

<b>App.No:</b> 180355	<b>Decision Due Date:</b> 7 June 2018	<b>Ward:</b> Ratton
<b>Officer:</b> Danielle Durham	<b>Site visit date:</b>	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> <b>Neighbour Con Expiry:</b> 17 May 2018 <b>Press Notice(s):</b>		
<b>Over 8/13 week reason:</b>		
<b>Location:</b> 16 Woodland Avenue, Eastbourne		
<b>Proposal:</b> Application for extensions to side, rear, conversion of garage, internal alterations. Along with provision of temporary elevation to South-West of the property. Alterations to the terrace/patio area to South-East (rear) of the property.		
<b>Applicant:</b> Mr & Mrs Paul & Claudine Badawi		
<b>Recommendation:</b> Refuse permission		

### **Executive Summary:**

This application has been referred to committee in order to allow for wider debate from Planning Committee Members with regard to the merits and issue arising from the proposal with specific reference to the rear balcony.

Permission was granted at committee in August 2016 for a two storey rear extension adjacent to a single storey rear extension with associated terrace area with privacy screen, along with garage conversion and alterations to the front garden to provide off street parking.

Works have not been implemented in accordance with the approved drawings and this application seeks approval for an alternative scheme. Where necessary privacy screen are proposed to mitigate the impacts of the proposal.

### **Relevant Planning Policies:**

National Planning Policy Framework 2012

- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 11. Conserving and enhancing the natural environment
- 12. Conserving and enhancing the historic environment

Core Strategy Local Plan 2013 Policies

B2 Creating Sustainable neighbourhoods

C12 Ratton & Willingdon Village Neighbourhood Policy

D5 Housing

D10 Historic Environment

Eastbourne Borough Plan Saved Policies 2007

US4 Flood Protection and Surface Water

HO2 Predominantly Residential Areas

HO20 Residential Amenity

UTH4 Visual Amenity

**Site Description:**

The site consists of a detached two storey dwelling house in a road of properties with mixed/varied architectural styles/appearance. The property currently has a dropped curb entrance to the left hand side of the front garden, with drive way to the garage. Works have begun following permission 160546.

**Relevant Planning History:**

140127

Conversion of existing garage to a habitable room with external door on the east-facing side and replacing garage door at front with a window, together with the creation of an enlarged porch to the front elevation of the existing dwelling.

Householder

Approved conditionally

160546

Extension to side and rear, conversion of garage to office space, internal alterations and associated works.

Householder

Approved conditionally

31/08/2016

171450

Application for approval of details reserved by condition 7 (Implementation of archaeological works.) of planning permission granted 31 August 2016 for extension to the side and rear, conversion of garage to office space (Ref:

1605 4 6)

Approval of Condition

Approved unconditionally

13/12/2017

**Proposed development:**

The applicants have permission approved under planning application ref 160546 which has been partially completed. The two storey rear extension is due to be completed at a later date.

There are a number of elements to this application:-

- Conversion of garage to habitable room (office) with front canopy.
- Two storey Front extension (utility/bathroom) under hipped pitched roof
- Single storey rear extension (incorporating roof terrace) with provision of temporary screen until the two storey rear extension is complete
- Alterations to the front garden area (access and parking space)
- Covered canopy to the side providing access to the rear garden.
- Raised patio to the rear with privacy screen

These are explained in more detail below:-

Conversion of garage to habitable room (office) incorporating front canopy.  
The applicant is seeking planning permission to convert the garage into an office and form a cat-slide roof over garage and part of the rear extension.

Two storey Front extension (utility/bathroom) under hipped pitched roof:  
It is also proposed to build a two storey extension on the front elevation to create a lobby on the ground floor and a bathroom on the first floor. This is proposed to have a hipped roof. This two storey extension to the front would be 7.05m in height total height and 4.9m to the eaves and extending 2.2m forward from the main dwelling.

Single storey rear extension (incorporating roof terrace):  
The proposed single storey extension to the rear is proposed to wrap around the side elevation to the proposed office room. The rear section would extend 5.5m from the existing rear elevation and be 7.5m in width across the rear. This rear section would have a mono pitched roof to the East elevation and a privacy screen 1.85m in height alongside a flat roof with balcony/terraced area 26.6m<sup>2</sup> with a glass balustrade 1m high facing directly down the garden/plot. The access has been varied in this application to include a small window and French doors rather than the approved two sliding doors. This application has also included an additional roof light in the flat roof single storey extension which was not included in the previous application.

Alterations to the front garden area (access and parking space):  
The applicant has proposed that the front garden is paved with permeable tarmac drive way, raised above the natural ground level with the existing dropped curb for entrance.

It is proposed that the front boundary wall is to be removed down to ground level. There is proposed to be paved steps and a ramp to access the front of the property.

#### Raised patio to rear:

The applicant has proposed a raised patio to the rear garden to extend the existing rear garden. The plans do not include alterations to the existing boundary treatment. This would extend approx. 5,15m from the rear of the existing two storey rear extension and 3.3m from the rear of the single storey extension. The height of the raised patio where it abuts No 14 is approximately 1m above ground level.

A 1.8 m privacy screen is proposed to the flank of the raised patio adjacent to No 14.

#### **Consultations:**

##### External:

County Archaeologist – No objections

#### **Neighbour Representations:**

Objections have been received and cover the following points:

- The work is already done
  - Surprise and disgusted that the original application was approved based on poor design, failure to maintain style of properties and impact to privacy. The new application does not rectify these issues.
  - There are no details of the proposed screens size or materials or how it will protect privacy
  - The previously approved solid brick wall would provide privacy and the temporary screen will not do that.
  - The drawing suggest the raised patio sloped down this is not the case.
  - the raised patio is 24 inched high and the fence 6 foot. This allows for overlooking into windows and the garden.
  - There is no drainage provision for the patio, water will run to the boundary fence shortening its life span.
  - the proposed new lay out will not provide sufficient turning space
- There is no boundary wall proposed at the front adjacent to the footpath and this will lead to the owners driving over the verge and damaging the grass and causing danger to pedestrians.

#### **Appraisal:**

##### Principle of development:

There is no objection in principle to homeowners wishing to extend/adapt/alter their properties to meet their changing family needs, subject to the these changes not adversely impacting up residential amenity of the occupiers of adjacent/nearby properties plots and also that the development is respectful to the character of the host property and also the predominate pattern of development in the wider area.

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

*Overlooking and privacy-*

In regards to the proposed roof lights, as discussed and approved in the previous application it is considered that there would not be direct overlooking of number 18 Woodland Avenue as they would be 1.7m above floor level. The roof terrace is not considered to cause a significant adverse impact of overlooking to number 18 Woodland Avenue as the applicants have proposed a mono-pitched roof on the North East Side elevation 1.85m above the first floor level in the bedrooms. This would create a privacy screen between the roof terrace of number 16 and number 18 Woodlands Avenue to minimise any impact caused by overlooking.

It is considered that the balcony balustrade looking directly down the garden would provide views over the neighbouring plots; however this would not be any more severe/acute than if bedroom windows were to be sited in this location. In addition it is noted that the first floor windows to the rear of no 20 Woodland Avenue would afford a degree of direct overlooking.

It is accepted that elevated terraces can often increase the perception of being overlooked for the occupiers of neighbouring properties. However in this instance given the nature of the design of the terrace and the relatively generous plots it is considered that the occupiers of neighbouring property number 18 would not be materially impacted by this element of the proposal sufficient to justify/substantiate a refusal of the application.

In relation to the glazed screen proposed to minimise overlooking from the first floor terrace to number 14 Woodland Avenue. In addition a 1.8m high privacy screen has been proposed along the common boundary of the raised patio (between the application site and No 14).

It is considered that subject to controls over the opacity of the glazing (at first floor terrace) that these privacy screens should provide appropriate protection to the amenities of the occupiers of the neighbouring property.

If the application is supported then planning conditions could be attached requiring further details and subsequent approval of the proposed glazing.

*Loss of outlook/overshadowing-*

Given the orientation of the properties in this part of the street and the location and size of the proposed extensions/alterations there should not be any material impact upon the occupiers of the neighbouring plots by way of overshadowing or loss of outlook.

Design issues Building:

The proposal will not include any removal of any trees or hedging and there for there will be no impact of natural screening.

The design of the proposal to the front elevation and front garden visible to public areas is sympathetic with the design of the neighbouring properties. The proposed developments to the rear of the property would not be visible to any public areas but are also designed sympathetically to the original house.

It is considered that there will be no significant adverse impact to the visual amenity caused by the proposed developments.

Impact on character and setting of a listed building or conservation area:  
The property is not a listed building nor in a conservation area.

Impacts on trees:

There are no trees proposed to be removed as a result of the proposed works.

Impacts on highway network or access:

It is considered that the complete removal of the front boundary wall would be harmful and discordant to the predominant character of the site and surrounding area.

It is also acknowledged that with the front wall removed there may way be a tendency to 'bump the kerb' and access the front garden car parking, also there may well be on occasion times when vehicles overhang the public footpath. Both of these scenarios are likely to provide a hazard to pedestrians and other highway users.

### **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.

### **Recommendation:**

Refuse planning permission

The proposed front garden layout is considered to be intrusive to the local street scene and fails to maintain local distinctiveness and would enable the likelihood of indiscriminate access (not via a dropped kerb) and indiscriminate parking over-sailing the public footpath the proposal is likely to result in harm to pedestrian and other highway users. The proposal would be contrary to Policy D10a Design of the Local Plan.

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.