

APPLICATION NUMBER:	LW/07/0989	ITEM NUMBER:	3
APPLICANTS NAME(S):	Mr & Mrs M Greest	PARISH / WARD:	Lewes / Lewes Priory
PROPOSAL:	Planning Application for Demolition of existing dwelling and erection of three detached dwellings with integral garages and associated landscaping (resubmission of planning application LW/07/0388)		
SITE ADDRESS:	21 Montacute Road, Lewes, East Sussex, BN7 1EW		
GRID REF:	TQ 3909		

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1. SITE DESCRIPTION / PROPOSAL

1.1 Planning permission is sought for the demolition of a single dwelling and replacement with three detached dwellings with integral garages at 21 Montacute Road, Lewes. The site is within the planning boundary and Area of Established Character. The plot is located to the western end of Montacute Road and is the last plot in the street, which is effectively a cul-de-sac. To the north of the site is the Brighton Road, while Winterbourne Lane and railway lines run past the plot to the south. The site covers an area of approximately 2017 square metres, whilst maintaining a narrow road frontage of approximately 6.2 metres.

1.2 The site is very uneven with land rising from the south western end of the plot to the northern and north eastern ends of the plot. The existing property is built to accommodate this uneven level, with the north eastern end being single storey and south western end being two storey. It has been extended on numerous occasions and is approximately 31 metres wide. The closest neighbouring property to the east of the site is 20 Montacute Road, which is set on slightly higher ground and forward of the existing property.

1.3 In order to accommodate three properties on site plots 2 & 3 will be dug-in, in order to reduce their impact on the surrounding area. Plot 1 would be located to the south western end of the site, with a maximum ridge height of 9.2 metres. It would provide 5 bedroom spaces and have a half hipped roof. Plot 2 would be located 3.2 metres to the north and measure approximately 9 metres tall. It would be of a similar design to Plot 1, but would have 3 rear facing dormer windows in the roofspace. Plot 3 would be located approximately 2.1 metres to the north east and would be approximately 9.8 metres high with a pitched roof. The property would have two front facing and 3 rear facing dormer windows and be dug-in at ground level. Measured from the ground level at the rear of the site the property would have a ridge height of approximately 7 metres high. It would sit on roughly the same footings as the existing property, while submitted information has stated that the ridge would be no higher than that of 20 Montacute Road. It is also proposed that construction traffic would have temporary consent to use the Brighton Road access to the north of the site, in order to lessen the impact on Montacute Road.

2. RELEVANT POLICIES

NPG: – PPG24 – Planning & Noise

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – BA01 – Recreational Facilities

LDLP: – H12 – Areas of Established Character

NPG: – PPS3 – Housing

3. PLANNING HISTORY

LW/07/0388 - Demolition of existing house and erection of three detached houses - **Withdrawn**

LW/88/2091 - Change of use from dwelling to registered nursing home – **Refused**

LW/89/0688 - Conversion from dwelling to nursing home, with formation of new access in north-west corner of site plus parking spaces & closure of existing access in Montacute Road – **Refused**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Environmental Health – No objections subject to conditions.

ESCC Highways – No objections subject to conditions.

Environment Agency – No objections subject to conditions.

ESCC Rights Of Way Officer – No objections.

Main Town Or Parish Council – Members received a short presentation and request from the agent for the applicants and the applicant for support in persuading planning officers to submit the application for determination to the Lewes District Planning Committee.

Members noted the amount of local interest in this application and requested that the District Council consider it via their committee rather than under delegated powers.

Comments repeated following revised scheme.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 15 Letters of objection received from local residents and two letters of objection received from the Friends of Lewes. The 15 letters of objection have come from six different addresses.

5.2 The road is a quiet cul-de-sac and the addition of three houses would result in a big increase in traffic, this problem was witnessed when very recently a single large detached house was passed. The development will impact on amenities of neighbours. Would not accord with the Area of Established Character. The design of the properties means that an excessive amount of space is taken up by parking and access, leaving tight plots. A scheme for two houses would be more appropriate and the third house is purely a profit making exercise. The relationship between the actual building and garden area is far less than the actual norm for the Road, thus making the density much greater. Levels appear inaccurate or misleading. The development will lead to overshadowing of the neighbouring property and

garden space as a result of plot 3 being taller and closer to the boundary. Proposed boundary treatment in front of living room window and planting scheme. The 3D sketch of the site is inaccurate and misleading, showing the ridge height of plot 3 far lower than it will actually be. Construction traffic from the Brighton Road would impact on horse riding business, other properties and businesses. There will be two houses overlooking the property to the rear of the site. The buildings are too tall. Demolition of the building will result in dust and noise disturbances for the horse business.

5.3 Friends of Lewes: We object to this application on the grounds of overdevelopment. It is considered that the site might accommodate two dwellings but more than that would be excessive. The buildings along this part of Montacute Road are mostly single storey, as is the dwelling intended for demolition. The dwellings proposed are far larger and are of three storey height and out of scale for this location. The development of this site would inevitably generate many more vehicle movements in what is essentially a quiet area of Lewes to the detriment of the people living there.

5.4 Two letters of support received.

5.5 The development is in keeping with the scale and type of property in the area. The building on site is of no particular quality and fits poorly on the site. The site is two to three times the size of others in the street and therefore three houses on site would not constitute overdevelopment. There will be little impact on the rest of the street and barely visible within the street-scene.

5.6 Five letters of objection received regarding revised scheme from three different addresses and the Friends of Lewes.

5.7 Most maintained objections as before, citing the changes as minor and the overall problems with the scheme remaining. 20 Montacute Road stated the position of plot 3 is more acceptable on the basis that a hipped end was reintroduced. The stated levels are misleading and gives the impression that the revised scheme is a similar height to the existing building, which is not the case. The change of layout and elevations of Plot 3 are really the only matters of concern dealt with in this further information exercise. I would confirm that apart from my considerable concern over density and traffic the objections are roof form, boundary treatment, levels, planting scheme and problems of turning given the proposed gate.

5.8 Friends of Lewes: We continue to object to these proposals, although slightly revised. We therefore reiterate the objections expressed in our previous letter, which remain valid.

6. PLANNING CONSIDERATIONS

6.1 It is considered that the key considerations in determination of this application are: Impact on neighbouring properties residential amenities, Impact on the Street Scene, Area of Established Character, Design & Highway Considerations.

Amenity

6.2 Following negotiations with the applicant, a revised scheme was received amending the location of Plot 3. Initial objections had been raised regarding the proximity and height of Plot 3 in relation to the neighbouring property 20 Montacute Road. Amended plans altered the position of Plot 3, realigning it to almost entirely mimic the footings of the north eastern end of the existing property. This means that it will be no closer than the existing property to number 20 Montacute Road. It is also to be considerably dug-in, to keep the ridge height to a minimum. It will however be taller than the current north eastern end of the property, but will be no taller than 20 Montacute Road. Following this amendment, occupiers of the neighbouring property stated "I have now had the opportunity to view the revised layout of Plot 3 house and would advise that should the development proceed this would be acceptable". Other objections remained, but the impact in terms of over-shadowing and overbearing were considered acceptable.

6.3 The property will be taller than the existing, but is set behind 20 Montacute Road. There is good boundary cover between the two properties, and although the ridge will be higher, it is not considered that the impact is enough to sustain a reason for refusal. There is no overlooking and essentially the property would retain the same location within the site as the existing property. Levels and boundary treatment will be conditioned, to ensure the ridge height is no higher than 20 Montacute Road and boundary is maintained and enhanced.

6.4 Objections were received from the neighbouring property, Paddock Cottage, which is located to the west of Plot 1. The occupants felt that they would be overlooked by the house on Plot 1. It should be noted that the house on Plot 1 will be located approximately 25 metres to the east and will overlook the front of Paddock Cottage. This is considered to be a satisfactory relationship between the two dwellings.

Area of Established Character

6.5 The site is located within an Area of Established Character and therefore the considerations of Local Plan Policy H12 are pertinent. The density of development in this Area of Established Character is 7.5 dwelling per hectare (dph); however in Montacute Road it is slightly greater at 11 dph. The applicants have suggested that this development would result in a density of 14dph. This figure is slightly misleading as it includes access space and turning space to the front of the site and what is effectively dead-space at the front of Plot 1. However, the plot sizes are broadly acceptable and broadly in accordance with other plots within the Area of Established Character.

Impact of Street Scene

6.6 The properties are all large detached dwelling providing space for 5-6 bedrooms. They are quite tightly packed on site, but they are broadly spaced

in accordance with other properties along Montacute Road. It should be noted that they are all over 9 metres tall over 3 floors. Most properties towards this end of Montacute Road are considerably smaller. However the site is located at the end of Montacute Road and would be seen as a stand alone development. The design, form and setting of the buildings are therefore not considered objectionable. Plot 1 would be visible from the whole street, whilst Plots 2 & 3 would be largely obscured. It is therefore not considered that a reason for refusal on the basis on detrimental impact on the street scene could be maintained.

Traffic Issues

6.7 A number of local residents have raised concerns regarding the increased traffic flow which would be generated by three large detached dwellings and during the construction process. If permission is granted, temporary access for construction traffic from the Brighton Road has been agreed by the Highway Authority. No objections have been raised by the Highway Authority and it is not considered that reasons for refusal with regards to traffic movements could be sustained.

6.8 The plans note the inclusion of electric gates at the front of the site. This is however not acceptable and will be omitted from any approval. This would cut the development off from the rest of the street and be out of keeping with the open frontages in the road. It is also likely to lead to traffic backing up along Montacute Road. The boundary treatment is being conditioned and the boundary treatment at the entry and exit point will be included within this.

6.9 Considerations were passed at the pre-application stage suggesting that two properties would be preferable than three properties. However, following amendments to the application most objections which were based on the impact the house on Plot 3 would have on the residential amenities of 20 Montacute Road, have been overcome. (The original position and design of this property would have impacted on number 20 in terms of being overbearing, overshadowing the property and creating a poor relationship between the two properties.) The site is quite poorly spaced given the size of dwellings, however given that the site is well hidden from wider public view on balance it is felt the application can be supported, subject to conditions.

7. RECOMMENDATION

The application is approved.

The application is subject to the following conditions:

1. The development hereby approved shall not be brought into use until the attached Highway Authority Technical requirements have been carried out, unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of local highway conditions having regard to Policy ST3 of the Lewes District Local Plan.

2. Before the development hereby permitted commences, the applicant shall undertake an acoustic survey. The acoustic survey shall determine the exposure of the proposed development to noise in accordance with the criteria given in Planning Policy Guidance 24 - Planning and Noise. The survey shall be submitted to and approved in writing by the Local Planning Authority. Where the acoustic survey has identified any adverse noise impact, a scheme of works to reduce the intrusion of noise shall be drawn up. The scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved by the Local Planning Authority shall be fully installed before the development is occupied.

The scheme shall ensure that the noise level within any unoccupied domestic living room or bedroom with windows open shall be less than 35db(A) LA eq (16hr) during the day and less than 30 db(A) LA eq (8hr) at night. Where the standards above cannot be achieved with windows open they shall be achieved with windows shut and other means of adequate ventilation provided.

Reason: having regard to the residential amenities of future occupiers and having regards to PPG 24 of the National Policy Guidance and Policy ST3 of the Lewes District Local Plan.

3. If during the development, any visible contaminated or odorous material not previously identified is found to be present at the site, then this must be investigated. The Local Planning Authority must be informed immediately of the nature and degree of contamination present. The developer shall submit a Method Statement which must detail how this suspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters and having regard to Policy ST3 of the Lewes District Local Plan.

4. Notwithstanding the electric boundary gates noted on Drawing Number G07:LS:06, which are not approved with this permission, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed prior to the occupation of any dwelling on site; or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enhance the general appearance of the development having regard to Policy ST3 of the Lewes District Local Plan.

5. Development shall not begin until details of finished floor levels and ridge height of Plot 3 in relation to the existing ground levels and 20 Montacute Road; and Plots 1 & 2 in relation to existing ground levels have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with these details.

Reason: In the interest of residential amenity and the character of the locality having regard to Policy ST3 of the Lewes District Local Plan.

6. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1, Classes A-E of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.

Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area having regard to Policy ST3 of the Lewes District Local Plan.

7. Before the development hereby approved is commenced on site, details/samples of all external materials including facing and roofing materials, fenestration and surfacing materials shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To ensure a satisfactory development in keeping with the locality having regard to Policy ST3 of the Lewes District Local Plan.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Elevations	11 September 2007	G07:LS:03A
Proposed Floor Plans	11 September 2007	G07:LS:03A
Planning Layout	11 September 2007	G07:LS:13
Other	24 July 2007	WASTE MINIMISATION STATEMENT
Location Plan	24 July 2007	1:1250
Block Plans	24 July 2007	1:500
Design & Access Statement	24 July 2007	
Landscaping	24 July 2007	G07:LS:06

Summary of reasons for decision and any relevant development plan policies/proposal:

It is considered that the proposal meets the aims and objectives of Local Plan Policy and respects the character of the location, complying with PPS3 and PPG24 of the National Policy Guidance and Policies ST3 & H12 of the Lewes District Local Plan.