

APPLICATION NO:	PA/2019/083
APPLICATION ADDRESS:	Burhou View, La Petit Val Lane, Alderney GY9 3UU
DESCRIPTION OF WORK:	Increase size of rear balcony as approved for planning from 1.5m to 2.75m
NAME OF APPLICANT:	Burhou Investments Ltd
DEVELOPMENT AREA:	HCA6
AGENT:	

**Site description**

This site is on a hill with the house situated at the top in the south. The house is a detached bungalow from first impression, but it has a lower level to the north. There are neighbours quite close to the east and west and other neighbours at a much lower level to the north beyond the gardens. Le Petit Val Lane is to the south which leads to Le Petit Val to the west.

**Brief description of development**

This application is to increase the approved size of the balcony from 1.5m to 2.75m

**Law/LUP/Policy – Relevant Sections**

Please see separate check list for the relevant law and LUP policies.

**Representations**

The application has been publicly advertised for 21 days and two letters of representation have been received, both letters describe overlooking as the planning issue.

**Officer Comment.****The Law Section 7 & LUP Policies**

Policy IW12 takes the issue of overlooking very seriously. Where the Committee cannot change what already exists, it can make sure that future proposals work well for both the applicant and their neighbours, and overlooking is one of most serious issues and this determines the acceptability of any application.

Each application is processed on its own merits and not on whether or not another building somewhere else has a bigger balcony. No precedents are set on this island.

The neighbouring property to the east, which sits at a slightly higher level, has a ground floor level terrace. The neighbouring property to the west, which sits at a lower level, has a ground floor level deck. In fact Burhou View also has a ground floor level terrace. All of which are of different widths, but overlooking from ground floor level is minimal – it is the fact that the balcony is at first floor level which is why overlooking becomes an issue.

The property to the west is at a higher level and so the proposed balcony will only be slightly higher – nearer to level, which means there will be only minimal overlooking. The first photo on BV203 clearly shows there is little screening between the two properties, however, some fencing can alleviate any chance of overlooking in this direction.

The property to the east is at a much lower level, the third photo on BV203 clearly shows that there is no screening between the two properties in this location either. This means that the proposed balcony will be significantly higher, which means that overlooking becomes a much bigger problem, and someone looking east WILL overlook the decking of the lower neighbour, even with a fence there. Careful consideration was given to the width of the balcony in the previous condition, to give a width that was useable without allowing too much overlooking.

August 2019

## Planning Application – Officer Report

### **Recommendation**

Refuse. A 1.5m balcony is perfectly acceptable in this situation.