Expiry Date - 29/06/2010

Development Control – Delegated Officer Report

Application Number: ADC/0160/10 **Recommendation – Permit Application**

Site: **154 Old Fort Road Shoreham-by-Sea West Sussex BN43 5HL**

Proposal: **Rear balcony**

The Application

The application property is a detached 1920's house located on the south side of Old Fort Road, with direct access to the foreshore. The house has a shallow ridged roof, and is angled slightly towards the SE in its siting. The rear elevation of the dwelling at first floor has a west side sunroom enclosed with floor to ceiling glazing and a door on the west and south side, which formerly was served by a spiral staircase. The east side of the 1st floor is a lounge which also has floor to ceiling glazing in the south elevation.

Permission is sought for a 1st floor balcony which would be accessed from existing patio doors in the rear elevation of the house. The balcony would be 9.3m in width, inset from the sides of the house by 1m. The balcony would project from the rear of the building by 1.8m with a floor level that would be 2.65m from ground level. The balcony would have a 1m high balustrade of cedar wood and glass panels, with the balcony being supported by four square cedar pillars, on low brick footings.

To the east of the dwelling is No.158 a detached house sited further to the south of the application dwelling by approximately 2m, with a rear balcony at first floor. The western side of the balcony has a 1.8m high screen of coloured glass which is not obscurely glazed, and does not prevent overlooking. It is served by a spiral staircase on the western side which was granted planning permission in 2006 (ADC/0296/06). Extending the screen across the spiral staircase was also permitted as part of this application but has not been implemented. The original permission for the balcony at No.156 (ADC/27/87/TP) required full height obscure glazed screens to be erected and retained at either side, however obscured glass has not been installed.

Located to the west is No.152 Old Fort Road, a detached house set forward (north) of the application property it is served by a west side balcony which has minimal screening and has a west side access staircase. To the east of the balcony is a projecting bedroom with a south side window.

Consultations and Representations

Third Parties: The owner of No.152 Old Fort Road has no objections to the proposal.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix II 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings.'
PPS 1 '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.

Development Control Standard No.3 entitled 'Extensions and Alterations to Dwellings' states that roof extensions should respect the scale, character and appearance of existing dwellings.

Visual amenity
The balcony would be sited to the rear of the property and it would have limited impact on the streetscene as viewed from the north. The view of the backs of the houses on the south side of Old Fort Road is prominent from areas of the beach, however the proposed balcony is unlikely to be out of keeping given the number of other balconies which exist in this vicinity.

Residential amenity
The balcony would project from the rear of the building by 1.8m, which would enable a greater view of the two adjacent properties, however the existing glazing which serves the west side sunroom and east side lounge does allow for a high level of overlooking currently, of the balcony and garden of the neighbour to the east (No.156) and the balcony and rear rooms and garden of the neighbour to the west (No.152).

Due to the siting of the application dwelling being 8m in front of No.152 to the west and the balcony being inset by 1m from the side of the house, it is considered that the proposals would not result in a loss of privacy that would be significantly more than currently exists from the glazing in the west of the applicants sunroom.

With regards to overlooking to the east. The adjacent neighbour (No.156) has a large balcony themselves that has high level screens on the west side which are not obscurely glazed, and are contrary to the original conditional planning permission (SU/27/87/TP). The screens are however, more than ten years old and thus are immune from enforcement action. The high level screen is glazed with coloured glass and allows for views from the applicants lounge

windows across most of the balcony, and equally from the balcony of No.156 over the garden and rear rooms of the site. There is clearly an element of mutual overlooking that exists from the first floor rear rooms of the application property, and through the breached obscure glazing condition at No.156.

However, it is considered that the proposed balcony would provide more direct views of the neighbours balcony and garden, from a more southerly perspective that would increase the level of overlooking. An obscurely glazed full height screen would prevent this from happening, and on balance, is considered to be justified in this case.

Recommendation

APPROVE for reason that :-

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2. The proposed balcony shall be constructed with a cedar timber frame work with glass balustrade panels unless otherwise agreed in writing with the Local Planning Authority.
   Reason: *In the interests of visual amenity and to comply with policy AH7 of the ADLP.*
3. Notwithstanding the details on the approved plans, prior to commencement of use of the proposed balcony a 1.8m high obscurely glazed screen shall be erected on the easternmost side of the balcony, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and ~~they~~ shall thereafter be retained at all times.
   Reason: *To prevent excessive overlooking and to comply with policy AH7 of the ADLP.*
4. The development hereby permitted shall be carried out in accordance with the following approved plans: Balcony layout BWM3; Footings BWM2; and Balcony floor plan BWM4 date stamped received 04 May 2010.
   Reason: *For the avoidance of doubt and in the interests of proper planning.*

Case Officer Carlos Hone Date 07.06.10 PB 7/6/10