

## Delegated Officer Report -

<b>App.No:</b> 230428 (HHH)	<b>Decision Due Date:</b> 22 August 2023	<b>Ward:</b> Old Town
<b>Officer:</b> Emma Wachiuri	<b>Site visit date:</b>	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> 27 July 2023 <b>Neighbour Con Expiry:</b> 27 July 2023 <b>Press Notice(s):</b>		
<b>Over 8/13 week reason:</b>		
<b>Location:</b> 7 Den Hill, Eastbourne		
<b>Proposal:</b> Erection of first floor rear extension and single storey side extension		
<b>Applicant:</b> Jill Kenton		
<b>Recommendation:</b> Approve conditionally		

### **Planning Status:**

Single family dwellinghouse

### **Constraints:**

#### **Convenants**

Eastbourne Borough Council

#### **Source Protection Zones**

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### **Relevant Planning Policies**

National Planning Policy Framework 2021

Eastbourne Core Strategy Local Plan 2006-2027

B1: Spatial Development Strategy and Distribution - Sustainable Neighbourhood

C4: Old Town Neighbourhood Policy

D5: Housing

D10a: Design

Eastbourne Borough Plan 2001-2011

HO2: Predominantly Residential Areas

NE14: Source Protection Zone

**Site Description:**

The site comprises a two-storey semi-detached single-family dwelling faced in red brick and roof tiles, with upvc windows. There is an existing single storey extension rear extension. The rear garden of the site slopes away from the house and is enclosed by a 2m high boundary fence.

The site is neither located within a designated Conservation Area, nor is the building statutorily listed.

**Relevant Planning History:**

EB/1973/0687

Erection of a single-storey extension at rear and side to provide a new kitchen, diningroom and garage, and enclosure of a porch at the front.

Granted (Five years).

1973-09-13

EB/1973/0535

Erection of a two-storey extension at rear to provide a sunroom and study with diningroom, kitchen extension with terrace over and garage at side with storeroom under.

Refused, one reason. (Detrimental to the outlook from and amenities of no.6 Den Hill)

1973-07-12

EB/1972/0568

Single-storey extension at rear to enlarge living room and domestic garage at side.

Granted (Five years).

1972-09-07

EB/1972/0303

Erection of a two-storey extension at rear to provide an additional living room and bedroom extension over.

Refused, one reason.

1972-05-11

**Proposed development:**

Planning permission is sought for the erection of first floor rear extension and single storey side extension.

The proposed first floor extension would be L-shaped and set off the common boundary with no. 6 Den Hill.

**Consultations:**

**Internal:**

None

## **External:**

### **Neighbour Representations:**

Public notification regarding the application has been undertaken in the following ways:

- Letters have been sent to all registered properties adjoining the application site;
- A site notice has been displayed in the vicinity of the application site;

One comment has been received following public notification regarding the application, which raise objection on the following material planning considerations:

1. Loss of privacy to no.48 Abbey Road due to difference in site levels and closeness

*Officer Response: See appraisal below*

2. Devalue of neighbour property

*Officer Response: This is not a material planning consideration*

## **Appraisal:**

### **Impact upon the amenity of neighbouring occupants**

Relevant policy: Policy B2 (Creating Sustainable Development) of the Eastbourne Core Strategy 2013, saved policy HO20 (Residential Amenity) of the Eastbourne Borough Plan 2003 and para. 130 of the NPPF.

No.6 Den Hill and no.48 Abbey Road are the properties most likely to be affected by the proposed development.

#### **No.6 Den Hill:**

The proposed first floor rear extension would be L-shaped and set-off from the common boundary with no. 6 Den Hill and would not encroach on the 45 degrees line taken from the middle of the nearest habitable window. The proposal would thus not cause an overbearing structure on this property.

With regard to daylight/sunlight due to orientation the proposal would not harm the amenity of this neighbour over and above the existing.

There would be no loss of privacy from the proposed development.

#### **No.48 Abbey Road:**

According to the National Guidance Notes for Design Codes a window to window separation distance of between 15m-20m is acceptable. There is no Local Plan policy relating to window to window separation distance.

The proposed development would be approx 9.35m to the common boundary and would have a window to window separation distance of 14.5m. As existing the application property has rear facing windows and whilst the proposal would bring windows closer to the rear neighbours, this would be by a distance of 50cm less than the acceptable separation distance and this is not considered harmful over and beyond the existing to warrant a refusal.

### **Design quality and impact upon the street scene and visual amenity of the area:**

Relevant policy: Policy D10a (Design) of the Eastbourne Core Strategy 2013, saved policies UHT1 (Design of New Development) and UHT4 (Visual Amenity) of the Eastbourne Borough Plan 2003 and paragraphs 8 and 130 of the NPPF

The proposed development would be screened from public vistas by the host dwelling and neighbouring properties and thus would not have harmful effects on the visual amenity of the area.

**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:**

On balance, the proposal is considered to have acceptable impacts on the visual amenity of the area and on the residential amenities of the neighbouring occupiers.

**Recommendation:**

Approve conditionally.

**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**.