

<b>App.No:</b> 140902	<b>Decision Due Date:</b> 29 August 2014	<b>Ward:</b> Hampden Park
<b>Officer:</b> Mr Toby Balcikonis	<b>Site visit date:</b> 04 August 2014	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> 15 August 2014		
<b>Neighbour Con Expiry:</b> 15 August 2014		
<b>Weekly list Expiry:</b> 27 July 2014		
<b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> The application is within date		
<b>Location:</b> 11 Rosebery Avenue, Eastbourne		
<b>Proposal:</b> Proposed two storey extension to existing rear elevation together with proposed outbuilding for use as studio in rear garden. Demolition and re-building of the existing garage and side extension.		
<b>Applicant:</b> Mr D. Irving		
<b>Recommendation:</b> It is recommended to conditionally approve the application		

**Executive Summary:**

A two storey rear extension is proposed to application property, a 3 bedroom detached private dwelling in the Hampden Park area of the town. In addition, the applicant also proposes to erect a single storey studio in the back garden adjacent to the rear boundary.

The proposed 5 metre rear extension and garden studio is considered to be acceptable in that it is considered to be an appropriate form of development within the area which will not result in unacceptable loss of light or overshadowing to the adjacent neighbouring properties to warrant the refusal of the application.

**Planning Status:**

Detached single private dwelling

**Relevant Planning Policies:**

National Planning Policy Framework 2012

- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design

#### Core Strategy Local Plan 2013 Policies

B1: Spatial Development Strategy and Distribution  
B2: Creating Sustainable Neighbourhoods  
C7: Hampden Park Neighbourhood Policy  
D5: Housing  
D10A: Design

#### Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development  
UHT2: Height of Buildings  
UHT4: Visual Amenity  
UHT7: Landscaping  
HO20: Residential Amenity

#### **Site Description:**

The application property is a 3 bedroom detached single private dwelling with provision for off-street parking in the form of a driveway leading to a garage attached to the side of the property built along the Eastern boundary.

To the East lies 13 Rosebery Avenue, a semi-detached property whose habitable rooms are predominantly located towards the East of the property with a full width conservatory running along the rear.

Located to the West is 9 Rosebery Avenue, a detached property with a conservatory projecting 3 metres from the rear of the property at the closest point to the boundary shared with the application property within 1.5 metres.

The rear (North boundary is shared with 2 Brand Road (3 Gables Nursery) whose main building is situated at a distance of over 25 metres from the shared boundary.

Established trees run along the boundary on both sides of the shared boundary between 11 and 13 Rosebery Avenue.

#### **Relevant Planning History:**

000430

Two storey extension at side of residential care home to provide three en-suite bedrooms, utility room and bathroom.

Planning Permission - Approved conditionally

23/11/2000

050143

Single storey extension at rear to enlarge lounge and realignment of ramp.

Planning Permission - Approved unconditionally

04/04/2005

060668

Erection of a conservatory at rear to form an extension to utility room  
Planning Permission - Approved unconditionally  
27/11/2006

**Proposed development:**

The applicant seeks permission to erect a two storey extension to project 5 metres from part of the rear of the existing dwelling. Also including in the scope of the application is the proposed erection of a single storey garden studio to be located adjacent to the property's rear boundary and the demolition and rebuilding an existing garage to similar foot print, with a proposed increase of in height, and the inclusion of a false pitched roof at the front continued along from an existing feature on the main dwelling adjacent to the garage.

The applicant also proposes to demolish and rebuild an existing lean-to adjacent to the Western boundary for the purpose of extending the kitchen.

**Consultations:**

Specialist Advisor (Planning Policy)

- The proposal would result in an increase in impermeable area by a total of 20 m<sup>2</sup> attracting £61 flood storage compensation.

Neighbour Representations:

1 objection has been received and covers the following points:

13 Rosebery Avenue

- Objection to the height of garage rebuild impacting on side bay window serving the main entrance hallway through loss of light and overshadowing.
- Concerns raised to loss of light and overshadowing to the other Western flank windows including the kitchen and conservatory of their property.
- Semi-detached property so light from East is important

**Appraisal:**

Principle of development:

There is no objection in principal to the extension of a property in this location so long as there is no unacceptable impact to the amenities of the residents living in close proximity to the proposed development in accordance with saved policies of the Borough Plan 2007 and policies of the Core Strategy Local Plan 2013.

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

The garden studio is considered to be appropriate in its size and will not cause any detrimental impact on the amenities of the adjoining occupiers. No concerns exist relating to this element of the proposal, and as such it is considered to be acceptable sited in this location.

Despite the close proximity to the shared boundary to the West there are no concerns relating to the rebuilding the existing lean-to for the purpose of extending the kitchen and it is therefore considered to be acceptable.

#### Garage rebuild:

The proposed demolition and rebuilding of the existing garage along the shared boundary will see a minor increase in the footprint of the attached garage from 15 square metres to approximately 16.5 square metres. As part of the rebuild the height of the garage will increase by approximately 0.3 metres.

Objections have been raised by the neighbour at 13 Rosebery Avenue with regard to the pitched parapet being added above the front of the garage to continue the feature along from the main dwelling. This element is located in close proximity to the neighbour's side bay window serving the main entrance and the concerns relate to the potential for loss of light and overshadowing by this element.

It is considered that as the garage is located to the side of the host dwelling and set back from the front elevation, there will be no significant loss of light or overshadowing as a direct result of the rebuilt garage that does not already exist from the main dwellinghouse itself.

The side windows in closest proximity to this feature does not serve a main habitable room and is therefore an acceptable inclusion to the scheme. The existing garage walls are of red brick construction, and it is considered that the inclusion of a condition for the Eastern flank wall of the garage to be painted or rendered white will help alleviate the perceived effects of loss of light and overshadowing to the ground floor West facing neighbouring windows.

#### Two storey rear extension:

The proposed extension will project 5 metres from the rear elevation of the dwelling set in at a distance of approximately 5 metres from the Eastern boundary, 2.7 metres from the Western boundary (measured from the point where the first floor addition will be sited).

By centering the two storey element of the application, and in particular building it further away from the boundary shared with 13 Rosebery Avenue, is designed to help minimise its impact in terms of potential for loss of light and increased overshadowing.

At 7.25 metres, the ridge height of rear extension will follow the line of the existing roof ridge at the rear of the property (lower than the maximum ridge height of approximately 7.8 metres existing for the front portion of the building). The proposed new roof pitched roof will slope in to the site and away from the shared boundary helping to further minimise the potential impacts to the adjoining neighbouring properties.

It is noted that some overshadowing in the evenings may occur to the Western flank elevation of 13 Rosebery Avenue as a result of the continuation of the ridge height at the rear of the property, and in particular the first floor landing window, and also the ground floor kitchen window and to the conservatory.

The West facing windows at the property either do not serve main habitable rooms, or are secondary glazing with main windows facing in other directions. It is therefore considered that the impact of the proposed extension by loss of light or through overshadowing is not sufficient to restrict the grant of consent.

It is to be noted also that established trees on both sides of the shared boundary significantly overshadows the Western elevation of 13 Rosebery, and due to their proximity to the dwelling, are considered to be far more impactful than the proposed rear extension.

It is considered that although not insignificant in its size, the proposed 2 storey element will be acceptable in terms of its impact on the neighbouring properties either side (with no concerns existing for properties to the rear). Applying the '45 degree rule' from the centre of adjacent windows serving habitable rooms, the proposed addition falls just inside.

In terms of impacts to residential amenity through loss of privacy no objections have been raised to the submitted design from any of the neighbouring properties. No new windows are proposed in either of the flank elevations at first floor level meaning that there is no unacceptable impact in this regard.

New openings will be created on ground and first floor level of the rear elevation. These are considered not to present issues of loss of privacy through overlooking which does not already exist from other neighbour properties and is considered to be that which would reasonably expected from the rear elevation of a dwelling and is therefore considered to be acceptable.

#### Design issues:

No design concerns exist relating to the proposed garden studio toward the shared boundary to the property's rear or the rebuilding of the existing lean-to on the Western boundary and are considered to be appropriate in their scale, form, setting alignment, layout and use of materials.

The finishing materials of the new extension are proposed to be brick with white render with plain tiles which will be in-keeping with and will match the existing dwelling.

The two storey rear extension and rebuilt garage elements of the proposal are considered to be appropriate in terms of their design and use of materials and will not be out-keeping with the main dwelling house and is therefore considered to be acceptable in this regard.

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

The application property is not located within any of the town's conservation areas and is not within the setting of a listed building, and therefore there are no concerns in this regard.

Impacts on trees:

There will be some loss of vegetation as a result of the proposed development with plans showing the removal of the tree to the rear of the garage. It is noted that the tree significantly overshadows the neighbouring property in the latter part of the day. The proposed loss of this tree is not considered to be unacceptable.

Vegetation in the form of established bushes located adjacent to the rear North West corner may be lost as a result of the proposed two storey extension which may otherwise have softened the proposed development and shielded it from the neighbouring property. The loss of this vegetation itself however is not considered to be significant.

Impacts on highway network or access:

No highways concerns exist as a result of the proposed development. The existing garage is proposed to be demolished and rebuilt as part of the application retaining the existing potential for off-street parking at the property.

Planning obligations:

There are no planning obligations that arise as a result of this application.

Sustainable development implications:

There are considered to be no sustainable development implications as a result of the development proposed by the current application.

Other matters:

Although the application site falls within the Willingdon Levels Flood Catchment Area and there is an increase to the property's footprint which could attract a flood storage contribution, it is of a value that is below the minimum collectible.

**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 proposed rear extension and alteration to the existing garage is considered to be an appropriate form of development and is not considered to have a significant detrimental impact on the surrounding properties by reason of loss of light or increased overshadowing, or loss of privacy through overlooking and is therefore recommended that planning permission be approved subject to conditions.

**Recommendation:**

It is recommended to approve the application with following conditions:

**Conditions:**

- 1) Time limit
- 2) Approved drawings
- 3) Materials
- 4) Paint / render East flank garage elevation white (help reduce visual impact)