Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: P/122/25/HH

LOCATION: 22 The Green
Pagham
PO21 4SB

PROPOSAL: Balcony over existing conservatory.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Pagham Parish Council - No objection.

One objection was received from a nearby by occupier, raising concerns over potential overlooking into their rear garden, to the north-west of the site. This has been addressed in the conclusions section below.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021

CONCLUSIONS

DESIGN AND VISUAL AMENITY
The site is a detached dwelling sited at the junction between The Green and The Glade. The dwelling includes a large front amenity area and rear garden which includes an outbuilding and conservatory. The proposed balcony would extend over the existing conservatory and be visible from the The Glade.

The balcony would be sited at the rear, above the existing conservatory, extending 3m from the first floor rear elevation, to match the depth of the existing conservatory. The implementation of the balcony would

necessitate changing the conservatory roof form to a flat roof; this would modernise the rear of the property and would be in keeping with the already varied architectural form in the locality, whilst remaining subservient to the host dwelling, in accordance with Arun Local Plan policies D DM1 and D DM4.

The balcony would be constructed using steel balustrade, typical of those found at the rear of dwellings. The steel balustrade would not appear overly oppressive and will not dominate the rear elevation when viewed from The Glade. A 1.8m obscurely glazed screen would be installed along the south eastern side of the balcony. The glazed screening would be sympathetic to the design of the steel balustrade and would not result in harm to visual amenity.

The development would not result in adverse harm to the visual amenity of the host dwelling or street scene and is in accordance with Arun Local Plan policies D DM1 and D DM4.

NEIGHBOURING RESIDENTIAL AMENITY

The 1.8m obscurely glazed screen would be erected along the south eastern side of the balcony, separated from the site boundary and neighbouring dwelling (24 The Green) by 1m. The screening would give the impression of increased bulk and massing, giving rise to some minor overbearing impacts, mostly on the first floor window on the west (rear) elevation of the neighbouring dwelling. Given that this impact would be isolated to one window, and limited in terms of harm, the proposal would not result in demonstrable harm by way of overbearing or overshadowing impacts to the neighbour to the south east. Given the spacing between the proposed balcony and neighbour to the north west, the proposal would not result in overbearing or overshadowing impacts to this neighbour.

One objection has been received from nearby occupiers on grounds of overlooking and loss of privacy. The balcony proposed would offer some limited oblique views into the rear of 20 The Green from across the highway. Given the distance between the host dwelling and the rear garden of 20 The Green (approximately 14 metres) and extent of the views available, this would not constitute unacceptable overlooking.

The balcony would overlook directly on to the frontage of 1 The Glade, to the rear. Given that the Glade is characterised by open frontages, and that anyone coming to or from the Glade would be able to achieve these views, the proposal would not result in harm to 1 The Glade in terms of overlooking impacts.

The proposed balcony would feature obscure glazed screening on the south eastern side at a height of 1.8m. This glazing would effectively mitigate against harmful overlooking effects which would otherwise arise from the balcony, particularly affecting the neighbour to the south east. A condition has been attached to this planning permission to ensure that the screening would be erected prior to the first use of the balcony and would remain in perpetuity. There may still be some increased perception of overlooking resulting from the development, however, subject to conditions, the balcony would not unacceptably compromise the privacy of the neighbouring dwelling in accordance with Arun Local Plan policies D DM1 and D DM4.

SUMMARY

The proposal is in accordance with relevant development plan policies, in that the proposal would not result in unduly harmful impacts on neighbouring or visual amenity. The proposal is therefore recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may

arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan
Block plan
Proposed Elevations
Proposed Ground Floor and Section
Proposed First Floor Plan
Biodiversity Statement (email dated 14/11/2025)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4

3 Prior to first use of the balcony hereby permitted, fully obscured screening to a minimum height of 1.8m shall be erected to the south eastern side of the balcony. This arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of the adjoining property in accordance with Arun Local Plan policies D DM1 and QE SP1.

4 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

5 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the NPPF.