

<b>App.No:</b> 141535 (HHH)	<b>Decision Due Date:</b> 4 February 2015	<b>Ward:</b> Sovereign
<b>Officer:</b> Wayne Batho	<b>Site visit date:</b> 20 January 2015	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> n/a <b>Neighbour Con Expiry:</b> 7 January 2015 <b>Weekly list Expiry:</b> 5 January 2015 <b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> Referred to Committee by Chair		
<b>Location:</b> 13 Sturdee Close, Eastbourne		
<b>Proposal:</b> Two storey side extension and fence to side		
<b>Applicant:</b> Mrs Gillian Mines		
<b>Recommendation:</b> Approve conditionally		

### Executive Summary

The proposed development is in harmony with the existing building, and remains subservient to the original house as such it maintains the character and with the surrounding area. Given the siting of the extensions and the separation from neighbouring properties it is not considered that the extension would result in any negative impact on adjoining neighbours, nor adversely affect their amenity or privacy.

The enclosure of open garden to the side of the property next to the footpath through to Walker Close by means of a 1.8m high timber fence is acceptable. The open front garden is maintained, and it is not considered that a closer physical boundary to the footpath would result in an oppressive or intimidating atmosphere. Any issue with maintenance of the narrow strip to be left between the footpath and the fence can be controlled by usual enforcement, though an informative will clarify the obligation on the owners.

### Convenants

Trustees of the Chatsworth Settlement

### Environment Agency Flood Zone

Flood Zone 3

Tidal Models

### Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B2: Creating Sustainable Neighbourhoods

C13: St Anthony'd & Langney Point Neighbourhood Policy

D5: Housing

D10A: Design

Eastbourne Borough Plan Saved Policies 2007

HO2: Predominantly Residential Areas

HO20: Residential Amenity

US5: Tidal Flood Risk

**Site Description:**

The site is comprised of a two storey detached dwelling house with free-standing garage which is attached to the garage of the property directly to the south west. The rear garden is enclosed by a 1.8m (approx) brick wall which continued down the side of the property, but not to the edge of curtilage which runs by the side of a footpath through to Walker Close.

**Relevant Planning History:**

12 Walker Close Property to the rear

960398 Two-storey side extension. Planning Permission Approved unconditionally

22/01/1997

**Proposed development:**

The applicant is seeking permission to construct a two storey side extension with gable end roof, with a width of approximately 4.8m, depth of approximately 7.5m, height to ridge of main roof of approximately 6m . This is to be built of materials to match the existing property.

Additionally, the applicant is seeking permission to remove the garden wall adjacent to the footpath through to Walker Close, to be replaced with a 1.8m high timber fence which more closely follows the existing property boundary – thus increasing the enclosed garden area.

**Consultations:**

Neighbour Representations:

Objections have been received and cover the following points:

- Loss of privacy
- Overshadowing
- Loss of light to habitable rooms

**Appraisal:**

Principle of development:

There is no objection in principle of making alterations to the building provided it would be designed to a high standard, respect the established character of the area, not have an adverse effect on the amenity or the character of the area where it is situated, 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.

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

The proposed extension keeps to the existing front elevation of the property and does not encroach into the open front garden, which is a typical feature of the area.

It is not considered that the extension will overlook or overshadow neighbouring properties. To the north east on the other side of the footpath through to Walker Close is a single storey property, the side elevation of which forms an existing boundary with the footpath and has no fenestration. Similarly the proposed extension to no.13 does not include fenestration to the side elevation, windows being confined to the front and rear elevations. The neighbouring property to the south west is screened by the existing property. To the rear the extension would follow the existing rear elevation, and additional windows do not encroach towards properties in this direction. To the front, the extension would follow the line of the existing garden wall, and would not bring any proposed window any closer to the front property line than those that already exist.

The separation of the proposed extension and existing neighbouring properties is sufficient to avoid any unacceptable overshadowing. To the north west is the only property which has registered an objection on these or any other grounds. The proposed development will not however advance the rear elevation any closer to the shared boundary (~13m) or the property in question (~25m).

The resiting of the boundary fence is considered acceptable as the footpath itself is nearly 2m wide and actually widens (to over 4.5m) as it approaches Sturdee Close. It is not considered that the impact on the path would be sufficient to refuse the application.

### Design issues:

The extension is to be constructed of materials to match the existing building, and has been designed to avoid the appearance of a blocky bulk by having slightly less depth than the existing building, and orienting the roof at 90° to the existing roof.

In the immediate area front gardens are open, and as such there are not many obvious boundaries. Where there are boundaries however, they are predominantly brick walls that match the buildings. There are also infrequent examples of hedge and fence. This being the case, it is considered that a timber fence as a boundary treatment is acceptable.

There would also be a narrow strip left between the footpath and the timber fence, the maintenance of which may be neglected. While not a significant enough factor to result in refusal (and not suitable for conditioning), it is considered that an informative might be useful.

### **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 development is in harmony with the existing building, and by following the line of the existing garden wall it maintains a subservient position in relation to the original house. It is not considered that the extension would result in any negative impact on adjoining neighbours, nor adversely affect their amenity. Neither is the development at odds with the local area.

The enclosure of open garden to the side of the property next to the footpath through to Walker Close by means of a 1.8m high timber fence is acceptable.

The open front garden is maintained, and it is not considered that a closer physical boundary to the footpath would result in an oppressive or intimidating atmosphere.

**Recommendation:**

Approve conditionally.

**Conditions:**

1. Time Limit
2. Approved drawings
3. Matching Materials
4. Development shall be in accordance with the Flood Risk Assessment attached to this application.

**Informatives**

The owners of the property should note that the maintenance of land within the curtilage of the property but beyond the proposed fence remains their responsibility.

**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.**