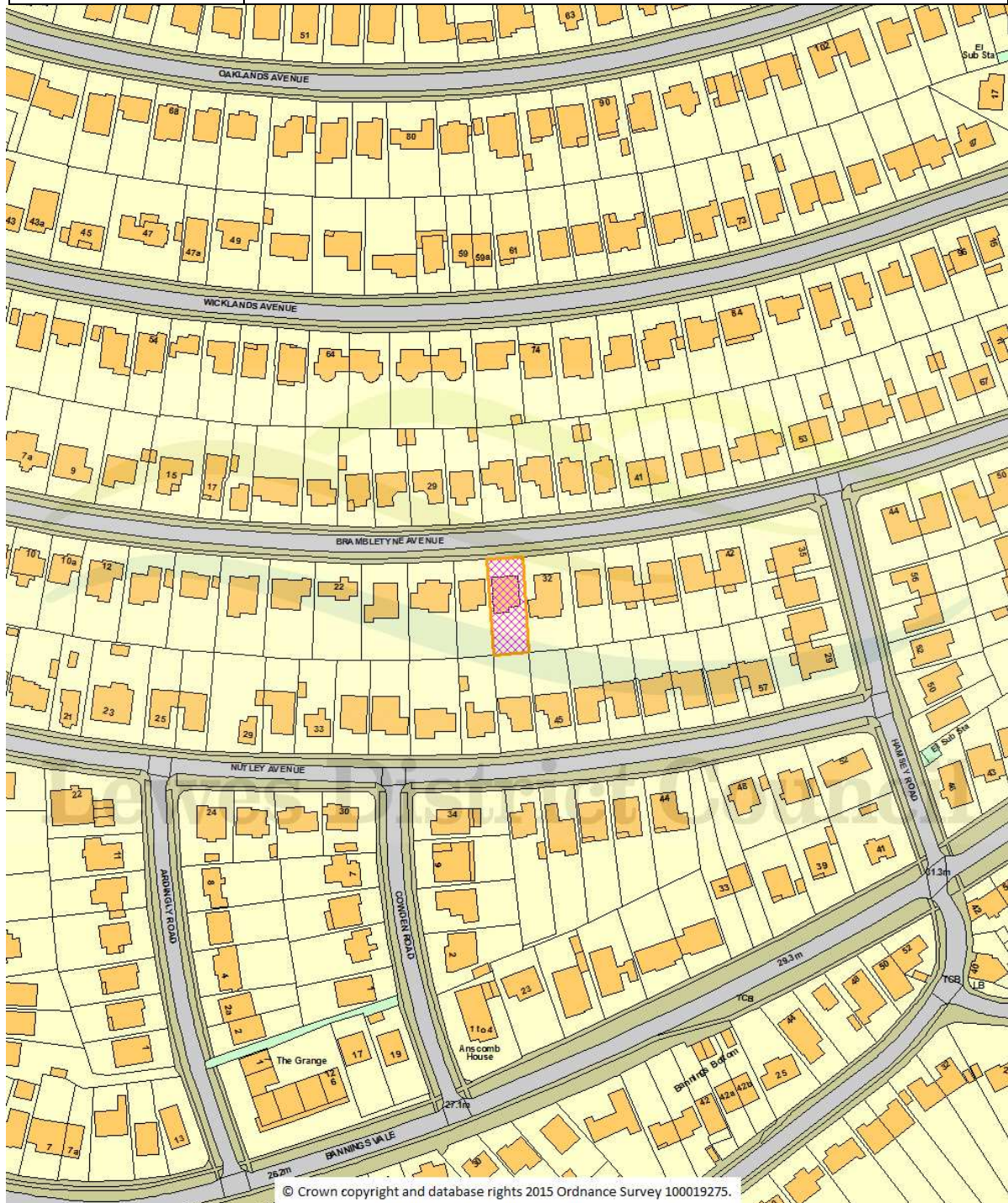


<b>APPLICATION NUMBER:</b>	LW/17/0491	<b>ITEM NUMBER:</b>	<b>7</b>
<b>APPLICANTS NAME(S):</b>	Davies and Lila	<b>PARISH / WARD:</b>	Telscombe / East Saltdean & Telscombe Cliffs
<b>PROPOSAL:</b>	Planning Application for Proposed rear extension, decking and first floor balcony		
<b>SITE ADDRESS:</b>	30 Brambletyne Avenue Saltdean East Sussex BN2 8EJ		
<b>GRID REF:</b>	TQ3802		



## 1. SITE DESCRIPTION / PROPOSAL

## SITE DESCRIPTION

1.1 The application site is occupied by a detached bungalow dwelling in a traditional style having a pitched and hipped roof. The property is set back from the road along an established building line, and the rear garden backs onto Nutley Avenue. The back garden also slopes downwards owing to the hillside location of the application site and ground level at the rear of the property is 2.3m lower than ground level at the front of the property.

1.2 The dwelling is in a predominantly residential area which is characterised mainly by single storey dwellings of varying styles, many of which have roof extensions and loft conversions.

1.3 The building is not Listed or located in a Conservation Area.

## PROPOSAL

1.4 The application seeks planning permission to extend the rear hipped roof into a gable end and to convert the resulting loft space and incorporating a first floor level balcony and a small flat roof projection with lantern roof light on the top.

1.5 A 3m deep area of raised decking to a maximum height of 2.3m above ground level is also proposed. The level of the decking is a continuation of existing internal floor height which owing to the changes in ground level is 2.3m lower at the rear than it is at the front of the property.

1.6 The first floor balcony will be 1.6m x 4.4m and 5m above back garden level.

1.7 The applicant proposes to install obscure glazed screens to the sides of both the raised decking and the balcony.

## **2. RELEVANT POLICIES**

**LDLP: – ST03 – Design, Form and Setting of Development**

**LDLP: – RES13 – All extensions**

**LDLP: – CP11 – Built and Historic Environment & Design**

## **3. PLANNING HISTORY**

**E/54/0447 - Planning and Building Regulations Applications for proposed bungalow with garage. Building Regulations Approved. Completed. - **Approved****

## **4. REPRESENTATIONS FROM STANDARD CONSULTEES**

**Telscombe Town Council – Objection**

4.1 The Planning & Highways Committee considered the application and OBJECT to the proposal on the grounds that the raised decking and first floor balcony would lead to a loss of privacy particularly to no.28. This would therefore be contrary to ST3 of the saved policies of the Lewes District Local Plan. However should Lewes District be minded to

grant consent, then the Planning & Highways Committee would request conditions be applied seeking details of ground levels to be approved prior to commencement and details of boundary treatment to ensure the residents of neighbouring properties are not detrimentally affected by the proposal.

## **5. REPRESENTATIONS FROM LOCAL RESIDENTS**

5.1 One representation has been received from 43 Nutley Avenue, objecting to the planning application for the following reasons:-

- The first floor level balcony will cause overlooking.
- The bedroom, kitchen and garden will be overlooked.
- Loss of privacy.
- Intrusive.

## **6. PLANNING CONSIDERATIONS**

6.1 The principal considerations in the determination of the planning application include the design and appearance of the extensions and alterations and their impact on neighbour amenity.

### DESIGN AND APPEARANCE

6.2 The proposed alterations will not significantly affect the street scene and the rear extension will retain the existing roof form albeit with a gable end replacing the existing hipped roof slope. In terms of design and detailing the proposals represent a modern approach to a residential extension but the scale is appropriate and the character of the original property will not be lost and there will not be a harmful impact on visual amenity.

### NEIGHBOUR AMENITY

6.3 The main issue is the impact of the proposals on the amenity of neighbouring residents, notably those occupying the property behind the application site in Nutley Avenue. The objection received from the Town Council also relates primarily to the impact of the proposals on neighbour amenity.

6.4 The neighbouring property in Nutley Avenue has a raised and levelled area towards the back of the rear garden and along the boundary with the application site there is a 1.8m close-boarded timber fence with trellis above, taking the overall height to approximately 2m. The neighbouring property also has a converted loft space and at first floor level there is a bedroom window.

6.5 Due to the steep slope of the land there is already a degree of overlooking from the ground floor windows of properties in Brambletyne Avenue. This is because these windows are at least 2.3m above ground level, so they very nearly have a similar impact to traditional first floor level windows. However, these windows are at least 29m away from the rear elevations of properties in Nutley Avenue and established planning practice requires a minimum separation of about 21m, above which concerns relating to overlooking and loss of privacy may not be sustained and may be overturned at appeal. For these reasons the proposed balcony off the proposed loft bedroom is not considered to overlook the neighbouring properties to the extent that a refusal of planning permission would be warranted.

6.6 The proposed raised decking is more contentious because although it will not be any higher than the existing ground floor level of the property, it will project further into the back garden and thereby be nearer to the neighbouring property in Nutley Avenue. An external amenity space at this level and proximity will have a view beyond the remaining 14.5m length of back garden to the application site but these longer views will be distant. The raised garden area within the property in Nutley Avenue does not have the same impact because it is a lower level and is positioned at the foot of the back garden, and is thereby screened by the existing timber boundary fence.

6.7 However, the separation distance between the two properties along with the angle of view due to the steeply sloping land is such that the ground floor level of the property in Nutley Avenue would not be significantly overlooked and a refusal on these grounds may be difficult to justify. In addition, although the first floor window on the rear elevation of the property in Nutley Avenue serves a bedroom as opposed to a habitable room such a living room or dining room, the distance from the window to the edge of the proposed raised decking is more than 21m (it will be 26.5m) and again a refusal of planning permission based on an unacceptable degree of overlooking may be difficult to justify.

## 7. RECOMMENDATION

In view of the above, approval of the application is recommended.

### **The application is subject to the following conditions:**

1. Neither the first floor level balcony nor the area of raised decking hereby permitted shall be brought into use until the obscure glazed screens as shown on the approved plans have been installed. The obscure glazed screens shall thereafter be retained as such, unless otherwise agreed in writing by the local planning authority.

Reason: In order to safeguard the amenity of adjoining residents in accordance with retained policies ST3 and RES13 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to national planning policy contained in the National Planning Policy Framework 2012.

### **INFORMATIVE(S)**

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

### **This decision is based on the following submitted plans/documents:**

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Design & Access Statement	8 June 2017	
Proposed Block Plan	8 June 2017	
Location Plan	8 June 2017	100038864

Existing Elevation(s)	19 June 2017	VS/BTA/01
Existing Floor Plan(s)	19 June 2017	VS/BTA/01
Existing Roof Plan	19 June 2017	VS/BTA/01
Proposed Floor Plan(s)	19 June 2017	VS/BTA/02
Proposed Elevation(s)	19 June 2017	VS/BTA/03