

PLANNING APPLICATION REPORT**REF NO:** M/111/11/**LOCATION:** 5 Ancton Way
Middleton on Sea**PROPOSAL:** Free standing balcony to the rear of the property from hobbies room.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The free standing balcony on the rear measures approximately 5.8m in width, depth of 2m and a maximum height of 4m.
SITE AREA	Approximately 500 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Paved area to front, side boundaries close boarded fencing approximately 1.8m-2m in height, rear boundary has elevation of outbuilding with trees.
SITE CHARACTERISTICS	Detached chalet property with balcony to front, attached garage on side, wooden outbuilding in rear garden. The property has white rendered walls, red tile hanging on upper level with a red tiled roof.
CHARACTER OF LOCALITY	Residential comprising predominantly detached chalet style properties, many of which have been extended.

RELEVANT SITE HISTORY

M/115/07/	Proposed rear 2 storey extension to provide study & bedroom extension.	Approve Cond 12-12-2007
M/4/11/	First floor extension over existing ground floor lounge	Approve Cond 09-03-2011
M/76/70	Extension	Approve 16-12-1970
M/63/74	2-Storey extension and rebuilding of single storey sun lounge	Approve 11-12-1974
None		

REPRESENTATIONS

Representations received:

Middleton Parish Council

No objection

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Built Up Area Boundary

Tree Preservation Order 5/63

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN2](#)

[GEN7](#)

[DEV19](#)

Built-up Area Boundary

The Form of New Development

Extensions to existing residential buildings

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.

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 conflict with Planning Policies in that it would fail to integrate with and appear subservient to the host building and that it would have a materially adverse effect on the residential amenities of the neighbouring properties.

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 application seeks to construct a free standing balcony on the rear of the property adjacent to

the first floor extension which has recently been approved under planning permission M/4/11.

The previous application M/4/11 to construct a first floor extension over the existing lounge to create a hobbies room was approved by the Development Control Committee on the 9th March 2011. A free standing balcony is proposed on the rear of the extension that will be approximately 5.8m in width, depth of 2m with a height of 4m. To gain access to the balcony from the first floor hobbies room one of the windows is to be blocked up and the other will be replaced with patio doors.

The property has an existing balcony on the front and there are properties in the immediate vicinity that have front balconies but there is the absence of rear balconies. It is considered that the proposed balcony does not sympathetically relate to the host building in terms of design and scale and would appear as an ad hoc addition. With regard to residential amenity the neighbouring properties Nos 3 and 7 have conservatories on the rear and it is considered that a balcony in this rear location would result in harmful overlooking towards neighbouring properties and rear amenity areas of Nos 3 and 7 resulting in a loss of privacy but also to properties in the wider area in The Layne and Arundel Way.

It is therefore recommended that the application be refused for the following reasons.

RECOMMENDATION

REFUSE

- 1 The proposed free standing balcony would fail to integrate with the host building in terms of design, scale and siting and would therefore appear as an alien addition to the detriment of the host building and character and appearance of the neighbouring area in conflict with policy GEN7, DEV19 of the Arun District Local Plan.
- 2 The proposed free standing balcony would result in unacceptable overlooking of neighbouring properties resulting in a loss of privacy and would thereby constitute an unneighbourly form of development which conflicts with Policy GEN7, DEV19 of the Arun District Local Plan.