

App.No: 181008	Decision Due Date: 12 December 2018	Ward: Old Town
Officer: Danielle Durham	Site visit date: 11 November 2018	Type: Planning Permission
Site Notice(s) Expiry date: 23 November 2018		
Neighbour Con Expiry: 23 November 2018		
Press Notice(s): NA		
Over 8/13 week reason: For the application to be discussed at planning committee		
Location: Rose Corner, 34 Dillingburgh Road, Eastbourne		
Proposal: : Proposed single storey side extension to provide ground floor flat		
Applicant: Mr Ashley Bennett		
Recommendation: To approve conditionally		

Contact Officer(s):

Name: Danielle Durham

Post title: Specialist Adviser

E-mail: danielle.durham@eastbourne.gov.uk

Telephone number: 01323 415489



1 Executive Summary

- 1.1 This application is being reported to committee given the number of objections received.
- 1.2 The site has had a number of previous applications for new dwellings on the site that have either been refused or withdrawn.
- 1.3 The most recent application on the site was a single storey side extension which was approved.
- 1.4 The new application is for the same footprint and size extension as previously approved but with alterations to the layout of windows and for the extension to be a new one bed, one person dwelling.
- 1.5 As the main house has already been sub-divided into two self-contained flats and the extension itself has already been approved, it is considered that there would not be a significant additional impact to either the visual or residential amenity of the area. The proposal is to be considered by the planning committee as there have been 7 objections to the proposal.

2 Relevant Planning Policies

- 2.1 National Planning Policy Framework
Paragraph 102 promoting Sustainable transport
Paragraph 117 Making effective use of land
Paragraph 122 Achieving appropriate densities
Paragraph 124 Achieving well-designed places
- 2.2 Eastbourne Core Strategy Local Plan Policies 2013
B1 Spatial Development Strategy and Distribution
B2 Creating Sustainable Neighbourhoods
C4 Old Town Neighbourhood Policy
D5 Housing
D10a Design

Eastbourne Borough Plan Saved Policies 2007
HO2 Predominantly Residential Areas
NE14 Source Protection Zone
HO20 Residential Amenity
UHT1 Design of New Development
UHT2 Height of Buildings
UHT4 Visual Amenity

3 Site Description

- 3.1 The site consists of a two storey semi-detached building that has previously been sub-divided into flats. The site is located on the Northern corner of the junction of Dillingburgh Road and backs onto a service road providing access to the back gardens of properties in both Dillingburgh Road and Victoria Drive.

4 Relevant Planning History

The property was constructed around 1927. Permission was granted in 1960 for the use of the property as two non-self-contained units subject to a condition that the arrangement would enure for the benefit of the applicant only and the dwelling would be returned to single occupation. The applicant applied for the self-containment of the units in 1970, and this was granted. It is noted in previous permissions that this may have been on compassionate grounds against officer advice.

Planning permission was refused in 1988 for the erection of a detached bungalow in the rear garden and this was dismissed at appeal (EB/1988/0447)

A further two applications were submitted in 2003 one for a bungalow which was withdrawn and one for a chalet bungalow which was refused on the following grounds:

1. That, the proposed dwelling would be out of keeping with the established building pattern of the surrounding area and would comprise an alien and intrusive form of development, in an area characterised by semi-detached dwelling houses with deep rear gardens. As such the proposal would conflict with policy UHT1 of the Eastbourne Borough Plan
2. That the proposal would adversely affect the amenities of occupiers of adjacent properties by reason of the loss of privacy and overlooking of rear gardens. The policy would therefore be contrary to policy HO20 of the Eastbourne Borough Plan (E/2003/0515)

A further application was submitted in 2007 for the erection of single storey extension to form one self contained flat. This was refused on the ground that 'the proposed development would, by reason of its size, siting, and design, result in an incongruous and intrusive feature in the street scene which would be out of keeping with, the character and appearance of the area. As such the proposal would conflict with policies UHT1 and UHT4 of the Eastbourne Borough Plan 2001-2011'

EB/1988/0447

Erection of a detached bungalow, with garage.

Refused, three reasons.

1988-08-17

Dismissed - DoE. letter dd: 10/03/1989 refers.

EB/1970/0352

Alterations and installation of sanitary fittings to self-contain 2 flats.

Granted (Five years).
197 0 -07-23
EB/1960/0497
Installation of sink on first floor.
Granted, subject to conditions.
1960-09-08

030699
Erect a single-storey two-bedroom dwelling.
Planning Permission
Withdrawn
22/06/2003

030759
Erect a part two-storey, part single-storey split level two bedroom dwelling with integral garage.
Planning Permission
Refused
09/10/2003

070507
Erection of single-storey extension at side to form one self-contained flat
Planning Permission
Refused
03/10/2007

130500
Erection of two storey, two bedroomed detached property with garage and access from Dacre Road.
Planning Permission
Refused
03/10/2013

141389
Erection of a detached 2 bedroom bungalow with garage within the rear curtilage of the application site, accessed from Dacre Road.
Planning Permission
Refused
08/01/2015

180814
Proposed single storey side extension with internal alterations
Householder
Approved conditionally
27/09/2018

5 Proposed development

- 5.1 The applicant is seeking planning permission to build a single storey side extension to create an independent flat. The flat would be for one person and would have a total internal floor space of approx. 41.1m². The bedroom would be 11.9m² and 3.4m in width. There is to be a hipped roof the front and faux hipped roof to the rear.
- 5.2 Effectively the application is to build the previously approved extension, but instead of using in connection with the existing building it will form a self-contained 1-bedroom, 1-person flat.
- 5.3 The proposals also seek to sub-divide the back garden in order to provide private amenity space, bin/recycling storage, and cycle storage for the new flat.

6 Consultations

CIL- No response

7 Neighbour Representations

7.1 Objections have been received and cover the following points:

- Increase in parking
- Further subdivision of the property will have a detrimental impact on the area
- Over development of the site
- Impact on street parking
- Over densification of the property
- Increase and impact to parking
- Previous application was for a similar proposal and refused
- Overcrowded site
- Increase to parking
- The extension on the opposite house has a condition that it must not be separate from the main dwelling

This was originally proposed to be an extension

- Over densification of the site
- Set a precedent
- Increase pressure on parking
- Loss of windows on the existing ground floor flat
- The owner is likely to apply in the future to convert the private amenity space into off street parking.
- The flat is too narrow, small and overcrowded and not good living conditions
- Building spate properties within the gardens of properties will degrade the character of the town lowering the quality of life.
- In 2007 a single storey extension to provide a flat was refused the reasons for refusal are still valid.
- Impact to parking
- The property is already divided into flats and it is the only one on the street. Creating three flats would be unprecedented.
- Over development of the plot.

8 Appraisal

8.1 Principle of development:

There is no objection in principle to the creation of new dwelling houses on brownfield land on the basis that it does not materially impact of the visual and residential amenities of surrounding properties and complies with local and national planning policies.

8.2 Amenity of future occupiers:

The proposed flat is single storey and for 1 occupant it is also proposed to have a separate garden and amenity space to the rear with bin storage and Cycle storage. The propose overall floor space of the flat is 41.1m² this exceeds the Governments Nationally described space standards which says that 39m² for a single occupancy single storey dwelling is sufficient. The Space Standards also sets out that a single person bedroom should be 7.5m² and the proposed bedroom is 11.9m which also exceeds the guideline space for a two person bedroom.

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

8.4 It is considered that the structure height, footprint and dimensions of the structure have been previously approved for a single storey side extension under planning application ref 180814 it is therefore considered that there would be no additional impacts of overshadowing or loss of light as a result of the proposal over and above the approved extension.

8.5 It is considered that the proposed windows on the proposed flat would have a similar outlook as the windows approved on the previous application 180814. The window proposed on the front elevation would have a similar view as existing windows on the front elevation and would be overlooking an area visible from the public road. As such it is considered that the front of the flat would not have a significant adverse impact of overlooking and loss of privacy to the front of the properties facing 34 Dillingburgh Road. The windows proposed on the side elevation of the new flat would also be facing over the road and would be overlooking no30 Dillingburgh Road; it is considered that the view from these windows would not cause as much overlooking as is currently available from the public areas outside the property. The proposed glass doors to the rear would also have no more impact of overlooking that the existing windows on the rear of the property.

8.6 Design issues:

The proposed extension to provide a flat would externally appear no different than the previously approved extension in terms of size and scale.

The extension is set back from the principle elevation and the rear elevation is in line with the existing rear elevation of the main dwelling. The materials proposed are to match the existing and would as such be considered to be in keeping with the design of the main dwelling and the design of the area.

8.7 The extension is also set back from the side boundary of the plot with adequate space to access the entrance and also to move bins and bicycles from the back garden to the front of the property, and also access the service road to the rear.

The side extension is similar in appearance, form, scale and siting, as an existing entrance to the side of 33 Dillingburgh Road, on the opposite side of the street to the application site, and also on a corner plot.

8.8 The overall size and scale is considered to be in keeping with the property which is a large detached corner plot. It is not considered to create a precedent for the other properties in this area which although are detached they are not corner plots and do not have sufficient space between the properties to provide for side extensions of this nature.

8.9 Impact on character and setting of a listed building or conservation area:
The property is not a listed building nor in a conservation area and as such will not adversely impact either conservation areas or listed buildings as a result of the proposal.

8.9 Impacts on trees:
Trees have been removed to the front of the property prior to decision on this application. Previous refusals for additional dwelling on this site were partly in the basis that the removal of these trees would result in a detrimental impact to the street scene. As the trees have been removed the impact to the street scene as a result of loss of these trees cannot be taken into account.

8.10 Impacts on highway network or access:
It is considered that the site has no off street parking and the proposal would increase the number of occupants to the site by 1 additional person. It is considered that the proposal provides for a cycle storage area in the rear garden that would aim to encourage cycling. The site is close to a bus corridor and the Old Town Shops and within 1m of the town centre as such it is considered that there is adequate public transport links in this area not to warrant the need for extra parking spaces.

8.11 Sustainable development:
The NPPF requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years worth of housing. As of 1 April 2018, Eastbourne is only able to demonstrate a 3.26 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. National policy and case law has shown that the demonstration of a five year supply is a key material consideration when determining housing applications and appeals.

8.12 The National Planning Policy Framework (NPPF) supports sustainable residential development and planning permission should be granted to meet local and national housing needs. The site would be considered a windfall site, as it has not previously been identified in the Council's Strategic Housing Land

8.13 Availability Assessment (SHLAA). The Council relies on windfall sites as part of its Spatial Development Strategy (Core Strategy Policy B1) and this development proposes an increase in residential accommodation to what is currently present, resulting in a net gain of 1 dwellings.

8.14 This application complies with many national and local policies. This is a brownfield, windfall site which the council rely on as part of its Spatial Development Strategy Policy B1. Currently the Borough does not meet the required 5 years' worth of housing land supply and this application would contribute a net gain of 1 dwellings towards this.

Other matters:

8.15 It has been raised by neighbours that the proposal will result in the loss of windows on the side elevation of the existing flat. As part of the application process the applicant has amended the floor plan of the existing ground floor flat in order that there would be no loss of light to habitable rooms. Loss of light to non-habitable rooms such as hallways, kitchens and bathrooms is not a planning concern or ground for refusal.

8.16 It has also be raised by objectors that the proposal would result in the over development of the site. It is considered that the proposal would be no larger in footprint or height that the approved side extension. It is considered that there would one additional dwelling and one additional occupant on the site. It is considered that although this street in particular is predominantly dwelling houses, there are a number of different types of buildings in close proximity for example Seaforth Court which is a modern block of flats and bungalows which backs onto the service road to the application site and is only 100m away. The introduction of a single property that has been converted and extended into three flats would not significant diversify the overall type of dwellings in this area in such a way as to make it lose its character as detached single dwellings as this a small and minor variant form the norm. In addition it is considered that it would not create a precedent for developments of this type as each application is considered on its own merits.

8.17 Objectors have also raised concerns that the proposal would diversify the site and create a precedent for flats and subdivision of properties in this area. It is considered that this property is already divided into flats and has been in this layout for a number of years and there has not been additional flats created on this street since. It is also considered that every application is considered on its own merits and it would not as such create a precedent.

Conclusion

It is considered that the proposed development will not negatively impact the amenity of the occupiers of surrounding properties or be detrimental to the character and appearance of the area. The proposal therefore complies with local and national policies.

9 Human Rights Implications

- 9.1 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.

10 Recommendation (This must include the reasons for each condition).

- 10.1 It is recommended that the proposal should be approved conditionally.

Conditions:

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

Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2) The development hereby permitted shall be carried out in accordance with the approved drawings

- Drawing No. 2018-76-03a- Proposed Floor Plans- Submitted 28 November 2018
- Drawing No. 2018-76-09 Proposed Layout Plan and garden layout- Submitted 5 November 2018
- Drawing No. 2018-76-05-Proposed Site Location Plan- Submitted 31 October 2018
- Drawing No. 2018-76-08- Proposed Refuse and Cycle Storage- Submitted 31 October 2018
- Drawing No. 2018-76-04- Proposed Elevations- Submitted 31 October 2018
- Drawing No.

Reason: For the avoidance of doubt and ensure that development is carried out in accordance with the plans to which the permission relates

3) No part of the development shall be occupied until the Bin and Recycling Storage facilities have been provided in accordance with the approved plans. The area shall thereafter be retained for that use and shall not be used other than for the use of bin/recycling storage,

Reason: to provide adequate refuse disposal for the future occupants.

4) No part of the development shall be occupied until the Cycle parking spaces have been provided in accordance with the approved plans. The area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: to provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

5) No part of the development shall be occupied until the private amenity space to the rear garden is provided in accordance with the approved plans. The area shall thereafter be retained for that use and shall not be used other than for the approved new dwelling.

Reason: to provide adequate amenity space for the future occupiers.

6) The boundary fence hereby approved to the centre of the existing rear garden to provide separate amenity space should be no higher than 2m and retained as such.

Reason: To prevent adverse impact to the residential and visual amenity of neighbouring properties in accordance with policies D10a and UHT4.

11 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.

12 Background papers

Not applicable.