

App.No: 160641 (HHH)	Decision Due Date: 12 August 2016	Ward: Ratton
Officer: Danielle Durham	Site visit date: 21 June 2016	Type: Householder
Site Notice(s) Expiry date: NA		
Neighbour Con Expiry: 10 June 2016		
Press Notice(s): NA		
Over 8/13 week reason: NA		
Location: Tangle Wood, 1 Marcia Close, Eastbourne		
Proposal: Proposed 1 1/2 storey side extension above existing double width flat roof garage along with rear 2 1/2 part rear storey extension, along with internal alterations.		
Applicant: Mr & Mrs L NEL		
Recommendation: refuse		

Executive Summary

This application has been referred to the Committee from delegated by the Chair so that Planning Committee members can debate the issues around this proposed extension.

The proposed extension is considered to be an overly disproportionate extension that fails to respect the character, size and scale of the host property. It is considered therefore that the extension would impact significantly on the character of the site and surrounding area.

This application is recommended for refusal.

Relevant Planning Policies:

National Planning Policy Framework

Paragraph 53

Paragraph 56

Paragraph 57

Paragraph 64

Paragraph 65

Eastbourne Core Strategy Local Plan Policies 2013

C12 Ratton & Willingdon Village Neighbourhood Policy

D5 Housing

D10a Design

Eastbourne Borough Plan Saved Policies 2007

HO20 Residential Amenity

UHT4 Visual Amenity

UHT2 Height of buildings

Site Description:

The site consists of a two storey dwelling house that has been previously been extended by way of significant decking to the rear and side garage.

Marcia Close is a spur off Upper Ratton Drive which itself is characterised by large dwelling houses lining both sides of the road. The applicant's property is the first on Marcia close. Marcia Close is formed by a range property styles comprising traditional bungalows, chalet style bungalows and full two storey dwellings.

There is a significant change of levels up Marcia Close such that there is approximately a storey difference (in levels) between the side garage and the ground floor of the main dwelling.

There is tree/hedge cover along the common boundary between site and the rear of the properties in Upper Ratton Drive. This tree/hedge cover is not on the application site and is controlled by the owners of neighbouring properties.

Relevant Planning History:

EB/1978/0113

S/ST EXTN OVER GARAGE & DORMER AT FRONT

Approved Unconditional

1978-04-18

Proposed development:

The applicant is seeking planning permission for an 'L' shaped extension to the existing property providing the following accommodation:-

- Garage and guest bedroom (+ En-Suite)/garden room on the 'lower' ground floor and side steps from the garage down to the garden.
- Kitchen-diner on the ground floor and new porch feature.
- Two double bedrooms at first floor level.

The footprint of the extension measures approximately 9.2m in length, a maximum width of 7.6m including the element to the rear of the existing property and height to the ridge of the extension of approximately 9.12m.

The proposed appearance of the extension is formed by gable feature to the front and the rear with widows/roof lights were deemed appropriate. The South East elevation (facing the neighbouring properties) would have two high level windows with a cill level of 1.7m serving the Kitchen on the floor above the garage. There is proposed to be a wraparound clear glazed window on the corner of this elevation that would go to the rear elevation the proposed cill level would be 1.4m serving a dining area.

The overall habitable floor space will increase from approximately 120sqm to approximately 240sqm.

Consultations:

Internal:

Specialist Advisor (Arboriculture) raises concerns with the proposal; full text below:-

'The site at present has two mature Yew Trees and a Box hedge on the eastern boundary.

The applicant has not submitted an arboricultural impact assessment (AIA) despite the development including the side access steps being within the root protection area of the adjacent Yew trees situated in the rear garden of 67 Upper Ratton Drive.

The proposed steps to the side of the garage would appear to also encroach into the space available for the neighbouring box hedge, again within the rear garden of 67 Upper Ratton Drive. The applicant indicates removing part of the existing garage wall on the east side of the garage, which will require access for the demolition and re-build with room also required for scaffolding, all of which may have a detrimental impact on the long term health and retention of the hedge and Yew trees.

Further to this the applicant indicates a tile hung wall on the east side of the proposed extension, with the neighbours trees being in close proximity to this wall the neighbour at 67 Upper Ratton Drive will be legally responsible to prevent a legal nuisance such as the Yew trees damaging the tile hung wall by means of dislodging etc. Therefore they will be required to ensure their trees are pruned clear of this proposal at a cost to themselves.

As the applicant had not submitted an AIA I can only assume that long term damage will occur to both the trees and the hedge within the neighbouring property.

My recommendations are:

- *The applicant changes the proposal by reducing the development on the east side, and relocating the rear steps in order to prevent damage to the neighbouring hedge and trees and providing sufficient room to facilitate the build.*
- *Submit an AIA with the amended plans to ensure adequate consideration has been afforded to the neighbouring hedge and trees.'*

Neighbour Representations:

Comments have been received and cover the following points:

No objection to the planning application but a request to consider restricting the times that that works can be undertaken to between 08:30 to 17:30 Monday to Friday and 08:30 to 13:30 on Saturdays.

First letter received 15th July 2016

Second letter received 21st July

Third letter received 26th July

In support of the proposal as for them they consider the extent of direct overlooking has been reduced from the existing situation. In addition they do not perceive that the development would harm the trees/hedge that are theirs and on the common boundary.

Appraisal:

Principle

There is no objection in principle to homeowners wishing to extend/adapt their properties to meet their changing family needs and requirements. However any alteration/extension to a domestic property should not adversely impact upon the amenities enjoyed by the occupiers of the neighbouring properties and should be respectful to the character of the host property in particular and the wider street scene in general.

Design:

As a matter of good design principles (although not in every case) extensions should remain subservient to the main/host dwelling such that the integrity of the main/host dwelling can be sustained.

In this regard the proposed extension does take architectural references from the host property (gable features and matching materials) however the scheme proposes a doubling of the habitable floorspace. The manifestation of this doubling of floorspace in the manner proposed is that the extension given its scale, bulk and design would appear disproportionate to the host property and to some extent dominates it.

It is noted that in broad townscape terms there is a difference in the scale of the properties in Upper Ratton Drive to those in Marcia Close and this visually transition between the two roads is assisted by the void/open area above the applicants garage and the generally modest size of the existing property and the transition is completed by true bungalows at the head of Marcia Close.

The side extension would serve to emphasise the differences in scale and would result in a domineering and visually awkward relationship to the host property and would be out of character with the predominate pattern of development in Marcia Close.

The proposed development would double the habitable floor space of the property. This is considered along with the design of the neighbouring properties as discussed above it would cause significant adverse effect on the vista of the area due to the bulk and size.

Visual amenity

A key feature of the common boundary between the application site and the properties in Upper Kings Drive is the mature trees and hedges.

As outlined by the Councils Specialist Advisor (trees) (see response above) that in the absence of any information to the contrary the proposed development is likely to have a negative impact upon the health and vitality of the trees and hedges along this boundary such that they may not be able to withstand the impacts of the development.

It is accepted that the trees and hedge along this common boundary do to some extent provide a buffer and visual screening to the application site, however it should be noted that these are not under the control of the applicant and could be removed at any time and if they are retained without evidence to the contrary they may not withstand the development and the buffer and visual protection that they may currently afford will be lost. If this is the case then the full extension would be visible to the occupiers of the neighbouring plots and given the changes in ground level up to the application site would to some degree be an overly dominant and unneighbourly addition to the skyline when viewed from the properties in Upper Ratton Drive.

It is considered that the proposed extension given its size, scale and appearance added to the potential adverse impacts on the neighbouring trees/hedges would impact upon the character of the area and as such erode the local distinctiveness.

Residential amenity

The impacts upon residential amenity other than the issues identified in previous sections would be potential loss of amenity/privacy through direct overlooking. It is acknowledged that in this regard it is noted that there are letters of support from the occupier of No67 Upper Ratton Drive (the closest neighbour) and no response from the occupiers of 63, 65 Upper Ratton Drive.

It is acknowledged that there is significant separation between the application site and the properties in Upper Ratton Drive; however this separation is foreshortened by the significant changes of levels.

When compared with the existing situation (views from the existing windows within the existing property) the degree and extent of overlooking from the property as proposed would be no worse and could be assessed as being neutral. Given this it is considered that subject to conditions controlling cill heights, glazing and means of opening then a refusal based on the loss of residential amenity could be substantiated or sustained through an appeal.

Other matters:

The agent and applicant have not provided a construction method statement to show how they would construct scaffolding around the existing garage without impacting on the existing trees and hedges; similarly there has been no evidence/statement that outlines how the flank of the property and the gutter will be maintained post construction. It is considered that if the scheme is supported then this matter can be controlled via planning condition.

There have been no documents provided to demonstrate the opening method for the roof lights on the side elevation in order to contribute to the assessment of overlooking issues. This could be controlled by condition

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.

Recommendation: refuse

The proposed extension given its size, design and bulk is considered not subordinate to the host property and as such would be out of scale and character with this and neighbouring properties and would therefore erode local distinctiveness. The proposal would be discordant with planning policies C12 and D10a of the Eastbourne Core Strategy Local Plan Policies 2013 and Policies UHT2

The application has supplied insufficient information to fully assess the impacts of the proposal in terms of construction, on-going maintenance and retention of the trees/hedge on the neighbouring properties. In the absence of this information it is considered that the proposed development would have an adverse impact upon the health and long term vitality of the trees/hedge that abut the site.

Informatives:

For the avoidance of doubt, the plans received on 8th June 2016 and hereby refused are:

- Drawing No. 1615/03 - Proposed Block Plan
- Drawing No. 1615/07 A - Proposed elevations
- Drawing No. 1615/01 - Site location plan
- Drawing No. 1615/06 A- Propose floor plans

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.**