

App.No: 140305 (HHH)	Decision Due Date: 9 May 2014	Ward: St Anthonys
Officer: Jane Sabin	Site visit date: 24 April 2014	Type: Householder
Site Notice(s) Expiry date: N/A		
Neighbour Con Expiry: 7 April 2014		
Weekly list Expiry: 14 April 2014		
Press Notice(s): N/A		
Over 8/13 week reason: To align with committee schedule		
Location:	113 St Philips Avenue	
Proposal:	Two storey rear extension & alterations	
Applicant:	Ms Kate Hadingham	
Recommendation:	Approve planning permission	

Planning Status:

Archaeological Notification Area
Flood zone 3a
Willingdon Levels catchment area

Relevant Planning Policies:

Eastbourne Core Strategy Local Plan Policies 2013
B2: Creating sustainable neighbourhoods
C6: Roselands & Bridgemere Neighbourhood Policy
D10A: Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development
HO20: Residential Amenity
US4: Flood Protection and Surface Water Disposal

Site Description:

This detached, two storey, inter war dwelling is located on the north west side of St Philips Avenue, between the junctions with Hunloke Avenue and The Sidings. The plot is roughly rectangular in shape, although it narrows down slightly to the rear, and the dwelling is positioned along the north east boundary.

Relevant Planning History:

None. The only history relates to a detached garage in 1949.

Proposed development:

Consent is sought to construct a two storey extension at the rear. As the property is not square at the rear, the extension would project between 3.8m and 4.8m from the rear elevation. The first 1.7m is shown set in 1m from the boundary with 115 St Philips Avenue, which then cants away to be 2m from the boundary. The height would match the eaves of the existing dwelling (5.3m) and would be finished with a concealed flat roof with a tiled upstand adding a further 1.3m to the overall height. The materials would match the existing dwelling, with painted render, brick and tiles. To provide light into the extended rooms, two high level windows are proposed on the east elevation, which a supporting statement indicates would be obscure glazed and fitted with restrictors, in addition to being recessed (presumably to prevent overhanging the boundary).

Consultations:External:

The County Archaeologist has not requested any conditions, as he does not consider that the proposal would affect any archaeological remains.

Neighbour Representations:

Two objections have been received (representing the owner of the adjacent property 115 St Philips Avenue) and cover the following points:

- Overshadowing
- Loss of light to the bedrooms and living room on the rear and side elevations
- Loss of direct sunlight and natural light to the kitchen window (side elevation), which would be in shadow at all times, requiring lights to be turned on
- Objection to the false pitched roof, which will increase the height and overshadowing from the extension

Appraisal:

The main issue to take into account in determining this application are the impacts on visual and residential amenity.

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

The surrounding properties have long back gardens, therefore the proposed development would only affect the properties on either side.

111 St Philips Avenue is located to the south west of the application site, and the dwellings are separated by a pair of garages, so that the proposed extension would be a little over 5m from the no.111. I am satisfied that this distance and orientation is sufficient to prevent any adverse impact on outlook or overshadowing. However a first floor window is proposed in the flank wall facing this property (shown on the plan as a dressing room), and it is considered that the window should be obscure glazed and fitted with restrictors, to prevent overlooking of the patio area at the rear of no.111.

115 St Philips Avenue is located to the north east of the application site and the dwelling is approximately 2m deeper than no.113. The flank wall of no.113 forms the side boundary between them. Following pre-application advice from officers, the proposed extension has been pulled away from the boundary by 1m to the point where it is level with the rear elevation of no.115, and then canted to finish 2m from the boundary, in order to reduce the impact on the amenities of the neighbouring occupiers. The two new

windows on the elevation facing no.115 are to be obscure glazed and fitted with restrictors.

Having visited no.115 and viewed the proposal from inside and outside the property, I am satisfied that none of the principle rooms would be affected by the extension; two windows on the side elevation would be affected, the first being the side window to the kitchen, and the second being the only window to a small bedroom. The kitchen window is set above the sink and towards the rear of the room; the main source of light to the kitchen is through the patio doors on the rear elevation, which also provides views of the garden. Although the neighbour enjoys some direct sunlight through the kitchen window, the view is directly towards the flank wall of the application property. For these reasons it is considered that an objection cannot be sustained in respect of loss of light/sunlight. The impact on the bedroom window would be less severe, however it is the only window to this habitable room. Nevertheless, this window looks directly towards the flank wall and roof of no.113, and it is only when standing very close to this window that views of the neighbouring gardens and the Downs beyond can be seen; certainly at the time of the site visit, sunlight entering the room was from above the roof, and it is considered that the impact on daylight entering the window would not be altered to such a degree that would warrant a refusal.

The most used and most private part of the majority of gardens is that closest to the rear elevation, and is the area commonly used for sitting out. The dwellings on this side of the road cast shadows on this part of their own gardens until after midday; as this is when the sun is at its highest, any loss of direct sunlight as a result of the proposal would be for a relatively short period in the summer months, but longer in the winter months (any sunlight at this time of year would only be for a short period in any case). Given the significant amount of vegetation along this boundary within the garden of no.115 (mixed deciduous and evergreen) and the orientation and bulk of the extension, it is considered that the impact of the proposal would be within acceptable limits.

Design issues:

The materials and design of the extension would blend in satisfactorily with the existing building. Although it would be contained entirely at the rear, the gaps between the buildings would provide oblique views of the side elevations. For this reason, it is considered that the tiled upstand to the roof is necessary. Comment has been made regarding the incongruity of the canted section of the extension, but although this is an unusual feature, it serves a purpose and would not be a strident feature from most views.

Other matters:

Most of the proposed extension would be constructed over an existing hard surfaced area, and any contribution towards off site storage of ground water (Policy US4) would be so small that the administrative costs would outweigh the amount due.

Due to the close proximity of the proposed development involving the common boundary with no.115, it is considered that a condition restricting the hours of construction works are justified in this instance.

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:

The scale, orientation and design of the proposal and the impact on the amenities of the adjoining residents are considered, on balance, to be acceptable, subject to appropriate conditions.

Recommendation: Approve planning permission subject to the following conditions;

Conditions:

1. Time for commencement.
2. In accordance with approved drawings.
3. Standard demolition and construction time condition.
4. Use of matching materials
5. The proposed high level windows in the flank elevation facing 115 St Philips Avenue shall be recessed to provide external reveals and shall only be glazed in semi-obscure glass, and shall be fitted with restrictors so that they are incapable of being opened more than 200mm.
6. The proposed new window (shown on the approved plan as serving the dressing room on the first floor) in the flank elevation facing 111 St Philips Avenue shall only be glazed in semi-obscure glass and incapable of being opened.