

<b>App.No:</b> 171301 (HHH)	<b>Decision Due Date:</b> 2 January 2018	<b>Ward:</b> Meads
<b>Officer:</b> Lauren Coleman	<b>Site visit date:</b> 20 December 2017	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> 2 December 2017 <b>Neighbour Con Expiry:</b> 2 December 2017 <b>Press Notice(s):</b> 17 November 2017		
<b>Over 8/13 week reason:</b> Committee Cycle		
<b>Location:</b> 1 Matlock Road, Eastbourne		
<b>Proposal:</b> Proposed demolition of old storage and utility room and the erection of a new utility room and studio.		
<b>Applicant:</b> Mr ANDREW CHALK		
<b>Recommendation:</b> Approved with conditions		

#### **Executive Summary:**

The application is brought to planning committee at the discretion of the Senior Specialist Advisor and given the interest of the Ward Councillor and also representatives from the local residents association.

The upgraded building is considered to provide an enhanced space that would be used for purposes ancillary to the enjoyment of the main property. It is considered acceptable in terms of the bulk, design and impacts on adjacent properties.

It is recommended that planning permission is granted subject to conditions within the report.

#### **Relevant Planning Policies:**

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1 Spatial Development Strategy and Distribution

B2 Sustainable Neighbourhood

C11 Meads Neighbourhood Policy

D10 Historic Environment

D10a Design

Eastbourne Borough Plan Saved Policies 2007

UHT1 Design of New Development

UHT4 Visual Amenity

UHT15 Conservation Area

UHT17 Protection of listed Buildings

HO2 Predominantly Residential Areas

HO20 Residential Amenity

**Site Description:**

The site consists of a two storey semi-detached property which has been split in to two separate family dwellings, Flat 1 (first floor) and Flat 1a (ground level); according to land registry details there is a single freeholder for both of these flats. The applicant's property is on the top first floor level and has its access via a metal staircase to the side off of a small access road/garden area. The garden to the rear is accessed either from the access road or via stairs from the first floor level.

The property is located within the heart of the Meads Conservation Area just off of the main high street and it also includes a Listed Structure (Grade 2 Listed Gazebo) with the garden.

**Relevant Planning History:**

EB/1968/0162

Alterations to rear of flats

Approved Unconditionally

1968-03-21

EB/1967/0086

External staircase

Approved Unconditionally

1967-02-16

**Proposed development:**

The applicant is seeking Planning Permission to demolish one side wall and rear wall of the existing structure and raise the existing side/rear wall. The new structure would provide accommodation that would be incidental to the enjoyment of the applicant's property (Utility room and separate room/space).

The development would extend approximately 2.44m from the rear elevation of the existing outbuilding and be 6.22m in length which would match the existing the only difference in size would be the total height which would increase from 2.34m to 2.97m. The walls would have timber cladding and the roof would change from a slight sloped plastic one to a solid flat roof. There would be one window, a single door (leading to the proposed utility room) and a double door on the front elevation.

**Consultations:**Specialist Advisor (Conservation)

The site is to the rear of a residential property, is largely un-overlooked and the development proposed simply replaces an existing structure of almost identical size in the same location. The development is not expected to generate any significant adverse effect on the character and appearance of the Meads Conservation area, and I do not wish to register an objection.

County Archaeologist - Consultations

Although this application is situated within an Archaeological Notification Area, based on the information supplied I do not believe that any significant below ground archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance.

Neighbour Representations:

Objections have been received from Matlock Barn, Matlock Road and cover the following points:

- Impact on personal access to property during the demolition and construction stage.

- Although the applicant's property has a personal side gate they have no right to vehicular access on the driveway that leads up to Matlock Barn.

- The new proposal may affect privacy and existing access, for example if used as a studio rental, granny annexe or for business use.

- Materials, rubbish and other equipment being left on access driveway and not cleared away properly.

### **Appraisal:**

#### Principle of development:

There is no objection in principle to homeowners wishing to extend/alter their homes to meet their changing needs; subject to these changes not giving rise to material harm to the host property or impacting on the amenities of the neighbours.

#### Impact of proposed development on amenity of adjoining occupiers and surrounding area:

As the proposed outbuilding is confined to the rear garden and would be a replacement of an existing one there would be little impact on the amenity of the surrounding area and the adjoining neighbours.

Based on the drawn information the wall to the rear of the outbuilding are to be raised by 600mm which would have limited residential impacts on the immediately adjacent property at No.3 Matlock Road

The upgrading of the outbuilding would possibly also affect properties in close proximity to the structure if there is an increase in use. The applicants have indicated that the use will remain ancillary to the main property and as such the use should be at the level of any other room with the host property. Given this reason it is considered that a refusal based on the loss of residential amenity would not be so severe so as to lead to a reason for refusal that would be sustainable at appeal. Notwithstanding this issue a condition is recommended to limit the use to that which would be ancillary to the main property.

The neighbour at Matlock Barn has voiced concerns over the impact on her privacy and the access road which runs up the side of 1 and 1a Matlock Road to her residence. It is deemed that due to the orientation of the properties there would be little increased effect on loss of privacy. The structure would be obscured by the garden wall which sits on the boundary of the two properties and furthermore to that there is a larger outbuilding in the grounds of Matlock Barn which would block any view of the applicants proposed development.

Matlock Barn has also expressed concern over the impact on the driveway/access road that runs from Matlock Road up the side of the applicant's property to their property. This driveway is the only means of access for Matlock Barn; the applicant has not provided any details of how they will access the building or bring materials into the site. The use of the driveway to the site is considered a civil matter between the applicant and their neighbouring. The owners of Matlock Barn have declared that the driveway is owned by them and that the occupants at no.1 and no.1a have no right to vehicular access however based on the land registry searches carried out it shows that the road is not owned by either party. In order to minimise some of the impact on the neighbours amenity whilst works take place a condition has been placed to limit working hours.

#### Design issues:

The proposed outbuilding has been designed to be sympathetic to the design of the building and surroundings and as it would be only marginally larger than the existing one is considered appropriate in terms of scale and bulk.

#### Impact on character and setting of a listed building or conservation area:

The proposed development would have little no effect on the Grade 2 listed Gazebo registered on this site due to the distance between them.

The conservation officer has noted that "the development is not expected to generate any significant adverse effect on the character and appearance of the Meads Conservation area."

### **Human Rights Implications:**

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

**Conclusion:**

It is considered that the proposed development will not negatively impact the amenity of the occupiers of the surrounding properties or be detrimental to the character and appearance of the area. Proposal therefore complies with local and national policies and it is recommended that planning permission is granted subject to the following conditions;

**Conditions:**

1. Time for commencement
2. Approved drawings
3. External finishes of the development shall be as stated on the approved drawings
4. No demolition or clearance or building operations except between 0800 and 1800 Monday to Friday 0800 and 1300 on Saturdays and at no point on Sundays and bank holidays.
5. The development shall only be used ancillary to the use of the main property and shall not be used for any other purpose which would include independent residential/commercial use.
6. Rain water goods to be installed entirely on the applicants land.

**Informative**

1. A formal application for connection to the public sewerage system is required in order to service this development

**Appeal:**

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.