K/16/07/

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	-	New balcony at rear; variation of detail design and materials from approved scheme K/1/05 Sandy Lodge, Gorse Avenue, Kingston

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Erection of a first floor balcony to rear elevation. The balcony is to measure approximately 11.3 metres in length and 1.2 metres in depth. The base of the balcony will lie 2.8 metres above ground level, with railings approximately 1 metre in height. Opaque screens will be provided on each side and will measure approximately 2.2 metres in height and 1.6 metres in width. The balcony will be constructed from dark-stained timber framing and rails, with laminated safety glass to the front. This is a retrospective application.
SITE AREA	1068 square metres
TOPOGRAPHY	Predominantly flat
TREES	None affected by this proposal
BOUNDARY TREATMENT	Rear boundary is defined by a low brick wall with metal railings on top to an approximate height of 1.8 metres. Rear side boundaries defined by high hedging and brick walls, approximately 1.5 to 1.8 metres in height. Front boundary defined by wall of approximately 1.5 metres.
SITE CHARACTERISTICS	Two-storey large detached property with white-painted brickwork and red-tiled hipped roof. Garage and drive to front.
CHARACTER OF LOCALITY	Residential road with detached properties of various designs and styles, but all on relatively large plots. The sea lies to the south of Gorse Avenue.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
K/27/87	Provision of lounge extension and balcony over (Amendments to previously approved plans under planning permission K/6/87)	Approved Conditionally 18-01-1988
K/1/05	New dining room extension at front; first floor balcony at rear	Approved Conditionally 16-02-2005

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REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Kingston Parish Council	~~Awaited~~ No objection.
LOCAL GROUPS	None
Letters of Representation	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
None	

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC1, DEV1
Arun District Local Plan : GEN2, GEN7, DEV19

PLANNING POLICY GUIDANCE

PPS1 - Delivering Sustainable Development

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

COMMENT ON CONSULTATION RESPONSES

None.

COMMENT ON REPRESENTATIONS RECEIVED

None.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on either the visual amenities of the locality or residential amenities of adjoining properties, nor would it have an adverse impact upon the established

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ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The proposal is for the erection of a first floor balcony to the rear elevation of the property. The balcony is to measure approximately 11.3 metres in length and 1.2 metres in depth. The base of the balcony will lie 2.8 metres above ground level, with railings approximately 1 metre in height. Opaque screens will be provided on each side and will measure approximately 2.2 metres in height and 1.6 metres in width. The balcony will be constructed from dark-stained timber framing and rails, with laminated safety glass to the front. This is a retrospective application.

A balcony on the rear elevation of Sandy Lodge was conditionally approved under planning reference K/1/05 and therefore in principle the development is acceptable. This application varies from K/1/05 in terms of the design of the balcony insofar as the supports are different; the parapet of the balcony is to be constructed from glass, rather than balcony railings and the balcony is to be approximately one metre longer than the balcony approved under K/1/05. However, it is not considered that these changes will have an adverse effect on the residential amenities of the neighbouring properties. It is believed that any adverse overlooking and loss of privacy resulting from the rear balcony, on the neighbouring properties will be minimised by the opaque screen which is proposed at a height of 2.2 metres and with a width of 1.6 metres. It is possible a limited amount of overlooking will still result, however it is believed that any overlooking would be indirect and oblique and therefore it is considered acceptable.

However, it is recommended that the application be conditioned to ensure that a schedule of materials and finishes to be used for the opaque screen is submitted to the Local Planning Authority within two months of the date of the permission. Further, the condition should ensure that the materials so approved shall be used in the construction of the opaque screen and the screen shall at all times be retained and maintained to the satisfaction of the Local Planning Authority.

After considering all of the above factors, it is not considered the proposal will detrimentally harm the residential amenities of any neighbouring properties by way of overshadowing, overlooking or loss of privacy. Further, it is considered that the balcony will sympathetically relate to the existing building in terms of siting, form, design and materials.

It is therefore recommended that the planning application should be approved subject to the reasons set out overleaf.

TOWN AND COUNTRY PLANNING ACT 1990

RECOMMENDATION

Application Ref: K/16/07/

1 **To Addressee**

2 **Site Address**
Sandy Lodge
Gorse Avenue
Kingston

3 **Description of Development**
New balcony at rear; variation of detail design and materials from approved scheme K/1/05

4 In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

RECOMMENDATION

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CONDITION 1 Within two months of the date of this approval, a schedule of materials and finishes to be used for the opaque screen shall be submitted to and approved by the Local Planning Authority and the material so approved shall be used in the construction of the opaque screen. The opaque screen shall be constructed and installed within three months of the date of this approval.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of residential amenity with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Council.

CONDITION 2 The opaque screen so approved shall at all times be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy and amenity of neighbouring properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

STRUCTURE PLAN: DEV1, LOC1

LOCAL PLAN: GEN2, GEN7, DEV19

NATIONAL POLICIES: PPS1

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Case Officer: Ms J Searle