex Structure Plan (DEV1) and the Adur District Local Plan (AH7).

Case Officer.... [redacted] .....Date.....17/4/09

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