

<b>Report to:</b>	PLANNING COMMITTEE
<b>Date of Meeting:</b>	17 June 2020
<b>Report from:</b>	Assistant Director of Housing and Built Environment
<b>Application address:</b>	<b>13 Sedlescombe Road South, St Leonards-on-sea, TN38 0TA</b>
<b>Proposal:</b>	<b>Demolition of existing kitchen &amp; conservatory, replace with a single storey rear extension</b>
<b>Application No:</b>	<b>HS/FA/20/00162</b>
<b>Recommendation:</b>	<b>Grant permission</b>
Ward:	SILVERHILL 2018
Conservation Area:	No
Listed Building:	No
Applicant:	Ms Forward per G3 Architecture 22 Bromley Road Seaford BN25 3ES
<b>Public Consultation</b>	
Site notice:	Yes
Press advertisement:	No
Neighbour Letters:	Yes
People objecting:	0
Petitions of objection received:	0
People in support:	0
Petitions of support received:	0
Neutral comments received:	0
Application status:	Not delegated - Application by Councillor

## 1. Site and surrounding area

The application site consists of a substantial semi-detached Victorian property, 13 Sedlescombe Road South. The property is situated on the south-east side of the busy classified road of Sedlescombe Road South. To the north of the site is the residential cul-de-sac of Wraymead and 11 Sedlescombe Road South, to the rear there is a block of garages and to the south of the site is no. 15 Sedlescombe Road South, beyond which are properties which face onto St Matthews Road. The property is mainly constructed of red brickwork with a light coloured pebbledash render and timber detailing to the gable end, with

a mixture of white timber and UPVC fenestration with a slate tiled roof and a dormer window within the rear.

The front elevation comprises of two projecting bay windows under the gable end with a small entrance porch with clay roof tiles. The front boundary treatment comprises a red brick wall with piers and a mature hedgerow which is a typical boundary arrangement found along this road. The property is set on an elevated position above the public footpath and road with a set of steps leading to the main entrance and side gate providing access to the rear of the site.

The footprint of the original dwelling is unusual in that it includes a single storey 'L' shaped projection which is mirrored at no. 15. This property also features an existing conservatory to the rear, adjacent to the mutual boundary to no. 15. Both this single storey projection and the conservatory are proposed to be removed and replaced with an extension, which will form the proposal of this application. The site benefits from a large private rear garden which is in excess of 25m in length. The rear garden is well screened from the surrounding area with a high brick wall to the boundaries of the site and trees and other vegetation also present. The brick wall measures approximately 1.2m high along the northern boundary and approximately 1.6-1.8m high along the southern boundary of the site.

The surrounding area is predominantly residential, made up of a number of substantial two storey detached and semi-detached properties, many of which are similar to one another in terms of architectural style.

### Constraints

SSSI Impact Risk Zone

Historic Landfill 250m Buffer

## **2. Proposed development**

This application is seeking planning permission for the demolition and replacement of the existing rear single storey projection and conservatory with a single storey extension. The extension will allow for the existing dining room and living room to become one large dining area within the dwellinghouse with the new extension to provide the property with a large open plan kitchen. The extension will project approximately 5.6m from the rear elevation of the dwelling on the south side closest no. 15 Sedlescombe Road South and 5.87m on the north side. The extension will be set in approximately 0.5m to 0.65m from the southern boundary and approximately 1.25m to 1.4m from the northern boundary, flush with the existing north elevation of the building. The extension will span the width of the building, at 7.34m. The proposal will feature a flat roof with 3 roof lights which will be concealed behind a parapet wall measuring approximately 3.45m in height from the ground. The existing conservatory measures 2.45m in height thereby the proposed extension will be around 1m higher. The existing single storey projection measures 2m to 3.75m in height (accounting for the pitched roof) thereby the proposed extension will be around 1.45m higher above the eaves of the existing single storey projection but set down 0.3m lower than the highest point of the roof of the existing single storey projection. The extension will incorporate a set of double doors and a window within the rear elevation with no openings within the side elevations. The extension will be constructed of brickwork up to the damp-proof course (DPC) with monocouche render above with anthracite grey aluminium fenestration with a GRP/rubber flat roof.

No other form of development is proposed as part of this application.

The application is supported by the following documents:

- Waste management plan.

### **Relevant planning history**

HS/FA/77/00288 Change of use of ground and first floors only, from private dwelling to Guest House.

Permission with conditions on 03/06/77

Having checked our records and Council Tax records, there is no evidence to suggest that this use was ever implemented and the property has remained as a single dwellinghouse.

### **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

National Design Guide

Supplementary Planning Document - Householder Development: Sustainable Design

National Planning Policy Framework (NPPF)

Paragraph 11 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.

Paragraph 12 of the NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Three dimensions of sustainability given in paragraph 8 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 9 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.

Section 12 of the NPPF sets out the requirement for good design in development. Paragraph 124 states: "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Paragraph 127 of the NPPF requires that decisions should ensure developments:

- Function well;
- Add to the overall quality of the area for the lifetime of that development;
- Are visually attractive in terms of:
  - \* Layout
  - \* Architecture
  - \* Landscaping
- Are sympathetic to local character/history whilst not preventing change or innovation;
- Maintain a strong sense of place having regard to:
  - \* Building types
  - \* Materials
  - \* Arrangement of streets
- Optimise the potential of the site to accommodate an appropriate number and mix of development;
- Create safe places with a high standard of amenity for future and existing users

Paragraph 130 states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way that it functions.

Paragraph 130 also seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

### **3. Consultation comments**

None.

### **4. Representations**

In respect of this application site notices were displayed nearby to the site and neighbour letters were issued. No responses were received.

### **5. Determining issues**

The main issues to be determined in this application are the impacts of the proposed single storey rear extension on the character and appearance of the area and the neighbouring residential amenities.

#### 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

Policy DM1 of the Hastings Local Plan - Development Management Plan (2015) states, all proposals must reach a good standard of design, which includes efficient use of resources, and takes into account:

- protecting and enhancing local character;
- showing an appreciation of the surrounding neighbourhood's historic context, street patterns, plot layouts and boundaries, block sizes and scale, height, massing and materials.

The proposed new extension will be sited to the rear of the site. The site benefits from a large private rear garden which is in excess of 25m in length, with the rear well screened from the surrounding area with a high brick wall to the boundaries of the site and trees and other vegetation also present. Given the position, siting and scale of the extension and degree of boundary screening, only glimpsed views, if any, would be available from Sedlescombe Road South. As such, it is considered that this proposed development will not have a harmful impact upon the character and appearance of the dwellinghouse or the street scene. The proposal is therefore in agreement with the Supplementary Planning Document - Householder Development: Sustainable Design and Policy DM1 of the Hastings Local Plan - Development Management Plan (2015) and is considered acceptable in this regard.

### c) Impact on neighbouring residential amenities

Policy DM3 of the Hastings Local Plan - Development Management Plan (2015) states, in order to achieve a good living standard for future users of proposed development and its neighbours it should be demonstrated that amenity has been considered and appropriate solutions have been incorporated into schemes. Permission will be given for development where:

- the use of the scale, form, height, mass, and density of any building or buildings, reduces or avoids any adverse impact on the amenity (privacy, over shadowing, loss of daylight) of neighbouring properties.

To the north, the closest neighbouring properties to the proposed extension are nos. 11 and 1 Wraymead, Sedlescombe Road South. Given the distance of the extension to the mutual rear boundaries of those properties, the scale and height of the extension, the height of the side boundary treatment at this point (1.2m high brick wall with vegetation screening over) and noting that the extension replaces existing built form, it is considered that there will be no harmful impact on the residential amenities of these properties in terms of outlook, overshadowing and daylight. There are no side windows proposed therefore neighbouring privacy will not be harmfully affected. It is noted that the rear garden of Cremer House, London Road backs onto the side boundary of the application site however the proposed extension will not sit next to their rear boundary.

To the south, the closest residential property is no. 15 Sedlescombe Road South. The proposed extension will be located approximately 0.5m to 0.65m from the mutual side boundary. As such the impact of the proposal on this neighbouring property in terms of privacy, outlook and daylight levels will need to be considered.

### Privacy

The proposed extension will not include any side openings within the north and south elevations, as such there will be no additional overlooking achieved from this new extension towards the occupants of no. 15 Sedlescombe Road South. It is also acknowledged that the proposed arrangement will be an improvement to existing, with the existing arrangement containing a number of openings within both side elevations. The only openings proposed within this extension will be within the rear (east) elevation, with the rear to feature a set of double doors and a window to serve the new kitchen area. Given the existing arrangement

on site in which a number of openings already exist within the existing extension and conservatory and the rear of the house itself, there are no concerns that any additional overlooking will be achieved. The same views are already achieved when stood in the rear garden of the site or within the dwellinghouse, with these views directed towards the boundary of the site.

### Outlook

The proposed extension will project 5.6m from the rear elevation of the dwelling on the south side closest no. 15 Sedlescombe Road South, set in between 0.5m and 0.65m (furthest point) from the south boundary, measuring 7.34m in length. The extension will feature a flat roof concealed by a parapet wall measuring 3.45m in height from the ground. Whilst the extension is fairly large it is considered acceptable for the following reasons, firstly the extension replaces existing built form, although it is noted that the height and depth of the proposed extension will be mostly greater than existing. The existing conservatory measures 2.45m in height thereby the proposed extension will be around 1m higher. The existing single storey projection measures 2m to 3.75m in height (accounting for the pitched roof) thereby the proposed extension will be around 1.45m higher above the eaves of the existing single storey projection but set down 0.3m lower than the highest point of the roof of the existing single storey projection. Secondly the extension will be single storey and only 45cm higher than that allowed by permitted development. Thirdly, that the actual depth of projection of the proposed extension beyond the far most rear building line of no. 15 is approximately 1.5m greater, and fourthly the rear garden of no. 15 is fairly large in itself, most of which will remain unaffected by the proposal. All these factors together are such that the visual impact of the extension on the outlook of occupants at no. 15 is not considered harmful.

### Daylight levels

As stated in the Supplementary Planning Document - Householder Development: Sustainable Design, it is important to take account of windows on neighbouring properties to make sure any extension does not result in unreasonable loss of daylight or sunlight. To the rear of no. 15 Sedlescombe Road South, the elevation closest the extension contains a set of double glazed doors with a window either side and window light above both the doors and windows which serve the same room. As such, a BRE daylight and sunlight assessment was carried out to determine the impact of the proposed extension on the daylight and sunlight levels on these rear openings of no. 15. To carry out the assessment, a 45 degree line was taken from the corner of the proposed extension on the block plan and on the proposed elevation plan. Should both these lines cross the centre of these openings of the neighbouring property, then this extension would result in a significant loss of daylight and sunlight levels into this property. After carrying out the assessment, it is evident that whilst the proposed extension will have some impact on these openings, both lines do not cross the centre of these openings, the impact will not be significant with much of this glazing to remain unaffected all of which serves the same room. The extension passes the test and it is concluded that the daylight levels of the occupants of no. 15 will not be adversely affected.

In view of the above, the proposed single storey rear extension is considered acceptable in this respect and will not cause a significant harm to the amenity of the neighbouring properties in terms of privacy, outlook and daylight which complies with the Supplementary Planning Document - Householder Development: Sustainable Design and Policy DM3 of the Hastings Local Plan - Development Management Plan (2015).

#### d) Site Constraints

The site is within a SSSI IRZ. The scale of development does not fall within the threshold for consultation with Natural England and as such it is not considered that there will be any impact on SSSIs.

The property is located within an historic landfill site 250m buffer. As the property is located within a landfill buffer, if during development and excavations any suspicions become evident or are aroused as to the potential or presence for any contaminated land, then works should immediately cease and a contaminated land assessment / ground investigation report be carried out which should then be submitted to and approved in writing by the Local Planning Authority prior to the work, associated with the permission hereby granted, commencing. Informative note no. 3 has been added to this permission accordingly.

## **6. Conclusion**

Taking the above considerations into account, it is considered the proposed single storey rear extension will not cause a significant harmful impact upon the character and appearance of the area and on the neighbouring residential properties. The proposal is therefore considered acceptable and is in agreement with the Supplementary Planning Document - Householder Development: Sustainable Design, Policies DM1 and DM3 of the Hastings Local Plan and the relevant sections of the National Planning Policy Framework. Therefore, it is recommended that permission is granted subject to the attached 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:

1947.PL01, 1947.PL02A, 1947.PL03, 1947.PL04, 1947.PL05, 1947.S01, 1947.S02, 1947.S03, 1947.S04 and 1947.LP01B

3. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday

08.00 - 13.00 on Saturdays

No working on Sundays or Public Holidays.

**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. To safeguard the amenity of adjoining and future residents.

**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 paragraph 38 of the National Planning Policy Framework.
3. If during development and excavations any suspicions become evident or are aroused as to the potential or presence for any contaminated land, then works should immediately cease and a contaminated land assessment / ground investigation report be carried out which should then be submitted to and approved in writing by the Local Planning Authority prior to the work, associated with the permission hereby granted, commencing.

---

**Officer to Contact**

Mrs L Fletcher, Telephone 01424 783261

**Background Papers**

Application No: HS/FA/20/00162 including all letters and documents