

Report to: PLANNING COMMITTEE
Date of Meeting: 07 February 2018
Report from: Assistant Director of Housing and Built Environment

Application Address: 4 Cockcrow Wood, St Leonards-on-sea, TN37
7HW
Proposal: Single storey rear extension to enlarge kitchen
& dining area
Application No: HS/FA/17/00963

Recommendation: Grant permission

Ward: CONQUEST
Conservation Area: No
Listed Building: No

Applicant: Mr & Mrs Bourne & West per Mr Whiting MCIT 6
Salvington Crescent Bexhill on Sea East Sussex
TN39 3NP

Public Consultation

Site Notice: Yes
Press Advertisement: No
Letters of Objection: 0
Petitions of Objection Received: 0
Letters of Support: 0
Petitions of Support Received: 0
Neutral comments received 0

Application Status: Not delegated -
Application by serving employee in restricted post

1. Site and Surrounding Area

The application site relates to a detached two-storey house located on the west side of Cockcrow Wood. The site is located in a predominantly residential area characterised by 1960s detached and semi-detached estate housing. There is a group TPO on the trees located in the rear section of the application garden. The group TPO stretches beyond the site boundary to the north-east and south-west. The site backs onto the Conquest Hospital site.

Constraints

SSSI Impact Risk Zone

2. Proposed development

Erection of a single storey flat roof rear extension with a depth of 4.5m, height of 3.3m and width of 6.3m. The extension would be finished in facing brickwork to match the main house.

Relevant Planning History

HS/FA/09/00207 - New front porch with lean-to pitched roof extending across existing adjacent garage – Granted

National and Local Policies

Hastings Local Plan – Planning Strategy (2014)

Policy FA2 - Strategic Policy for Central Area

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way

Hastings Local Plan – Development Management Plan (2015)

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

Other Policies/Guidance

Sussex Air Quality and Emissions Mitigation Guidance 2013

National Planning Policy Framework (NPPF)

The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay.

Three dimensions of sustainability given in paragraph 7 are to be sought jointly: economic (by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 10 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.

3. Consultations comments

Tree Officer: No objections

4. Representations

No representation received.

5. Determining Issues

The key determining issues are the design and impact on the host property and surrounding area, impact on neighbour amenity and, impact on trees.

a) Principle

The site is in a sustainable location and the application is therefore in accordance with policy LP1 Hastings Local Plan - Development Management (2015) in this respect and acceptable in principle subject to other local plan policies.

b) Impact on Character and appearance of area

The proposal relates to a single storey low level extension which would be discreetly located at the rear of the house. The extension would form a subordinate addition and would not overwhelm the host property. Glimpses of the extension would be afforded through the gap between the application house and neighbouring property. Due to the distance set back from the road, subordinate scale and matching materials, the extension would not have an unacceptable presence on the streetscape or surrounding area.

The extension would not have an excessive footprint relative to the size of the plot and a sufficient amount of private garden would be retained.

c) Neighbour amenity

The extension would be set in from the boundary shared with 5 Cockcrow Wood and would not have a detrimental amenity impact on this property as a result. The extension would be located adjacent the two-storey flank wall of 3 Cockcrow Wood and would be set in 1.2m from the shared boundary. There are no ground floor openings in the north facing flank wall of no.3 and the extension would not have a detrimental amenity impact on this property as a result.

The extension would be single storey with rear windows facing towards the rear garden and a side window facing towards the northern / side boundary shared with 5 Cockcrow Wood. The side window facing the northern boundary would give rise to additional views into the neighbours rear garden therefore a condition is recommended to secure a new section of trellis or fence above the existing boundary fence immediately opposite the proposed side window. The windows in the rear elevation of the extension are not considered to result in any unacceptable loss of privacy to the neighbouring properties.

Overall the proposed extension, by reason of the siting, height, scale and design, would not result in any unacceptable amenity impacts on the neighbouring properties in terms of loss of light, outlook or privacy.

(Condition 5 is relevant)

d) Trees

The proposal is supported by an arboricultural report which indicates that the extension would be sited a sufficient distance from the TPO trees at the rear of the site and trees would be protected during the construction. The proposal would not impact on any protected trees as a result. The tree officer does not object subject to tree protection conditions.

(Condition 4 is relevant)

e) Air Quality and Emissions

Having regard to guidance contained within 'Air Quality and Emission Mitigation' 2013 produced by Sussex Air Quality Partnership, the proposed development will not exceed statutory guidelines for airborne pollutants and Environmental Health Officers have no objection in this respect. No external lighting is proposed and residential amenities are not harmfully affected. The development will not give rise to ground or surface water pollutions. The development is therefore in accordance with Policy DM6 of the Hastings Development Management Plan (2015).

f) Highway Safety/Parking

The proposal would not affect the existing parking and access arrangements at the front of the site.

g) Screening of Application under Habitats Regulations 2010 - Impact of Development on Ashdown Forest Special Area Conservation (SAC)

The proposed development is located approximately 35.5 km from the Ashdown Forest Special Area of Conservation (SAC), 36.5 km from the Lewes Downs SAC and 11.5 km from the Pevensey Levels SAC. The proposal is not directly connected with or necessary to the management of the Ashdown Forest, Pevensey Levels or Lewes Downs SACs and therefore it is necessary to determine if the proposal has a likely significant effect on the conservation objective or special integrity of the SACs.

In this instance the proposal will result in an increase in the ground floor living area and will create a kitchen / dining room extension. The increase in living area that is proposed is not directly related to increasing the size of the household or the number of households and, therefore, it is considered that the development will not increase the traffic movements generated by the household. The impact on the Ashdown Forest SAC in respect of nitrogen deposition as a result of this application, in combination with other relevant development, will remain unchanged. As such an Appropriate Assessment to consider whether the development could give rise to nitrogen deposition on the SACs is not considered necessary in this instance.

6. Conclusion

The proposal would be discreetly located at the rear of the house and would form a subservient addition to the host property. There would be no detrimental impact to neighbour amenity, TPO trees or highways safety and the proposal would be in accordance with policy DM1 and DM3. It is therefore recommended that permission be granted subject to conditions.

These proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

The Human Rights considerations have been taken into account fully in balancing the planning issues.

7. Recommendation

Grant permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

2017.069.1, 2017.069.2 & 2017.069.3

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
4. No development shall take place until temporary protective fences to safeguard the trees and/or hedges to be retained on the site have been erected in accordance with the current BSI 5837 standards and to the satisfaction of the Local Planning Authority. All such fences shall be kept in a sound, upright and complete condition until the development has been completed and/or the Local Planning Authority confirm in writing that the works have been sufficiently completed for the fencing to be removed.
5. No development shall take place above ground until details of a new section of fence / trellis to be erected above the existing fence on the north boundary have been submitted to and approved in writing by the Local Planning Authority. The approved boundary details shall be erected before the extension is occupied.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interests of the visual amenity of the area.
4. To safeguard the TPO trees within and adjacent the site.
5. In the interests of the amenity of the neighbouring residential occupiers.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Officer to Contact

Mr A Jolly, Telephone 01424 783250

Background Papers

Application No: HS/FA/17/00963 including all letters and documents

