P/5/07

PLANNING APPLICATIONS REPORT

DESCRIPTION/ ADDRESS	-	Provision of balustrading to rear flat roofed extension 90 Harbour View Road Bognor Regis West Sussex

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	Balustrade to existing flat roof rear extension. By virtue of site visit, noted the balustrade has been previously erected.
SITE AREA	450 square metres approximately
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Flat
TREES	None affected
BOUNDARY TREATMENT	Boundaries kept by fencing approximately 1 – 1.5m in height
SITE CHARACTERISTICS	Semi-detached bungalow with brick walls and tiled roof
CHARACTER OF LOCALITY	Residential

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
P/33/01	Single storey extension	Approved Conditionally 30-04-2001
P/114/02	Loft conversion and rear dormer	Approved Conditionally 18-11-2002

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Pagham Parish Council	Objection • Proposal conflicts with relevant Development Plan policies – in particular compromises quiet enjoyment of occupiers on either flank who wish to use rear gardens • Question access from first floor door and whether structural integrity of existing roof to support and sustain use
LOCAL GROUPS	Awaited
OTHER	None

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Southern Water	~~Awaited~~ No adverse comment

P/5/07

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan: LOC1, DEV1
Arun District Local Plan: 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 in the locality.

COMMENT ON CONSULTATION RESPONSES

~~None~~ Noted

COMMENT ON REPRESENTATIONS RECEIVED

Noted. It is acknowledged the proposal would impact upon the residential amenities of neighbouring side properties. However for the reasons as set out in the conclusions section of this report, the proposal is considered to comply with relevant Development Plan policies.

Issues over structural integrity and access to the balcony are dealt with under different legislative powers, and are not material planning considerations in the determination of the current application.

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 would have no materially adverse effect on either the visual amenities of the locality or residential amenities of 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

It is accepted the proposed balcony would impact upon the residential amenities of neighbouring side properties, with the majority of overlooking and loss of privacy resultant from the balcony directed towards the rear private amenity areas of the neighbouring side properties.

It is therefore considered necessary that, in the event of the application being recommended for approval, this issue be resolved through the imposing of a condition that insists balcony screening at a height of 1.8m be erected to the entire length of both side elevations of the balcony.

Approximately 30m is retained between the proposal and rear boundary. This is considered a sufficient distance to result in any adverse overlooking and loss of privacy resultant from the proposal onto the neighbouring rear property, not to be considered demonstrable to warrant refusal.

Having taken all of the above factors into consideration, it is not considered that this proposal would be detrimental to the amenities of surrounding uses, is not considered obtrusive in the street scene, and would not conflict with the established character of the area.

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

PAGHAM P/5/07/

Provision of balustrading to rear flat roofed extension

90 Harbour View Road
Bognor Regis

RECOMMENDATION

Approve

1 Within 2 months of the date of this permission, details must be submitted to and approved by the Local Planning Authority for balcony screening, including a schedule of materials and finishes of the screening, that shall be constructed at a height of 1.8m from the height of the flat roof area of the single storey rear extension and shall extend the side elevations of the balcony in entirety, and the materials and finishes so approved shall be used in the construction of that screening. The screening shall be constructed within 3 months from the date that the details are approved in writing. The screening shall at all times be retained as such approved and maintained to the satisfaction of the Local Planning Authority.

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

REPORT UPDATE

Application No :	P/5/07
Agenda Page No :	179 - 182

Reason for the Update

One letter of objection received, content summarised below:-

- Proposal allows change of use of this area to that for seating or leisure activities
- Compromises outside facilities of rear gardens, due to close proximity
- Loss of privacy by overlooking
- Intrusion noise and light
- If required to gain access to the stairs in emergency suggest balustrade be moved to within 1.2m from building face

Officer Comment:

It is agreed the balcony could be used for seating or leisure purposes. Whether the balustrade is or is not required for emergency escape is not a material planning consideration in the determination of the current application.

It is accepted the proposed balcony would impact upon the residential amenities of neighbouring side properties, with the majority of overlooking and loss of privacy resultant from the balcony directed towards the rear private amenity areas of the neighbouring side properties. It is also noted that the proposal would result in a certain amount of intrusion by way of noise and light disruption onto the amenities of neighbouring properties.

It is therefore considered necessary that, in the event of the application being recommended for approval, this issue be resolved through the imposing of a condition that insists balcony screening at a height of 1.8m be erected to the entire length of both side elevations of the balcony.

***Delete as appropriate**

Note: Changes to recommendations, conditions and/or reasons for approval will always be accompanied by a new replacement recommendation sheet.