

<b>App.No:</b> 151315 (HHH)	<b>Decision Due Date:</b> 29 January 2016	<b>Ward:</b> Old Town
<b>Officer:</b> Sally Simpson	<b>Site visit date:</b> 4 & 14 January 2016	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> 27 December 2015		
<b>Neighbour Con Expiry:</b> 10 January 2016		
<b>Press Notice(s):</b> N/a		
<b>Over 8/13 week reason:</b> Request to speak received and date of next available committee; subsequent Member site visit.		
<b>Location:</b> 35 Compton Drive, Eastbourne		
<b>Proposal:</b> Loft conversion with dormer and three roof lights to front elevation, and dormer to rear elevation.		
<b>Applicant:</b> Mr Ahmed Mossahebi		
<b>Recommendation:</b> Approved conditionally		

**Introduction:**

This application was deferred at Planning Committee on 2 February 2016 to enable Members to visit the site and the adjoining properties.

**Executive Summary:**

It is considered that the proposed development is acceptable in terms of scale and design, preserving the overall existing character of the area. It would not have a significant detrimental impact in terms of loss of privacy, light or outlook or be visually intrusive for neighbouring properties.

**Planning Status:** Residential property in predominantly residential area.

**Relevant Planning Policies:**

**National Planning Policy Framework 2012**

Paragraphs 1-5 (Introduction)

Paragraphs 6-16 (Sustainable Development)

Paragraph 17 (Core Planning Principles)

Paragraphs 56-66 (Design)

**Eastbourne Core Strategy Policies**

Eastbourne Core Strategy Local Plan 2006-2027

B1 Spatial Development Strategy and Distribution

B2 Creating Sustainable Neighbourhoods

C10 Summerdown & Saffrons Neighbourhood Policy

C4 Old Town Neighbourhood Policy

D5 Housing High Value Neighbourhoods

## **Borough Plan Policies**

Eastbourne Borough Plan 2001-2011

UHT1 Design

UHT4 Visual Amenity

HO2 Predominantly Residential Areas

## **Site Description:**

The site comprises of a single storey dwelling with integral garage located on the south side of Compton Drive, which, together with a similar bungalow next door is situated between Fairway Close and Foredown Close.

The two bungalows are sandwiched between a two storey dwelling at either side on the corner of Fairway Close and Foredown Close, respectively.

This residential area has a mix of single storey properties with and without dormers as well as two storey properties.

The front of the plot has a traditional boundary of a dwarf wall with railings with mature planting at the rear of the application site.

There are no parking restrictions on the public highway.

There is a separation distance from the application site to the neighbouring property at 2 Fairway Close in the region of 8-9m.

There is a separation distance in the region of 3m as measured from the west wall elevation of the application site to the neighbouring property of 37 Compton Drive.

This neighbouring property has extended their property along the boundary of the application site to provide a study.

## **Relevant Planning History:**

EB/1971/0730

Erection of 2 detached bungalows, each with an integral double garage.

Granted, subject to conditions. 1971-12-16

EB/1970/0586

Erection of a detached house, with an integral double garage.

Granted (Five years). 1970-11-19

EB/1967/0145

Construction of road and sewers.

Granted. 1967-03-16

EB/1948/0255

Erection of 40 private dwelling houses, with garages.

Granted, subject to condition.

1948-12-16

150652

Remove roof, construct additional, first floor with new roof over.

Extend front facade and provide glazed, 2 storey entrance.

Householder Withdrawn

**Proposed development:**

The applicant is seeking planning permission for a loft conversion together with the installation of dormers to the front and rear elevations.

Front Dormer

The proposed front dormer will measure a height of 1.3m and a length of 2.7m, extending from the roof slope, near the ridge by 2.7m.

The front dormer is to allow for the necessary head height for the stairway to the loft conversion.

There are also three rooflights proposed for the front elevation, which are classed as permitted development.

Rear Dormer

The proposed rear dormer will measure a length of 13.3m across the rear roof slope. The dormer will extend from the ridge by 5.7m and have a height of 2.7m.

**Consultations:**

Neighbour Representations:

There have been two rounds of consultation on this application as a result of the notification letters not being received by neighbouring residents.

The second letter, therefore, extended the consultation period and were hand delivered as a direct response to this being brought to our attention.

A total of 3 objections have been received; as well as a request to speak at committee. Two objections and the request to speak are from the occupiers of 2 Fairway Close and 1 from the occupier of 37 Compton drive.

The comments raised are in relation to the following issues:

- Unneighbourly development
- Loss of light
- Overshadowing
- Loss of amenity
- Out of character with surrounding properties.
- Dominate views on the approach into Eastbourne
- Out of scale
- Will affect my garden
- This is not a loft conversion but a first floor extension
- There is a breach of BRE guidelines

**Appraisal:**

Principle of development:

There is no objection in principle to the applicant having the desire to alter and improve their living accommodation, providing 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, and is in accordance with policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007 and the National Planning Policy Framework (2012).

A previous application for an entire first floor extension was withdrawn last year. Whilst the current homeowners wish to extend their property with a loft conversion, planning consent is required in this instance as the volume of the proposed loft conversion would exceed the allowance to be considered as permitted development under the General Development Permitted Order (2015).

The main issues to consider are the impact on visual and neighbour amenity when assessing this proposal.

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

Policy HO20 of the Eastbourne Borough Plan requires new development proposals and extensions to existing buildings to respect residential amenity.

Policy B2 of the Core Strategy seeks to protect the residential and environmental amenity for existing and future residents.

Although the proposed rear dormer covers a significant area of the rear roof slope, it has been set up from the eaves and also set in from the sides by 0.8m.

There is a significant distance between the properties and due to the orientation of the site it is my opinion that there will not be any further detrimental impact in terms of loss of light, overlooking and loss of privacy with the installation of a rear dormer. The rear dormer windows, due to their location in the roof slope and the established natural screening between the properties would not affect loss of privacy/ overlooking.

The dormer in the neighbouring property has two windows; one is for a bathroom and the other is a landing where the owner has located a desk. Whilst the dormer may impact the view from this landing window as this is not a habitable room it would be difficult to justify a refusal on this basis.

The proposed dormer will be viewable from the ground floor kitchen window and may well affect the amount of daylight into the kitchen at certain times of the year, being west facing, however this is not a habitable room. In addition the fall back permitted development options for applicant if this application were to be resisted could result in a form of development with very similar impacts. Given these issues it is not considered that a refusal based upon the impacts of the neighbouring properties could be substantiated.

Design issues:

D10A seeks to ensure that new development respects local character and distinctiveness, is appropriate and sympathetic to its setting in terms of scale, massing and design, making a positive contribution to the overall appearance of the area.

The scale and design of the proposal are acceptable in that it does not undermine the character of the mixed styles of properties that are represented in this area. The

proposed dormers will have a flat roof and will be tile hung to match the existing tile hung roof and side elevations respects the local character of the area and is in keeping with the host dwelling.

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

This property is not a listed building nor is it located in a Conservation Area.

Impacts on trees:

There are no trees that would be affected by this proposal.

Impacts on highway network or access:

There are no alterations scheduled as part of this proposal to the existing highway network or the access to it.

Other matters:

Although a neighbour had requested that the applicant provide a right to light survey it is not standard procedure to request this as supporting documentation for a householder application and the officers assessment of this proposal is that there should not be any material impact upon the available light.

**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 loft conversion, together with dormers to the front and rear is recommended for approval, subject to conditions as it is considered to have minimal impact in terms of scale, design, visual and neighbour amenity and therefore complies with policies B1, B2, C4, C10, D5 & D10A of the Eastbourne Core Strategy Local Plan (2013), policies UHT1, UHT4, HO2, HO20 of the Eastbourne Borough Plan (Saved Policies 2007) and the guidance outlined within the National Planning Policy Framework (2012).

**Recommendation:** Approve conditionally

**Conditions:**

1. Time Limit
2. Approved Drawing No's.
3. Materials To Match
4. PD windows

**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.**