DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO./ ADDRESS: WB/10/1061/FULL 4 The Court Flats, Brougham Road

DATE OF SITE VISIT: 1 February 2010

NEIGHBOURS CHECKED : Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): N

SITE AND SURROUNDINGS:

The site comprises an existing first floor two (2) bedroom unit within a block of four (4) flats. The building forms part of an estate of similarly styled 1960s flat buildings which generally address Brougham Road. The area in the general vicinity is broadly characterised by a mixture of one and two storey houses and flats.

PROPOSAL:

The applications seeks full planning permission for the insertion of two (2) roof lights in the front roof slope, two (2) windows in the south side elevation and one (1) enlarged 'cabrio' roof light in the rear elevation.

The front roof lights as submitted would have dimensions of 1.2 by 1.2 metres and be set flush with the existing roof slope. The forwardmost side facing window would be full height and incorporate a Juliet balcony with railings and have a height of 1.8 metres, the rearmost window would have a height of 1.2 metres. To the rear a 'cabrio' roof light would be installed from eaves line to internal ceiling level with a width of 3.2 metres and height of 2 metres.

RELEVANT PLANNING HISTORY:

None relevant.

RELEVANT PLANNING POLICIES:

Saved Worthing Local Plan policy BE1, H16 and H18
Submission Core Strategy policy 16
PPS1: Delivering Sustainable Development

REPRESENTATIONS:

One submission was received in relation to Council's notification the proposal which comments on the following matters:

- No other flats in the area have roof lights and this proposal would generate a precedent,

- Visual appearance spoiling the look of the premises,
- Increases in noise and disturbance,
- Increased demand for parking provision.

RELEVANT CONSULTATION RESPONSES:

None relevant.

PLANNING ASSESSMENT:

The existing building comprises one of a number of relatively homogenous two storey red brick flats styled as pairs of semi-detached houses albeit that this building features gable ended roofs as opposed to the more prevalent hipped roofs in the vicinity.

No other buildings feature roof lights and this unit would be the first in this context to introduce roof lights and an additional level of accommodation within the roof slope. The introduction of roof lights to one half of the building, especially with regard to the larger 'cabrio' roof light to the rear would have an unbalancing effect. However, the existing buildings are of a simple style and appearance and the additional windows and roof lights do align with the rhythm of the windows over the ground and first floor to the existing building.

The front roof lights ~~and side facing windows~~ are ~~not~~ considered to be of an excessive size, providing light and ventilation to an otherwise relatively confined additional level of accommodation within the roof space. The side windows are satisfactory & and the applicant has agreed to substitute these for a more appropriately sized smaller model. They The rear facing 'cabrio' roof light would be a much larger feature in the rear roof slope than a typical roof light. However, mindful that it remains flush with the plane of the roof, is centrally located to the unit and generally aligns with the vertical rhythm of windows to the ground and first floor it is not considered to be of significant detriment to the character and appearance of the building or area.

The additional windows to the side an rear do generate the potential for increased levels of overlooking towards neighbouring properties. However, the windows to the side only provide aspect towards and existing front courtyard and are not considered to view any private amenity areas to a greater degree than that already offered from existing ground and first floor windows and from the street.

To the rear, the large 'cabrio' window could allow for some increased views towards the rear of the property from a higher level. However the rear gardens, parking areas and shared curtilage to which this window would have aspect are already well observed from existing units within the building and from neighbouring properties. The full height of the window and the manner in which it opens would allow for people to 'step out' onto a quasi-balcony however, given the size of the 'balconied' area and the constraints on its use due to the low level of the raked roof and its slope it is not considered to result in any significant increases in overlooking. This is subject to a condition relating to the formation of a permanent balcony feature or railings to the rear 'cabrio' window.

Neighbours comments are noted, however any issue of precedent is not seen to occur in this instance as each application for development is dealt with on its own merits.

Concerns regarding increased noise and disturbance are noted but the development is unlikely to give rise to additional activity and disturbance above and beyond that which may already be generated from the lawful use of the premises. Further, the use of the roof space as living accommodation does not require approval from Council, merely the external works in order to facilitate it. As noted these are not considered objectionable.

The unit does not appear to benefit from dedicated parking provision. Off street parking is available for the overall development and in any case the floor space of the unit has not been increased as the area within the roof space can already be used as part of the residential accommodation and no increases in floor space are proposed.

In other regards the development is not considered to warrant objection and is recommended for approval.

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 approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

RECOMMENDATION:

Grant Planning permission subject to the following conditions:

- Standard time limit
- Plans
- Restriction on use of balcony
- Substitute smaller rooflights for the two in west elevation

REASONS FOR RECOMMENDATION:

The proposed development would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the 'saved' policies of the Worthing Local Plan (BE1) and the Submission Core Strategy (policy 16).

The proposal accords with the relevant policies of the Development Plan.

Saved Worthing Local Plan Polices

Policy BE1, H16 and H18

Submission Core Strategy

Policy 16

IS RECOMMENDATION CONTRARY TO LETTER(S) OF REPRESENTATION? Y

As addressed in body of report.

DELEGATED

Case sign... [redacted] .....Date....2/12/11..... Officer

Authorising sign..... [redacted] .....Date....22/11/11..... Officer