

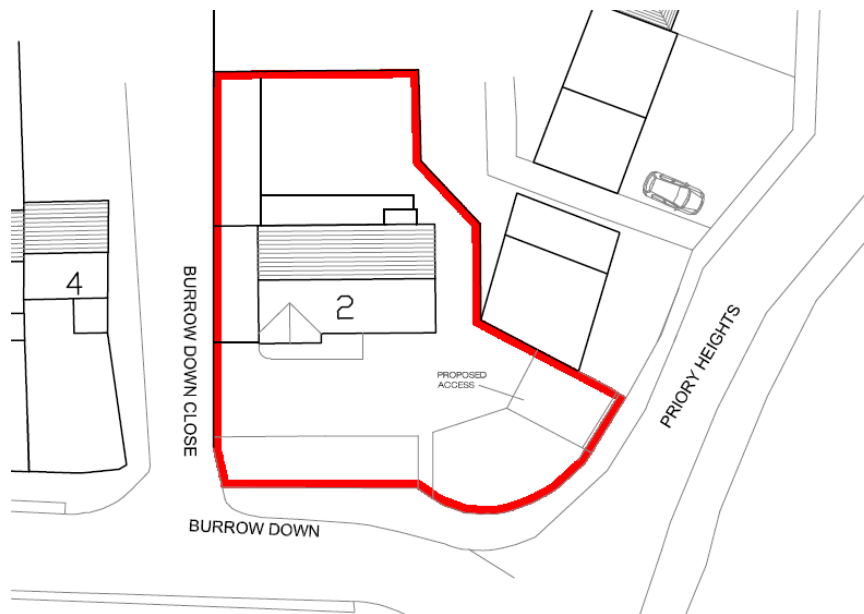
Report to: Planning Committee
Date: 25 July 2022
Application No: 220109
Location: 2 Burrow Down, Eastbourne
Proposal: Section 73 A retrospective application for the erection of a single storey side/rear extension (incorporating garage), erection of an open fronted glass roofed covered walkway to rear, erection of an elevated rear platform, white render of property and gated parking area at front of property

Applicant : Mr Fabian Hoxha
Ward: Old Town

Recommendation: Approve Subject to Conditions

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Map Location:



1. **Executive Summary**

- 1.1 The application has been referred to the Committee due to the number of objections and for the Planning Committee members to debate the issues around the retrospective proposals.
- 1.2 The application seeks retrospective permission for the erection of a single storey side/rear extension (incorporating garage), erection of an open fronted glass roofed covered walkway to rear, erection of an elevated rear platform, white render of property, a gated parking area at the front of property and minor alterations development approved under planning application ref: 180360.
- 1.3 The application is considered to comply with local and national policies and is recommended for approval subject to conditions.

2. **This application is recommended for approval.**

3. **Relevant Planning Policies**

3.1 National Planning Policy Framework:

- 2: Achieving Sustainable Design
- 4: Decision-Making
- 7: Requiring good design
- 8: Promoting health and safe communities
- 12: Achieving well-designed places

3.2 Eastbourne Core Strategy Local Plan 2006-2027:

- B1 Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- D10a: Design

3.3 Eastbourne Borough Plan 2001-2011:

- NE4: Sustainable Drainage Systems
- NE28: Environmental Amenity
- UHT1: Design of New Development
- UHT4: Visual Amenity
- UHT5: Protecting Walls/Landscape Features
- UHT7: Landscaping
- US3: Infrastructure Services for Foul Sewage and Surface Water Disposal
- US4: Flood Protection and Surface Water Disposal
- HO20: Residential Amenity
- TR2: Travel Demands
- TR11: Car Parking

4. **Site Description**

- 4.1 The application site is a detached dwelling that has been extensively enlarged and is sited on a larger corner plot towards the top of Burrow Down Road in Eastbourne.

4.2 Due to the topography of the area the property is sited on land that slopes upwards from South to North (front to back). As such the rear of the property is significantly higher than the front.

5. **Relevant Planning History**

5.1 There is extensive history for the application site with various extensions and alterations on the site.

5.2 170902

Proposed two storey extension: First floor extension to cover entire ground floor and second floor comprised of rooms in roof with roof lights, Proposed garage to side elevation along with the provision of a new vehicle cross over, new porch and associated alterations. (amended plans submitted), Householder, Refused, 10/10/2017.

5.3 171388

Proposed in-fill ground floor extension and porch to front elevation and first floor extension to cover the entire ground floor footprint along with associated alterations and new proposed driveway. (Revised application following refusal of PC 170902), Householder, Approved conditionally, 24/01/2018.

5.4 180287

Application for approval of materials reserved by condition no.8. (PC/171388), Approval of Condition, Approved unconditionally, 28/06/2018.

5.5 180360

Proposed first floor extension Householder, Approved conditionally, 29/06/2018.

5.6 180817

Proposed construction of new vehicle crossover. Hard standing to be permeable tarmac with ACO drain channel at bottom of drive to discharge any run off to new soakaway as shown on plans. LD Certificate (proposed), Issued 31/10/2018.

5.7 210856

Variation of condition 2 (plans) in relation to planning permission 180360 to approve 'as built', Variation of Conditions, Refused, 26/11/2021.

6. **Proposed Development**

6.1 The side/rear extension measures approximately 8.78 m deep and approximately 2.30 m wide. The front 4.03 m portion accommodates a garage and storage area with the 4.75 m rear element accommodating an open fronted garden room. Due to the topography of the site the mono pitch roof garage/storage extension is approximately 3.94 m high at its highest point. The open fronted garden room to the rear is approximately 3.79 m high at its highest point.

- 6.2 The glass roof covered walkway measures approximately 10.26 m wide, 1.93 m deep and (from the lower ground level up) 3.07 m high. The front of the walkway partially extends over the rear elevated platform.
- 6.3 The rear elevated platform area is 0.91 m high and covers all but a section of lower ground level, closest to the rear elevation of the house, and 1.75 m deep.
- 6.4 Whilst a new vehicle crossover and permeable parking area were approved under application reference 180817 the applicant has extended the parking area and erected black iron gates to the front and side. Due to the topography of the site the parking area is sited 2m higher than the highway ground level. The proposed iron gates are sited on top of the parking area and they measure approximately 1.7 m high.
- 6.5 Following officer concerns the applicant proposes to install brick slips to the front and side elevations of the parking area, install brick planters 0.45 m high in the front corners and middle of the parking area and plant laurel hedging along the sloped verge at the front of the property.
- 6.6 In addition to the above works the property has been rendered in white.

7. **Consultations**

- 7.1 Southern Gas Network - No Comment.
- 7.2 ESCC Highways Department - No Comment.

8. **Neighbour Representations**

- 8.1 Public notification regarding the application has been undertaken in the following ways:
- 8.1.1 Letters have been sent to all registered properties adjoining the site.
- 8.1.2 A site notice has been displayed in the vicinity of the application site.
- 8.2 The neighbour consultation period expired on 10 March 2022.
- 8.3 1 letter of support has been received.
- 8.4 6 Objections have been received and cover the following points:
- Visual impact
 - The proposal is dominant and overbearing due to the location
 - Loss of light/ overshadowing
 - Loss of privacy
 - No planning received for the building works
 - Overbearing
 - Impact on neighbouring amenities due to noise and smoke/air pollution
 - Height, scale and bulk
 - Character of development
 - The driveway would be dangerous

9. **Appraisal**

9.1 Principle of Development:

9.1.1 There is no objection in principle to the proposed development provided it would be designed to a high standard, respect the established character of the area and would not have an adverse impact on amenity.

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

9.2.1 It is considered that due to the sloping topography of the rear garden, coupled with the presence of boundary screening, development to the rear of the dwelling would have no significant impact upon the amenity of neighbours to the west / northwest of the site.

9.2.2 On the southern side, Burrow Down Close separates the site from neighbouring occupants to the south. As such, the proposed single storey side/rear extensions do not unduly impact neighbouring amenities due to the separation distances and the single pitched roof design.

9.3 Design

9.3.1 In assessing the proposal, the character of the local context is noted. The application site is different to the majority of neighbouring dwellings due to the more substantial plot size, but it is also noted that the pre-existing bungalow possessed a visual appearance that was divergent from the prevailing character of dwellings in the vicinity, including in terms of its architectural design, scale and rendered facing materials.

9.3.2 The facing materials of the proposed extensions are sympathetic to the local context and result in a development with sufficient quality to be deemed acceptable when considering the visual amenity of the area. The extensions would be relatively tall in places when viewed from Burrow Down Close, but this is mainly due to the significant sloping topography of the site and is acceptable when considering this site constraint.

9.3.3 Turning to the raised hard standing to the front of the dwelling, the visual appearance of the as-built structure is dominant in the street-scene, which is exacerbated by the significant sloping topography. Amendments have been received following officer concerns, which include the addition of brick slip cladding to the concrete facing wall at the front of the structure and soft landscaping to soften the impact on the surrounding street scene. It is considered that the amendments mitigate the visual impact of the existing structure through a more sympathetic treatment.

9.3.4 When considered holistically, the development proposals, including the mitigation measures secured by this permission, would result a

development that would not mirror but be sympathetic to the neighbouring context.

- 9.3.5 Conditions are recommended, which would provide strict but adequate controls to ensure that the requisite mitigation is implemented within a timescale to be agreed by the LPA.

9.4 Drainage

- 9.4.1 No details have been submitted to demonstrate how surface water would be managed in the interest of flood risk and highway safety.
- 9.4.2 Planning permission is recommended subject to details being approved pursuant to conditions, including a programme of works and a completion statement to ensure works are completed within an agreed timescale. Conditions would also prevent the parking of vehicles on-site until an agreed drainage scheme has been implemented in accordance with the agreed programme. This is in the interest of highway safety.

10. **Human Rights Implications**

- 10.1 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.

11. **Recommendation**

- 11.1 It is considered the proposal complies with national and local policy and is therefore recommended for approval subject to the following conditions:
- 11.2 **Time Limit:** The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

- 11.3 **Approved Drawings:** The development hereby approved shall be carried out in accordance with the following approved plans received on 8 February 2022 and 27 April 2022:

- 2022-02-03c Amended proposed ground floor plan
- 2022-02-05c Amended proposed front and side elevations
- 2022-02-06b Amended proposed rear and side elevations
- 2022-02-04a Proposed first floor plan
- 2022-02-08a Block plans

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

- 11.4 **Soft Landscaping:** The site shall be landscaped strictly in accordance with the approved Plans 2022-02-03c Amended proposed ground floor plan and 2022-02-05c Amended proposed front and side elevations in the first planting season after approval.

Any new tree(s) that die(s) are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which die, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details unless agreed otherwise with the Local Planning Authority.

Reason: In the interest of visual amenity and sustainability in accordance with saved policies UHT1 and UHT4 of the Eastbourne Borough Plan, policies B2, D1 and D10a of the Eastbourne Core Strategy and para. 130 of the NPPF 2021.

- 11.5 **Programme of Works:** Within 3 months of the date of this permission, a programme of works, including timescales for completion of the works, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development, hereby approved, shall be undertaken in accordance with the approved programme.

Reason: In the interest of the visual amenity of the area.

- 11.6 **Rainwater Goods:** Notwithstanding the plans hereby approved, all water run-off from the new roof shall be dealt with using rainwater goods installed at the host property and rainwater goods or downpipes shall not encroach onto neighbouring property and shall be retained as such thereafter.

Reason: To ensure that surface water is dealt with appropriately within the application site and not affect adjoining property by way of localised flooding or encroachment.

- 11.7 **PD Rights Removed:** Notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in A-E of Schedule 2, other than hereby permitted, shall be undertaken without the prior grant of planning permission from the Local Planning Authority.

Reason: To control future extension and alteration of the dwelling house in the interest of the visual amenity of the area.

- 11.8 **Drainage:** Notwithstanding any approved details with regards to these matters, a surface water drainage scheme and maintenance and management plan shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development, hereby approved, shall be undertaken in accordance with the approved details and in accordance with the programme of works approved pursuant to condition 4 (para. 11.6) of this permission.

Reason: To reduce the risk of flooding and in the interest of highway safety.

- 11.9 **Completion Statement:** Following completion of all development approved pursuant to conditions of this permission, a Completion Statement shall be

submitted to and approved in writing by the Local Planning Authority, which demonstrates that the development has been fully implemented in accordance with the approved details and the programme of works approved pursuant to condition 4 (para. 11.6) of this permission.

Reason: To ensure that works are implemented in accordance with the approved details, in the interest of the safety of highway users.

12. **Appeal**

12.1 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.

13. **Background Papers**

13.1 None.