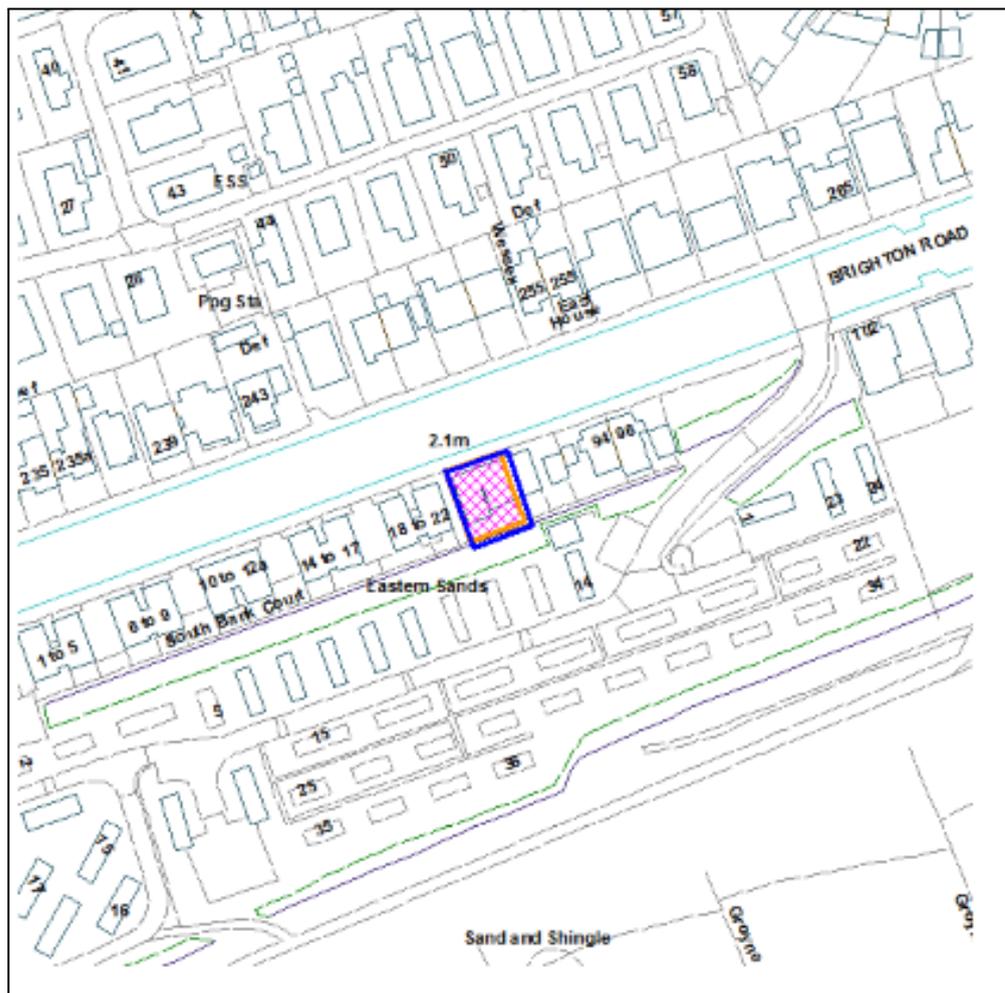


<b>Application Number:</b>	<b>AWDM/0182/24</b>	<b>Recommendation - REFUSE</b>
<b>Site:</b>	<b>90 Brighton Road, Lancing, West Sussex</b>	
<b>Proposal:</b>	<b>Alterations and extensions to building including rear dormer to form 2nd floor and sub-division of the building to create 2no. 3 storey dwelling houses. Application to Vary Condition 1 of previously approved AWDM/1041/23. Amendments: Rear balconies with privacy screens to both dwellings</b>	
<b>Applicant:</b>	<b>Seaview Building Company</b>	<b>Ward: Widewater</b>
<b>Agent:</b>	<b>Mr Luke Carter</b>	
<b>Case Officer:</b>	<b>Hannah Barker</b>	



**Not to Scale**

## **Proposal, Site and Surroundings**

Planning permission was granted in December 2023 under AWDM/1041/23 to alter and extend the existing building at 90 Brighton Road Lancing to create 2 no. residential dwellings over three storeys. A second storey was provided with a gabled roof and rear dormer extension. Single storey flat roof rear additions were shown with sliding doors to match those above with Juliette balconies with a privacy screen between them and either side. The appearance of the building was to be upgraded and remodelled with the use of contemporary materials, timber cladding and render.

The current application seeks permission for a rear balcony to each of the dwellings above the single storey extensions in the place of the Juliette balconies. Privacy screens are shown on the submitted plans. The original scheme did include these balconies, however, Officers considered there to be harm due to the close proximity and limited amenity space at the adjacent, attached dwelling, no. 92 Brighton Road. Therefore they were removed and replaced with the less intrusive Juliettes. Other than this change all other matters remain the same as previously approved. The balconies and screens only are for consideration here.

The application site is a two storey semi detached dwelling house on the south side of Brighton Road Lancing. The building fronts the pavement onto Brighton Road and to the rear levels drop to the Eastern Sands Holiday Park where static mobile homes are positioned directly to the rear of the site. Beyond this is the beach. Brighton Road comprises a diverse collection of dwellings with different building scale and height, design and use of materials. There has been evolution of development overtime giving rise to an interesting and varied character. Many buildings on the south side of the road are three storeys in height. The attached dwelling is the same height as the existing application site however the adjacent dwelling is narrower and the roof form differs. The applicant's agent states in the submitted Design and Access Statement that these buildings have a very different character. The flats to the west are three storeys comprising five blocks of flats with garaging at ground level.

The dwelling currently has two garages, a bedroom, kitchen and two stores on the ground floor. At first floor a further three bedrooms, bathroom, two living rooms and a conservatory and loft storage in the roof. There is a small rear garden.

The new dwellings both have a gym, study and bathroom on the ground floor. The eastern dwelling benefits from the existing parking space. Both dwellings on the first floor have two bedrooms, W.C and kitchen and living space in the roof on the second floor formed from the dormer.

## **Consultations**

**The Environment Agency:** - We are satisfied that the condition we recommended in our previous response (dated 14 September 2023) to application AWDM/1041/23 remains applicable, and therefore request that the condition as shown below is attached to any planning permission granted, and that the details in relation to the condition be submitted and approved by the Local Planning Authority.

#### Condition – Flood risk

The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: 16542/01/HOP/RPT/01, V2.0, dated 22.08.2023, by HOP Consulting Limited) and the following mitigation measures it details:

- There shall be no habitable rooms on the ground floor.
- The first-floor finished floor level shall be set no lower than 5.8 metres above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

**National Highways:** - No objection

**West Sussex County Council Highways Authority:** - The proposals do not impact upon parking therefore the LHA would not foresee any implications with the proposed variation of condition 1.

**Adur and Worthing Councils: - Private Sector Housing:** - No further comments

**Representations:** - None received: as the neighbour notification period expires on the day of the meeting, any comments received after the preparation of the agenda will be reported verbally at the meeting.

#### Relevant Planning Policies and Guidance

Adur Local Plan 2017 Policy 15, 28, 20, 22, 28, 34, 36

'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'; No.2 'Extensions and Alterations to Dwellings'

Sustainable Energy SPD (August 2019)

Adur Planning and Climate Change Checklist (June 2021)

WSCC Guidance on Parking at New Developments (Sept 2020).

National Planning Policy Framework (July 2021)

Technical Housing Standards – nationally described space standard (DCLG 2015)

#### Relevant Legislation

The Committee should consider the planning application in accordance with:

Section 70 of the Town and Country Planning Act 1990 (as amended) provides that the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and

Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

## **Planning Assessment**

### ***Principle***

The relevant issues when considering the original application were the following. The effects on the amenities of neighbouring residential occupiers and the proposed future occupiers. The effect on the character and appearance of the area, parking and highway matters, flood risk and drainage.

In this case the impact of the balconies are for consideration only therefore the effect of these upon the amenities of neighbouring residential occupiers and the proposed future occupiers and the effect on the character and appearance of the area are to be considered only.

### ***Visual Amenity***

The balconies and screens will be clearly visible from neighbouring properties and the mobile home park to the rear. They will not be a feature that is out of keeping within the locality.

### ***Residential Amenity of Future and Existing Occupiers***

The proposed balconies would not have any adverse impact upon the living conditions of those also occupying the proposed dwellings. These are at the same level and screens provide privacy between the external spaces. There is also an element of 'buyer beware'.

The concern of your officers is with regard to the amenities of the existing, attached dwelling at no. 92. This dwelling has a small amenity space adjacent to the proposed balcony. The additional storey does impact upon this adjacent occupier however it was considered on balance that with the juliette balconies and privacy screens the impact would not be such to warrant a refusal here. The relationship between the proposed balconies at a high level and in such close proximity would be harmful representing an unneighbourly impact. Noise, activity and the physical impact of the screens at this depth would be overbearing to the adjacent property both from inside and outside. Refusal is recommended on this ground.

### **REFUSE** for the reason(s):-

1. The proposed balconies and associated privacy screens will give rise to external and elevated activity and bulk in close proximity to the neighbouring properties in particular the attached dwelling no. 92 Brighton Road. This will give rise to a harmful, detrimental impact which is contrary to Policy 15 of the Adur Local Plan and the NPPF.

4 March 2024

## **Local Government Act 1972**

### **Background Papers:**

As referred to in individual application reports

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