

PLANNING APPLICATION REPORT**REF NO:** M/91/09/**LOCATION:** 18 Manor Way
Elmer**PROPOSAL:** Balcony to side & rear**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above
SITE AREA	Approximately 880 square metres.
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Close boarded fencing approximately 1.8m high to sides. Brick wall approximately 2m high to rear.
SITE CHARACTERISTICS	The site is a two storey detached dwelling with cladded ground floor elevations and a concrete rolled tiled mansard roof.
CHARACTER OF LOCALITY	The site is located on a private residential estate, of predominantly detached two storey dwellings and chalet style bungalows.

RELEVANT SITE HISTORY

M/23/01/	First floor extension above existing garage with pitched roof over	Approve Cond 14-05-2001
M/30/49	Alterations & additions	Withdrawn 15-10-1949
M/30/49/A	Addition	Approve 22-11-1949
M/30/49/B	Conversion of bungalow to house	Approve 17-12-1958
M/86/81	Single storey side extension to form 3 bedrooms and bathroom	Approve Cond 02-09-1981

REPRESENTATIONS

Representations received:

Middleton Parish Council

No Objection

Comments on Representations received:

Noted

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within the Built Up Area

DEVELOPMENT PLAN POLICIES

South East Plan:

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	DEV19	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 comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established 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

This application seeks retrospective planning permission for a timber balcony to the rear and side of 18 Manor Way. The site lies adjacent to the foreshore at Elmer. The balcony projects from the rear elevation by approximately 4.5m, with an existing flat roof element forming part of this area, and measures approximately 22m in width. The balcony extends from the side elevation by approximately 3.5m, and measures approximately 5.5m in width.

The balcony is accessed through a series of French doors on the rear elevation, which were present prior to the construction of the balcony. It is thought they were used to access the flat roof area of a ground floor element.

It is considered that the balcony itself is in keeping with the existing dwelling, and as such does not have a significant effect on the visual amenities of the locality; indeed, there is a balcony to the rear of the adjacent property. However, the existing structure does include two 'mock rafters' which extend from the apex of the roof to the vertical uprights on the eastern elevation. It is considered that these mock rafters represent an incongruous addition to the development, and as such it is recommended that a condition be added to the recommendation stating that they be removed within 3 months of the date of this approval.

On the western side of the balcony, there is a timber trellis screen approximately 1.9m high, preventing any overlooking of the adjacent property no. 16 Manor Way. To the rear and eastern side of the balcony there is a glass screen 1.1m high. There are however, no properties to the rear of the site, and the dwelling in closest proximity to the eastern elevation is over 150m away. It is therefore considered that the balcony would not have a materially adverse impact on the residential amenities of the occupiers of the neighbouring dwellings by means of overlooking.

It is therefore recommended that the application be approved, subject to the following conditions:

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The 'Mock Rafters' , as shown on superseded drawing no. 0938/01, shall be removed within three months from the date of this permission.

Reason: In order to preserve the visual amenities of the locality, in accordance with policy GEN7 of the Arun District Local Plan.

- 2 The 1.9m screening on the western side of the balcony shall be retained at all times.

Reason: In order to protect the residential amenities of the occupiers of the neighbouring property, in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 3 This permission relates to drawing no. 0938/01 Rev B.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 4 **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

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.