

App.No: 140441 (HHH)	Decision Due Date: 5 June 2014	Ward: Upperton
Officer: Sally Simpson	Site visit date: 16 April 2014	Type: Householder
Site Notice(s) Expiry date: N/a Neighbour Con Expiry: 1 May 2014 Weekly list Expiry: 30 April 2014 Press Notice(s): N/a		
Over 8/13 week reason: Request to speak at Planning Committee		
Location: 44 Kings Drive, Eastbourne, BN21 2PB.		
Proposal: Proposed first floor extension over garage to form en-suite shower/dressing room together with internal alterations, including installation of staircase to increase ceiling height of lower ground floor rooms.		
Applicant: Mr & Mrs J. Hennessy		
Recommendation: Approve conditionally		

Relevant Planning Policies:

National Planning Policy Framework 2012

Paragraphs 17 & 58

Eastbourne Core Strategy Policy 2013

B1 Spatial Development Strategy and Distribution

B2 Creating Sustainable Neighbourhoods

C2 Upperton Neighbourhood Policy

D5 Housing High Value Neighbourhoods

D10 Historic Environment Archaeological Notification Area

D10A Design

Borough Plan Policies 2007 (Saved Policies)

UHT1: Design of New Development

UHT4: Visual Amenity

HO2: Predominantly Residential Areas

HO20: Residential Amenity

US4 Flood Protection and Surface Water

US5 Tidal Flood Risk

HO2 Predominantly Residential Areas

Site Description:

The site consists of a large part three storey, three bedroomed residential detached family dwelling with attached garage. The property is located on one of the main access routes into Eastbourne Town Centre. There are other properties along this residential main road which have carried out similar works – mainly an extension over the garage in to form of a dormer, for which there is not always a record of planning permission granted.

Relevant Planning History:

No relevant planning history.

Proposed development:

The applicant is seeking planning permission to extend above the existing garage to create an en-suite shower room and dressing room. The proposed internal alteration will include the installation of a staircase to improve the ceiling height of the lower ground floor rooms.

Consultations:External:

County Archaeologist – No comments

Environment Agency - Although the site is located in an area that is within a flood zone, the risk of flooding from a proposal for a first floor extension above the garage is unlikely to have any impact that would increase the risk of flooding.

Neighbour Representations:

1 letter of objection has been received from 46 Kings Drive the neighbour located to the side (West) elevation and the issues raised are summarised below:

- This proposal would set a precedence as other extensions over existing garages have been in the form of a dormer construction thereby substantially reducing the impact of the structure on the adjoining properties – majority are detached dwellings
- With only one clear side access the impact (of the proposal) would be facing our home and would be an eyesore
- Loss of light – only natural light to the side elevation of our house is from this point and (proposal) would obliterate light to our lower ground floor, ground floor and first floor common parts. The large window on the half landing giving light to the whole house is an important design feature as well as the only natural light we currently enjoy.

Appraisal:Principle of development:

There is no objection in principle of erecting an extension above the existing garage in this residential area 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 or the character of the area 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.

The internal alterations which include the provision of bi-fold doors to the lower ground floor and staircase do not require planning permission and therefore cannot be taken into consideration in determining this application, and as such would only be covered by building regulations.

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

The neighbour located immediately to the West elevation of the proposal has expressed their objection in terms of loss of light and the overall negative effect the proposal would have on their residential amenity. However, the window on the flank elevation that would have a view towards the proposed extension, is a landing window and not a window letting in light/sunlight to a habitable room. For this reason it is considered that an objection cannot be sustained in respect of loss of light/sunlight or an overbearing relationship.

There are a number of extensions above garages within the street and as such a refusal based on visual intrusion cannot be justified.

Design issues:

The actual design of this proposal is sympathetic to the host dwelling in retaining its original character. The proposed roof to the garage extension would be tiled and pitched and the walls would be rendered which would match the existing property in terms of design and character. There are no windows proposed in the side elevation facing the neighbouring property which respects and retains privacy for both properties

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

This proposal is not within a conservation area or near a listed building.

Impacts on trees:

This development would not have any impact on trees as there are none within the vicinity of this proposal.

Impacts on highway network or access:

There is an existing driveway with access to the main road; the proposed works will not have any detrimental impact on highway access or safety.

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:

On balance it is not considered that a refusal based solely on design and bulk could be substantiated; it is not considered that the extension above the garage would result in significant impacts on the amenity of the adjacent property, no. 46 Kings Drive to warrant a refusal of the application.

The proposed extension above the garage is considered acceptable in terms of scale, design and would have minimal impact in terms of visual and neighbour amenity and therefore complies with sved policies UHT1, UHT4, HO2, HO20 of the Borough Plan 2007, Policies B2 and D10A of the Eastbourne Core Strategy Local Plan 2013 and the guidance outlined within the National Planning Policy Framework (2012).

Recommendation: Approve, subject to the following conditions

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following drawings received on 2 April 2014:

- Drawing Number 223700-01 - Existing Site Plan & Proposed Block Plan
- Drawing Number 223700-03 - Proposed Plans & Elevations
- Drawing Number 223700-04 - Proposed First Floor Plan & Sections

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

2. That all materials used in the external surfaces of the development hereby permitted shall match those on the existing building in terms of type, texture and colour.

Reason: To secure that the development is in harmony with the existing building.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies B2 & D10