

<b>App.No:</b> 180003	<b>Decision Due Date:</b> 16 February 2018	<b>Ward:</b> St Antonys
<b>Officer:</b> Chloe Timm	<b>Site visit date:</b> 24 January 2018	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> 25 January 2018		
<b>Neighbour Con Expiry:</b> 25 January 2018		
<b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> Application reviewed at Planning Committee 27 February 2018 and deferred.		
<b>Location:</b> 33 Netherfield Avenue, Eastbourne		
<b>Proposal:</b> Proposed erection of porch to the front elevation and a raised platform to the rear with steps leading down to new patio area.		
<b>Applicant:</b> Mr Mark O'Sullivan		
<b>Recommendation:</b> Approved conditionally		

**Executive Summary:**

The application was brought to committee 27 February 2018 where the decision of committee was to defer the application and to review again once the installation of a new fence to the rear of 33 Netherfield Avenue had been completed. This was scheduled to take place 16 April 2018.

This application is being reported to Committee at the discretion of the Senior Specialist Advisor in order to allow objectors to the scheme the opportunity to address Planning Committee.

The report that follows is that which was reported to Planning Committee on the 27<sup>th</sup> February.

The proposal relates to a front porch extension and rear platform/steps leading to raised patio area and garden level. The rear extension has planning approval.

The proposed development provides an acceptable form of residential development that would be consistent with the site and surrounding area.

Scheme is recommended for approval with conditions.

**Planning Status:**

A semi-detached bungalow linked located in a predominantly residential area of Eastbourne.

**Relevant Planning Policies:**

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1 Spatial Development Strategy and Distribution

Sustainable Neighbourhood

C8 Langney Neighbourhood Policy

D5 Housing

Low Value Neighbourhoods

D10a Design

Eastbourne Borough Plan Saved Policies 2007

NE16 Dev within 250m of former landfill site

US4 Flood Protection and Surface Water

US5 Tidal Flood Risk

HO2 Predominantly Residential Areas

HO20 Residential Amenity

UHT1 Design of New Development

UHT4 Visual Amenity

**Environment Agency Flood Zones**

Flood Zone 2

Flood Zone 3

Tidal Models

**Environment Agency Flood Defences**

Areas Benefiting from Defences

**Site Description:**

The application site is located on the Northern side of Netherfield Avenue and is single storey link detached property. The area is predominantly of uniform design with bungalows that are either detached or link detached.

The property benefits from a driveway and grassed area to the front and a garden to the rear with an existing raised concrete area which then steps down onto grass. There is a change of levels from the front to the rear of the site.

**Relevant Planning History:**

**170721**

Single storey rear extension; Approved Conditionally; 21/04/2017

**Proposed development:**

The proposal is seeking permission for the erection of a porch to the front elevation and a raised platform to the rear with steps leading down into the garden.

#### Porch

The proposed porch will be approximately 1.55m wide and 3.70m long with part of the side facing elevation including glazing. The height of the front glazed section of the porch will be approximately 2.6m and the rear brick section of the porch will be approximately 2.7m, both to have a flat roof.

#### Raised platform and patio

It is acknowledged that the applicants claim that it was not deliberate that the platform and steps were omitted from the original application but that they were always part of their scheme/design intention. Notwithstanding this the design and impacts of this part of the scheme have been outlined below.

The proposed raised platform/steps to the rear elevation are required to give safe access from the finished floor level of the extension down to the garden level.

The structure will be approximately 1.3m deep, 4m wide and 2.44m high from natural ground level. The platform landing will be approximately 3.10m long then steps leading down across 0.94m to a raised patio area. The structure will be constructed of brick and have safety glass panelling with a stainless steel frame.

The patio will be raised off of the ground level between approximately 0.30m and 0.42m (due to gradient of the rear garden) and be 2.70m wide.

#### **Consultations:**

##### Neighbour Representations:

4 letters of objection have been received commenting in the main on the following issues:

- Loss of privacy
- Impact of proposal on their garden
- Concrete platforms at the bottom of the garden causing potential flooding problem.

No comments have been received in relation to the proposed development to the front.

#### **Appraisal:**

##### Principle of development:

There is no objection in principle to the proposed development to the building provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity and is in accordance with the policies of the Core Strategy 2013, and saved

policies of the Borough Plan 2007 and the National Planning Policy Framework (2012).

The main issue to consider when assessing this application is the impact of the proposal on the character and vitality of this area, and how the development impacts upon the visual amenity of the host building, the character of the area (mentioned above) and impact on neighbouring amenity.

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

Porch

It is considered that the proposed porch to the front will not have a detrimental impact on the amenity of adjoining occupiers or that of the surrounding area. The porch will not cause any additional overlooking or overshadowing to the neighbouring properties and whilst visible within the street scene is considered to be in keeping with the character of the surrounding area.

Raised Platform Steps & Patio

The amenity of the surrounding area is not thought to be affected by the proposed development to the rear of the host property; it is not visible to the public eye.

It is recognised that there may be a perception of overlooking from this element of the proposal.

The raised platform is necessary following the previous grant of planning permission of the single storey rear extension (P/C 170271) to enable the safe use of the rear patio doors. The patio doors are approximately 0.97m above the existing concrete path which in turn is 0.30m above natural ground level.

The width of the structure (approx. 1.1m,) would indicate that the platform is not to be used for sitting out or as a standing/view point but would be a means of entry down into the rear garden. The platform covers the patio doors only and does not extend any further along the rear elevation. Prior to the extension being built there were steps in existence leading down from the old conservatory door to the garden starting from the same height (the internal floor level of the host property has not changed).

The proposed raised patio will see the existing concrete path which runs along the rear and West side elevation of the existing property, extended on the rear western side from the bottom of the new proposed stairway to the west boundary line at a width of 2.70m creating a new patio area. Due to the gradient of the garden this will be between 0.30m and 0.42m above natural

ground level. The patio is not considered to provide any additional overlooking to neighbouring properties than already exists.

Design issues:

The proposed alterations to the front elevation of the building have been designed to be sympathetic to the design of the building and are considered appropriate in terms of scale and bulk.

The proposed development to the rear elevation of the building has also been designed to be sympathetic to the design of the building and the proposed size of the raised platform leading down has been maintained to the width of the doorway only to try to alleviate any sense of overlooking this may cause.

Other matters:

Comments have been received regarding development taking place at the end of the rear garden, other projects/developments taking place within the curtilage of the site which may fall within permitted development and are not subject to this application.

**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 give rise to a material loss of residential amenity through direct overlooking, nor are the proposed additions considered to be harmful to the character of the host property in particular or the wider area in general. The proposal therefore complies with local and national policies.

**Recommendation:**

Approve Conditionally

**Conditions:**

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the approved drawings submitted on **02 January 2018:**

**- Drawing No. DWG 11a – Site Plan & Block Plan**

- **Drawing No. DWG 1 – Pro G/F Plan**
- **Drawing No. DWG 2 – Pro G/F & Pro Rear Elev**
- **Drawing No. DWG 3 – Pro Front Elev**
- **Drawing No. DWG 4 – Pro Side Elev & Ex Side Elev**
- **Drawing No. DWG 5 – Pro Side Elev & Ex Side Elev**

Reason: For the avoidance of doubt and ensure that development is carried out in accordance with the plans to which the permission relates

- 3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area.

- 4) Notwithstanding the plans hereby approved, all water run-off from the new roof, platform/steps and raised rear patio shall be dealt with using rainwater goods installed at the host property and no surface water shall be discharged onto any adjoining property, not shall the rainwater goods or downpipes encroach on the neighbouring property and thereafter shall be retained as such.

Reason: To ensure that surface water is dealt with appropriately within the application site and not affect adjoining properties by way of localised flooding.

**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**.