

<b>App.No:</b> 160318 (HHH)	<b>Decision Due Date:</b> 4 July 2016	<b>Ward:</b> Ratton
<b>Officer:</b> Toby Balcikonis	<b>Site visit date:</b> 13 May 2016	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> N/A		
<b>Neighbour Con Expiry:</b> 03/06/2016		
<b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> The application is within date		
<b>Location:</b> Ashbrook, 31 Upper Kings Drive, Eastbourne		
<b>Proposal:</b> Two storey rear extension, garage extension and demolition of existing detached garage		
<b>Applicant:</b> Mr Marino Pesce		
<b>Recommendation:</b> Approve with conditions		

### **Executive Summary:**

This application is being reported to planning committee given a request to address planning committee has been received.

The application property comprises a single private dwelling (C3 Planning Use). Pre-application advice has been sought and given (under reference 150894) providing guidance on an initial submission to help overcome the concerns of the Council regarding certain elements of the proposal, the potential for impact to 20 Spring Close in particular.

Overall the proposal is considered to be acceptable in terms of its impact on the amenities of nearby residential occupiers and the resulting development would not have a detrimental impact on the street scene and would not upset the established character of the area.

The proposal is therefore recommended to be approved.

### **Constraints:**

#### **Archaeological Notification Area**

prehistoric wetlands

Consult [county.archaeology@eastsussex.gov.uk](mailto:county.archaeology@eastsussex.gov.uk)

## **Relevant Planning Policies:**

### National Planning Policy Framework

### Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C12: Ratton & Willingdon Village Neighbourhood Policy

D5: Housing

D10: Historic Environment

D10A: Design

### Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

HO20: Residential Amenity

TR11: Car Parking

## **Site Description:**

The application property comprises a detached single private dwellinghouse located on the North side of Upper Kings Drive. The property is set quite a long way back in to the site and is accessed via an existing gravel driveway culminating in a turning circle located in front of the property.

Within its generously sized front garden, an existing garage is positioned midway between the front of the property and the main road. The property, a good example of traditional Sussex architecture, is partially obscured when viewed from some angles from the adjacent street due to the central positioning of the garage, which is of a much more utilitarian appearance, and is considered to contribute poorly to the overall appearance of the property.

The existing two storey property comprises 4 bedrooms, and historically has been extended on its Northern flank via the formation of a two storey side extension, and also a single storey 10 metre projection to the rear, with roof terrace above (behind a tiled false pitched roof) accessed via a spiral staircase from the garden or from first floor level from the rear of the master bedroom on the North side of the property.

The single storey rear extension has for many years been used as a recording studio, the purpose for its erection.

Highly characteristic of the surrounding area, the site is occupied by well established and abundant vegetation in the form of mature trees and hedges which are located around the periphery of the site and provide good privacy screening to and from neighbouring properties.

Prior to its purchase by the current owner, the property had been unoccupied for a number of years, and as a result, some of the vegetation, particularly conifers located along the Northern property boundary required some attention, and have been cut back or removed, as they had grown rather large, to an extent to which they were reducing

the amount of light reaching the adjacent neighbouring property to the North, a bungalow known as 20 Spring Close.

Other well established natural screening exists along the rear property border in the form of further conifers, and to the Southern boundary also in the form of a long established line of beech trees.

In addition to 20 Spring Close, other adjacent properties include 29 Upper Kings Drive to the South East, 33 Upper Kings Drive to the North East, both of which share the respective Southern and Northern property boundaries, but which are both located substantially more forward within the plot, better addressing Upper Kings Drive.

To property's rear boundary is shared with 3 properties located within Spring Close.

**Relevant Planning History:**

EB/1978/0207

SINGLE STOREY EXTENSION AT REAR & EXTNL STAIRCASE

Approved Unconditional

1978-06-13

EB/1968/0231

2/ST SIDE EXTN & EXTN TO FORM DBL GARAGE

Approved Unconditional

1968-05-10

EB/1955/0122

ERECT DOM GARAGE

Approved Unconditional

1955-03-24

EB/1950/0256

ERECT GARDEN STORE

Approved Unconditional

1950-07-06

EB/1950/0012

ERECT SINGLE PRIVATE DWELLING & GARAGE

Approved Conditional

1950-01-12

EB/1948/0037

LAYOUT OF ESTATE

Approved Unconditional

1948-08-05

**Proposed development:**

The applicant seeks permission for the erection of a two storey extension to the rear of the property, a first floor addition over the existing single storey rear projection, in addition to the formation of a garage extension (with pitched tiled roof which would could

be accessed internally via the house to provide extra storage space for the applicant and his family.

The new garage would be attached to the North side of the property and the demolition of existing detached garage located in front of the property.

The rear two storey extension would project approximately 4.3 metres from the existing rear elevation of the property. The proposed extension would culminate in a shallow (10 degree) mono-pitched roof finished in Rephanol or similar material. The extension would be constructed of brick to match the existing property, and clad with timber to the rear elevation at first floor level.

To make way for the two storey rear extension, and existing brick built garden store would be demolished. Associated works to the back garden would also be completed adjacent to the rear of the property in the form of a new paved patio area with retaining walls constructed of red brick.

The first floor extension to the existing single storey rear projection, in place of the roof terrace, would provide a new master bedroom. A total of 7 no. aluminium 'conservation style' roof lights would be installed along the length of the Northern flank elevation which would be pitched away from the boundary and finished in matching tile and would culminate form a roof ridge lower than that of the existing roof of the main dwellinghouse.

Full height windows would be installed in to the Southern flank elevation of the proposed first floor addition as well as full height glazed patio doors leading on to the new patio area.

Permission is also sought for the installation of an additional front dormer window to be installed, in association with the enlargement of the existing front dormer window located towards the North Eastern corner of the property.

Proposed window alterations to the front elevation also includes the installation of a full height window to provide natural light to the internal staircase, work which could otherwise be undertaken within Permitted Development.

### **Consultations:**

#### Internal:

Specialist Advisor (Arboriculture) – Officers should use their best endeavours to retain the mature trees and shrubs that adjoin the site.

#### External:

County Archaeologist - Consultations

- Although located within an Archaeological Notification Area there are no concerns as to the potential for impact to any heritage assets as a result of the proposed development.

#### Neighbour Representations:

2 objections have been received and cover the following points:

- Reported inaccuracies with the submitted drawings

- Ownership of trees along Southern boundary questioned
  - No. 29 States they are located within their property boundary
- Potential for impact to screening vegetation along Southern Boundary
- Imposing 4+ metre rear 2 storey extension
  - Loss of Outlook
  - Loss of privacy
- Design of rear extension out of character with area
- Scaffolding etc. would require hedge/trees to be pruned, although this is not stated in the application form
- Impact of parking by trades people
- Potential for noise and disturbance as a result of construction

The applicants' comments:

- Amended drawing submitted showing full extent of vegetation along Southern boundary. The applicant's intentions are to seek to retain them as they provide privacy for themselves also, as well as to the neighbour.
- Once ownership of the trees has been established, the applicant will ensure that the necessary agreements are in place before carrying out any work adjacent to this boundary.
- The applicant accepts that should pruning of trees be required to accommodate works, that trees will be fully retained to ensure the section of boundary remains screened.
- There is ample room for all site vehicles parked on site. It would be impractical for large delivery vehicles to park on the road, as materials would need to be manually handled a considerable distance.
- A condition controlling the hours of construction, to standard hours during the week, and limited on Saturdays and not on Sundays/Bank holiday would be accepted by the applicant only if necessary to gain approval.

**Appraisal:**

Principle of development:

There is no objection in principle to alterations to a residential property including extensions and installation of roof mounted solar panels so long as the development is designed to a high standard and would be in keeping with the host property and surrounding area, and would not have an unacceptable impact on the amenities of any surrounding residential occupiers.

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 main considerations for the proposal in respect of the potential for impact to residential amenity concern the adjacent residential occupiers of number 20 Spring Close to the North and 29 Upper Kings Drive to the South. It is considered that the resulting development is unlikely to have any significant detrimental impact on any other residential property in the locale.

**Impact to 20 Spring Close:**

Sited to the North of the application property, the addition of a first floor element over the existing rear projection close to the shared boundary is likely to lead to some increase in overshadowing to the neighbouring bungalow. However, it is considered that any loss of light that may occur has been offset through improvements in this regard via works carried out to reduce the density of vegetation along this boundary.

Additionally, to address the potential for loss of light, and the potential for the appearance of the extension to be overbearing in its nature, the proposal sees the North facing elevation sloping away from the adjacent boundary reducing the potential for impact in both respects.

Following removal of some of the existing vegetation along the Northern boundary to increase levels of light reaching number 20, the South facing flank elevation of the bungalow serving the property's main living area, in addition to the rear garden of the property, has become subject to increased overlooking via the existing first floor roof terrace at the rear.

The first floor addition in this quadrant of the building would see the current levels of overlooking to be reduced. The new first floor elevation would be fitted with high level roof lights along the extent of the North flank and would not afford obtrusive views to the adjacent bungalow as the terrace presently provides.

On balance, the impact on the residential amenities of the occupants of 20 Spring Lodge Close is considered to be acceptable. In order that no issues arise in the future, it is considered pertinent to condition the removal of permitted development rights in respect of any further flank elevation openings.

**Impact to 29 Upper Kings Drive:**

3<sup>rd</sup> party concerns have been raised as to the potential for loss of outlook and loss of privacy as a result of the proposal.

The neighbouring garden is considered to be generous in size, and the potential for any significant loss of outlook as a result of the 2 storey rear extension would not have a severe impact on residential amenity in this respect. The presence of existing mature trees and hedges already establishes a significant visual screen, and the addition of the extension will not be unacceptable. Whilst a 4.3 metre projection is certainly not insignificant in its size, and in relatively close proximity to the shared boundary does present the potential for loss of visual amenity, it is important to note, that the development is located to the rear of the property, away from the public realm, and has been designed to incorporate a flat roof to minimise its mass.

Located to the North of number 29, the proposed development would not cause significant levels of loss of light or overshadowing to the neighbouring dwellinghouse, and would not have an unacceptable impact on the adjacent garden.

The applicant has stated that the mature vegetative screen located along the subject boundary is to be retained, which should result in the elevation being significantly

screened and in even in the winter months when many of the trees would lose their leaves and the level of screening would be reduced.

Design issues:

Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. 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 Borough 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, setting, alignment and layout.

The majority of the proposed works will be carried out to the rear of the property, and as such there will be limited impact in respect of the impact to the wider area when viewed from the public realm.

Works which would be highly visible include the formation of a pitched roof garage to the side of the property, demolition of the existing garage and limited alterations to windows, all of which are considered to be appropriate in terms of their design, ensuring that the resulting appearance is in-keeping with the host property and respects the character of the area.

In demolishing the garage, the applicant opens up the view of the front of the property, improving its appearance. At present, this element appears at odds with its surroundings and its removal would be welcomed. The new garage would be finished in materials to match the host property and is considered appropriate.

The first floor extension adjacent to the Northern boundary would result in an increase in bulk and mass of the property when viewed from the number 20 Spring Close, however the impact is less than that of the conifers which have since been removed, and which were required to provide screening from the rear windows of the application property, and the first floor level roof terrace.

The design and appearance of the first floor element and its relationship with the neighbouring bungalow, is on balance considered to be acceptable.

With regard to the 2 storey rear extension, it is acknowledged that that design of the roof contrasts with that of the existing property. The shallow pitched roof would be constructed of a man made material in order to achieve the shallow roof pitch which has been proposed, design to minimise its bulk adjacent to the shared Southern boundary, and to maximise levels of light reaching the Southern elevation windows at both ground and first floor.

The rear elevation of the property would be clad in timber at first floor level, and should be read as a modern addition to the host property, rather than an attempt to blend in with traditional Sussex vernacular. Due to its siting to the rear of the property, the resulting extension would not impact on the established character of the wider area.

Representations have been received from the neighbour to the South concerning the appearance of the two storey development along the share boundary. As stated earlier in the report, the roof of this extension has been designed to reduce its height, and the potential for impact.

In addressing the received comments regarding the overall design and appearance of the property, it is important to balance the needs of both parties to extend, alter and / or enjoy their property as they wish to a certain extent. The rear garden of 29 Upper Kings Drive is generous in its size in both length and width, and as the properties are positioned differently within their respective plots, the potential for impact is greatly minimised.

The extended Southern flank wall would be constructed of brick to match the existing property and would project along the same plain as the existing flank wall of the main dwellinghouse retaining some continuity in the pattern of development. The presence of existing screening along the shared Southern boundary, to be retained, would lessen the impact of any development in close proximity to the boundary.

Despite its large front façade when viewed from the Upper Kings Drive, the depth of the property is fairly limited, and the resulting 4.3 metres extension is not considered unreasonable in terms of the overall increase to the property's footprint. Despite its position close to the shared boundary, the proposed 2 storey addition is considered to have an acceptable impact to its neighbouring residential occupiers in that it is not considered to result in an overbearing or unneighbourly development in the particular location and is considered not to have an unacceptable impact in terms of its visual appearance as a result of the more modern stylings of the proposed alterations to the rear of the property.

#### Impacts on trees:

By way of its close proximity to the existing natural beech tree screen along the property's Southern boundary, there are some concerns as to the potential for impact as a result of disturbance to the roots of the adjacent beech trees in forming the foundations of the new South flank wall, which would be set back from the Southern boundary by a distance of over 1 metre.

By their nature, beech tree roots can be sensitive to disturbance and therefore, it is recommended that in the event of an approval being granted, the foundations in closest proximity to the shared Southern boundary are dug by hand so that the any exposed roots may be dealt with as sensitively as possible during this phase of the development.

In order to retain the levels of privacy that surrounding properties are used to, and to reduce the visual impact of two storey brick elevational extension, the maintenance of the existing vegetative screens around the entire periphery of the property are considered to be important, and their loss resisted where possible.

The applicant accepts that should pruning of the trees be needed to accommodate the works, then the trees will be retained fully so that the screening they provide is not lost, helping to maintain the privacy to and from South facing windows in the first floor addition, and rear elevation windows.



Bordering on the Norther boundary, works have taken place to existing overgrown conifers in order to reintroduce lost light back to the next door property at 20 Spring Close. As part of any ongoing works in this respect, it is of paramount importance to balance a requirement for additional light through pruning and removal, with the need to retain a sufficient natural privacy screen.

Impacts on highway network or access:

There should be no significant impact to the highway network as direct a result of the proposed alterations to the property which would see the number of bedrooms increase by 1, to a total of 5 bedrooms. Ample on street parking exists within the front garden of the property and as a result of the construction of the new garage, to replace the existing earmarked for demolition.

Representations received by a 3<sup>rd</sup> party raised concern as to the location of parking for trades vehicles. In a direct response it was stated within the applicant's extended planning statement that due to the size of the existing front garden and driveway that all trades vehicles and delivery of materials used in the construction would not be parked out on the adjacent street, and would be accommodated with the site.

Overall, there are no highway concerns which exist that would support a recommendation for the current application to be refused.

Sustainable development implications:

The proposed additions would be built to the latest Building Regulations specification and thus should improve the thermal efficiency of the home through extra insulation to the rear elevation and the installation of new windows at the property.

**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:**

Despite the fairly significant increase to the overall size of the property, it is considered that the scale and mass of the resulting development would not be out of character with other properties in the area. The majority of development would be located to the rear of the property and out of view and would not be readily visible from the street.

On balance, it is considered that proposed development would not have an unacceptable impact on the amenities of any of the surrounding residential occupiers, and is considered to be an acceptable form of development for the area which would respect its established character in accordance with local and national planning policy.

**Recommendation:**

It is recommended to approve the application 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 23/03/2016:

DWG. NO.: 1307.02 Revision D - Preliminary Layouts

DWG. NO.: 1307.03 Revision A - Proposed Elevations - Planning

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

3) No Permitted Development, side elevation windows

4) No Permitted development dormers and roof alterations

5) Hand Dug foundations adjacent to Southern property boundary and sensitive treatment of any tree roots.

6) Use of Matching brick and tile

**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.**