

App.No: 150365 (HHH)	Decision Due Date: 28 May 2015	Ward: St Anthonys
Officer: Toby Balcikonis	Site visit date: 14 April 2015	Type: Householder
Site Notice(s) Expiry date: 7 May 2015 Neighbour Con Expiry: 7 May 2015 Weekly list Expiry: 13 April 2015 Press Notice(s): N/A		
Over 8/13 week reason: Request to address Committee by member of the public and the Cycle of Planning Committee		
Location: 29 Filder Close, Eastbourne		
Proposal: Erection of 2 storey side extension (Amended description).		
Applicant: Mrs Eve Cook		
Recommendation: Approve with conditions		

Executive Summary:

The application property is a Single Private Dwelling – C3 use who proposed to erect a 2 storey extension to the side of the property to be used as an extension to the main dwelling.

A previous, recent application to construct an additional dwelling to the side of the property was refused at planning committee with 3 reasons:

1. By reason of the siting and layout of the development, the proposal fails to respect the character and the appearance of the surrounding residential area, and conflicts with the pattern and building line of existing development within Filder Close, affecting the open plan character of the existing neighbourhood.
2. The design and position of the dwelling would result in an inappropriate and unneighbourly form of development that would be likely to have a negative impact upon the amenities enjoyed by the occupiers of No 29 Filder Close by reason of loss of light and overbearing relationship.
3. The proposed private amenity space proposed is considered not to be in a useable configuration and as such is likely to result in a poor living environment for the likely occupiers of this new dwelling.

A number of 2 storey side extensions exist in relatively close proximity to the application property, and it is considered that the current application it not as impactful as the

previously refused application, and overcomes the reasons for the refusal of the previous scheme for development in the same location.

Constraints:

Environment Agency Flood Defences

Areas Benefiting from Defences

Relevant Planning Policies:

National Planning Policy Framework

Paragraphs 9, 11, 12, 14, 17, 32, 47, 48, 50, 103, 122

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C6: Roselands & Bridgemere Neighbourhood Policy

D5: Housing

D10A: Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development

UHT4: Visual Amenity

HO20: Residential Amenity

US5: Tidal Flood Risk

Site Description:

The application property is located at the end of a terrace comprising of three residential dwellings. Filder Close is set within a predominantly open plan estate.

As with other properties in the immediate vicinity and built at a similar period, the application property is finished in facing brick and white horizontal cladding.

Relevant Planning History:

EB/1979/0632 - Re-siting of screen fence at side.

Granted (Five years) - 1979-11-06

EB/1973/0638

ERECTION OF 214 HOUSES & 44 BUNGS WITH GARAGES, CONSTRUCTION ESTATE RDS, BRIDGE & FOOTWAYS LAND N W OF ASTAIRE AVE

Approved Conditional - 1974-01-17

EB/1972/0529

DEV OF 26.30 ACRES FOR RES PURPOSES (OUTLINE) INCLUDING, MORTIMER RD, WILLARD CLOSE, FILDER CLOSE, HOMEWOOD CLOSE, HORSYD RD, COLLIER CLOSE.

Approved Conditional - 1972-07-06

140559

Proposed new end of terrace two storey dwelling to extend the existing terrace, situated in the existing garden adjoining 29 Filder Close and with associated parking.

Planning Permission – Refused - 05/08/2014

000359 – 9 Filder Close

Two-storey extension at side and single-storey porch extension at front.
Approved conditionally – 19/09/2000

100713 – 45 Filder Close

Two storey extension at side and single storey extension at rear.
Approved Conditionally – 21/01/2011

130432 – 1 Mortimer Road

Erection of two storey extension at side and conservatory at rear.
Approved Conditionally – 15/08/2013

EB/1990/0288 – 7 Mortimer Road

2 Storey extension at side
Approved Conditionally – 26/07/1990

Proposed development:

The applicant is seeking planning permission to erect a 2 storey extension which would project 3.4 metres to the side of the existing property containing an additional bedroom at first floor level and a lounge at ground floor level.

The extension would be constructed in facing brick to match the existing dwelling, with cladding at first floor level on the front and rear elevations, with roof tiles all proposed to match those of the existing dwelling.

The front elevation of the proposed extension would be set back by a distance of 1 metre from the front of the host property. The resulting tiled roof, with pitch to match the existing property would have a ridge height approximately 0.3 metres lower than that of the parent dwelling.

The new extension would be glazed with UPVC windows to the front at ground and first floor level, and to the rear at first floor level. On the ground floor a patio door would be installed to provide direct access to the garden.

Consultations:

External: East Sussex County Highways:

Highways did not wish to formally comment on the proposal due to the size and scope of the application but confirmed that the increase from a 2 bed property to that of a 3 bed in St Anthony's Ward would add on average a demand for approximately 0.5 cars.

Internal:-

Councillor Tutt objects to the proposal as it results in an overdevelopment of the site.

Neighbour Representations:

Letters of consultation have been sent to 6 surrounding properties resulting in the receipt of 5 objections covering the following points:

- EXTERNAL APPEARANCE

- Not in-keeping with other properties in area as not cladding (subsequently amended with revised drawing)
- New Extension close to property boundary repositioned in 1979
- Alterations to the building line of the terrace
- Not in-keeping with layout of other terraces on the same side of the Close.
- Alter open nature of this end of Filder Close
- Shape and layout of triangular plot will make extension look unsightly when viewed from back or front.
- HIGHWAY SAFETY & PARKING
 - Area already overcrowded with regard to parking
 - Increase in bedrooms at property would lead to potential for increase in car parking requirement
 - Car parking being pushed further up Mortimer Road
 - Concerns as to effect on access for emergency vehicle
- LOSS OF PRIVACY
 - Top floor windows affecting the privacy of those opposite
- LOSS OF LIGHT
 - Perceived impact of loss of light to surrounding properties.
- FLOODING
 - Located on flood plain
 - Localised issues of drainage.
 - Concerns that there would be a negative effect on capacity of drains.
 - Water table is fragile, and area has seen increased building including new properties.
 - Reduction of garden space will reduce land available to absorb surface water.
- BIODIVERSITY
 - Disappearance of green spaces in area. Application may lead to the removal of an existing tree in the front garden.
- LOSS OF AMENITY SPACE
 - Triangular Plot – Extension would reduce the amenity area of the property

Appraisal:

Principle of development:

There is no objection in principle to the extension of a dwelling in the area providing that the resulting development would be in-keeping with the surrounding properties and would not cause unacceptable harm to the amenities of the surrounding neighbouring residents.

A previously submitted application to erect a new dwelling adjacent to the existing property was previously refused on 3 grounds, and any application would be required to overcome those reasons for refusal.

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

Policy HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity and Policy B2 of the Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

The application property is situated on the end of a terrace of properties, and the proposed two storey extension to the side is not considered to result in any unacceptable impact to the amenities of the existing nearby, or future residents by way of loss of outlook, loss of privacy by overlooking from habitable rooms, overshadowing and/or loss of light. Additionally, it is considered that there would be no increase in noise, general disturbance as a result of the proposed development.

The properties located opposite to the application address are located a distance of over 25 metres from the site of the proposed development, with properties to the side and rear located on Mortimer Road at a distance of approximately 20 metres from the closest point of the proposed extension sufficiently negating any concerns as to the potential for impact to residential amenity.

Additionally there are no concerns as to the potential for loss of residential amenity to the other properties located within the terrace (namely 31 and 33 Filder Close) nor to the occupiers of properties in the general vicinity of the development and therefore would accord with the relevant planning policies.

Design issues:

Policy UHT1 of the Eastbourne Local Plan states that proposals will be required to harmonise with the appearance and character of the local area and use appropriate materials (preferably locally sourced). Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy D10a of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Local Plan state that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials (preferably locally sourced), setting, alignment and layout.

The Bridgemere Estate is open plan in its nature, characterised by the space around and between dwellings. The application property located on the end of terrace is situated within a sizeable plot for the area which is triangular in its shape and bounded by a 6 foot high brick wall, separated from the adjacent footpath by a strip of matured vegetation.

The resulting side extension would be contained within the existing boundary wall to the side of the property, which was granted permission for its current position in 1979. It is considered therefore that the proposed extension would not further encroach into the open plan nature of the estate.

It is considered that there would be no loss of open space and no unacceptable impact as a result of the proposed extension that would affect the open planned nature of the estate and which would warrant a recommendation to restrict the grant of planning consent.

The erection of two storey side extensions in the locale are not without precedent with permissions granted at numbers 9 and 45 Filder Close and number 1 and 7 Mortimer Road (opposite), both of which are located adjacent to the highway of Mortimer Road in relatively prominent locations.

The new extension would be subservient in its appearance to that of the application property and dwelling, rather than seeking to simply extend the terrace and would be set back from the existing building line at the front of the property by 1 metres.

Finished in materials to match that of the host dwelling and that of the remainder of the terrace, the proposed extension is considered to be in-keeping with the style and character of properties within the area and is therefore acceptable in this regard.

The size, scale and position of the two storey side extension is considered to be an appropriate form of development for the location and would accord with policies D10a of the Eastbourne Core Strategy Local Plan, and policies UHT 1 and UHT 4 of the Eastbourne Borough Plan Saved Policies.

Impacts on trees:

There is an existing Acer tree located in the front garden of the application property which has not been indicated for either loss or retention. The Council's Arboriculture Officer previously has stated that the existing tree is considered to be of limited landscape value and should not be considered as a constraint to the development and could not be the subject of a condition for its retention if the resulting extension were to lead to the loss of this tree in order to facilitate the development.

Impacts on highway network or access:

The existing property has provision for 2 off street parking spaces in the form of a garage and associated driveway. As one of the spaces is a garage it is acknowledged that this may be less likely to be used.

Objections received reference a concern for the potential impact on the adjacent highway as a result of increased parking demands in the area, which has led to residents of Filder Close having to park further away from their properties.

The ESCC parking calculator confirms that extra demand for a vehicle in an extended property in the area would be less than 1 car.

Additional comments received, advise that extra demand for parking could lead to difficulties in access by emergency vehicles as a result of cars leaving little space to get a large vehicle through from Mortimer Road to Filder Close.

The roads of Filder Close and Mortimer Road are controlled by East Sussex Highways, and therefore any instances of dangerous or incorrectly parked vehicles would be controlled by them and notwithstanding this it is not considered that the any displaced parking would have any material impact upon the free flow of traffic at and within the vicinity of the site.

On balance and in NPPF terms it is considered that the impact of an additional vehicle resulting from the proposed development would not be severe enough to refuse the grant of planning consent on highways grounds.

Other matters:

The property falls within the Environment Agency Flood Zone 2/3, an area which also benefits from ongoing flood defences. All rainwater run-off would be dealt with by the

existing rain water pipe (RWP) and internal floor levels would be no lower than the existing floor levels in the main dwelling house.

The applicant also proposed to install a continuous damp proof membrane with vertical tanking and water proof plaster up to 1 metre above finished floor level.

The resulting two storey extension is not considered to present any significant risk of increased flooding in the area and is acceptable in this regard.

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 would not result in any unacceptable loss of residential amenity and is considered appropriate in its form, size, scale and positioning and is considered to be an acceptable form of development for the area in keeping with the area and in accordance with relevant local and national planning policy.

Recommendation:

It is recommended that the application be approved with the following conditions:

Conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development hereby permitted shall be carried out in accordance with the following approved drawings submitted on 22 April 2015:
DWG. NO: DS/1755/2 Revision a – Proposed Drawings

Reason: For the avoidance of doubt and in the interests of proper planning.

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.

4. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing

building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area.

Informatives

N/A

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.**