expires 30/6

Development Control – Delegated Officer Report

Application Number: ADC/0170/09 **Recommendation – Refuse Application**

Site: **11 Firle Road Lancing West Sussex BN15 0NY**

Proposal: **Extended rear decking area**

The Application

The application property is a detached bungalow located on the south side of Firle Road. It is positioned on sloping ground which drops from north to south quite steeply. Consequently, the rear garden is at a substantially lower level than the ground floor of the bungalow.

At the rear there is an existing balcony/decked area which is accessed from the living room with steps down to the garden at both ends. The decking extends out from the bungalow by 2.5m and is 4.8m wide, approximately 4.4m from the boundary with 9 Firle Road to the east. It is raised approximately 1.5m above the garden level.

It was originally proposed to extend the decking outwards by a further 1.5m and eastwards by 2m, leaving a distance of 2.4m to the boundary. The decking will be accessed via steps running north/south at the eastern end.

Amended plans have been submitted removing the eastern extension and retaining only the outward (southern) projection of 1.5m in an attempt to overcome objections from the occupiers of No.9 Firle Road on the grounds of increased overlooking.

Consultations and Representations

Consultations/Comments

None

Third Parties

Original Plans - 2 letters received from the occupiers of 9 and 13 Firle Road objecting to the proposal on the following grounds:

- Will result in increased overlooking of adjoining properties and loss of privacy
- Excessive size
- Unneighbourly – will enable views into adjoining kitchen

- Access steps should be sited away from the boundary
- Privacy screen would cause loss of light

Amended Plans – 1 letter received from the occupier of 9 Firle Road. While they welcome the removal of the eastern extension, the southern extension will result in unacceptable overlooking of their garden and kitchen. Existing balcony already causes overlooking.

Relevant Planning Policies and Guidance

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

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.

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 extended balcony will not be visible from the street and is not considered to be of a design which is likely to harm the character of the existing dwelling.

Residential amenity

The main consideration in the determination of the application is the impact of the increased decking on the privacy of the neighbouring occupiers.

To the west, 13 Firle Road is reasonably well screened by a flat roofed garage in the rear garden of No.11 and the garage of No.13 which both abut the boundary. The proposed decking will not project as far as the end of the garage at No.11 so is unlikely to have a significant impact on the amenities of the occupiers of No.13.

To the rear, the nearest dwellings in Derek Road are over 30m away and will not be adversely affected by the proposal. There are a number of trees within the garden of No.11 which provide a partial screen as well as a tall fence on the rear boundary (which appears to be unauthorised) which also reduces any impact.

The main impact is upon the privacy of the occupier of No.9 to the east. The existing decking already allows some views into the adjoining garden and rear windows at No.9, which is partly screened by a hedge. However, by increasing its depth by 1.5m there is likely to be a detrimental impact on No.9 from the resulting increased opportunities for overlooking. The depth of the projection of the decking will enable views back towards the windows of the adjacent bungalow and the patio at the rear of the bungalow. It is considered that an unacceptable loss of privacy would arise which would be harmful to the amenities of the occupiers of that property. While a privacy screen may alleviate the extent of any overlooking, it would have to be 4m in length and would be likely to be rather oppressive in appearance, being up to 3.8m above ground level at its highest point.

The depth of the decking would be excessive and is considered to be unneighbourly. For the reasons stated, permission should be refused.

Recommendation

REFUSE for the following reason:

1. The proposed decking, by reason of its large size and increased depth, would result in overlooking and a loss of privacy to the detriment of the residential amenities of the adjoining property (9 Firle Road), thereby conflicting with policy AH7 of the Adur District Local Plan.

Case Officer. [redacted]

Date. 25/6/09