

APPLICATION NUMBER:	LW/16/0781	ITEM NUMBER:	8
APPLICANTS NAME(S):	LK-Space	PARISH / WARD:	Chailey / Chailey & Wivelsfield
PROPOSAL:	Planning Application for Erection of single storey dwelling		
SITE ADDRESS:	Land Rear Of Horns Lodge South Chailey East Sussex		
GRID REF:	TQ3918		



1. SITE DESCRIPTION / PROPOSAL

1.1 Planning permission is sought for the erection of a single, detached four-bedroom dwelling at the rear of the Horns Lodge Pub, South Street, South Chailey. The application site previously formed part of the pub garden but has since been separated and is now subdivided from the pub garden by fencing. The application site is now just an area of unused grassed land to the rear of the pub. Access to the site is gained via the pub car park which itself is accessed from the A275.

1.2 In 1989 planning approval was granted under application LW/89/1187 for a 7 bedroom motel to be erected to the rear of the public house on the application site. This approval was subsequently renewed in 1994 under LW/94/1250. The approved structure was single storey and covered an L-shaped plot along the northern and eastern boundary of the site. It is understood that construction work was commenced on this scheme although no structures were actually erected, and therefore the permission remains extant by virtue of the technical commencement of implementation of the planning permission. This was a view accepted by an Appeal Inspector in 2008 when considering an earlier residential proposal at the application site (LW/07/1431).

1.3 The scheme now proposed by this application is very similar to the extant motel scheme in terms of layout albeit smaller in footprint.

1.4 The dwelling proposed would be set towards the north east corner of the site, off set from the north boundary by some 1.8 metres and from the eastern boundary by some 2.4 metres. The dwelling would have an L-shaped footprint, its eastern 'arm' measuring 4.6 metres by 14.6 metres. The northern 'arm' would measure some 13 metres by 7.3 metres at its widest.

1.5 A single storey dwelling is proposed with a low pitched roof, with eaves at 2.4 metres and a maximum ridge height of 4.4 metres. It would be a brick and tile hung dwelling under a clay tiled roof.

1.6 With the dwelling pushed into the far corner of the application site, the main amenity space serving the dwelling would effectively be to the front (south). On site parking is shown for two cars to park at the southern edge of the site, to be accessed through the adjacent car park.

1.7 The site is currently enclosed on the north, east and west boundaries by close boarded fencing. The fencing along the eastern boundary is topped by trellising. The southern edge of the site is currently marked by post and rail fencing.

2. RELEVANT POLICIES

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

LDLP: – CP11 – Built and Historic Environment & Design

3. PLANNING HISTORY

LW/15/0812 - Erection of two semi-detached dwellings - Refused

APPEAL/08/0019 - Erection of two detached houses with garages (Plot 1 with integral garage & Plot 2 with detached garage) including reconfiguration of existing parking - Resubmission of planning application LW/07/0707 - Dismissed

LW/07/1431 - Erection of two detached houses with garages (Plot 1 with integral garage & Plot 2 with detached garage) including reconfiguration of existing parking - Resubmission of planning application LW/07/0707 - **Refused**

LW/94/1250 - Renewal of planning permission LW/89/1187 for a single storey seven bedroom motel and car parking area. - **Approved**

LW/74/1769 - Planning and Building Regulations Applications for extending existing car park. Building Regulations Approved. Completed. - **Approved**

LW/74/1282 - Renewal of time-limited permission E/61/0810A dated 20 December 1971, for one caravan site. Restrictive Planning Condition. Temporary permission expires 20/12/1975. - **Approved**

E/70/0253 - Planning and Building Regulations Applications for garage. Building Regulations Approved. Completed. - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Chailey Parish Council – At a meeting of the Planning & Environs Committee of Chailey Parish Council held on 1st November 2016, Councillors resolved to OBJECT to the application.

They consider that little has changed over the years during which a number of applications have been made to build on the site. The one application to build a permanent structure on the site which was approved dates from over 20 years ago in 1994. This was to build a motel on the site and Councillors' recollection is that the site was at the time in the same ownership as the public house and the motel would have been run in conjunction with the public house. More recent applications have all been for the erection of dwellings with no direct link to the public house. Many of the factors which led to the more recent applications being refused, including the most recent application to be refused (LW/15/0812), remain relevant. In particular Councillors consider that the development now proposed would adversely affect the semi-rural nature of the area as it represents an overdevelopment of the site and an encroachment upon the amenity currently enjoyed by the surrounding established dwellings. Future occupants of the dwelling would be likely to find that their close proximity to the public house would result in an unacceptable living environment. Finally Councillors consider that the proposed parking arrangements and the inevitable increase in traffic using the entrance to the public house car park would exacerbate the existing highway issues on the A275 outside the public house and the nearby shop.

ESCC Highways – To be reported.

Southern Gas Networks – advice given regarding construction near gas network (see file for full details).

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Three letters of objection received raising the following concerns:

- Site plan is incorrect, eastern boundary is not defined by mature trees/hedging.
- Unclear whether the proposals take into account access rights
- Overdevelopment of site

- Loss of parking to pub, could cause highway safety concerns
- Quality of life for future occupiers next to pub will be poor
- Disturbance during construction will be unbearable
- Out of keeping
- Loss of privacy
- Will affect light and views
- Will be overbearing and will overshadowing neighbouring properties
- Reliance on approval of motel scheme is irrelevant

5.2 1 letter simply requesting a suitably worded condition to secure flooding mitigation.

6. PLANNING CONSIDERATIONS

Principle

6.1 With the application site falling within the defined planning boundary of South Chailey the principle of infill residential development is deemed acceptable, subject to the details of the proposal complying with relevant development plan policies.

6.2 It is considered that the key considerations in the determination of this application are: the effect of the development on the character and appearance of the area; the effect of the development on the living conditions of neighbouring occupiers; whether the proposed development would create satisfactory living conditions for its future occupiers; and the effect of the proposed development on highway safety.

Character and appearance of the area

6.3 As noted above there have been a number of attempts made to secure planning permission for the development of this site with dwellings, all of which have been refused with one scheme subsequently being dismissed at appeal. All of these applications have sought the development of this site with multiple units, the last scheme seeking the erection of a pair of semi-detached units. Whilst this scheme was an improvement on its predecessor, which was the one dismissed at appeal, it was still felt that the resultant design (in an attempt to try and address the issues raised by the appeal inspector) was indicative that the site is incapable of accommodating two x two-storey dwellings.

6.4 Policy ST3 of the Local Plan seeks to ensure new development respects the character of the immediate locality. Core Policy 11 of the Joint Core Strategy also seeks to ensure that the design of new development respects and where appropriate, positively contributes to the character and distinctiveness of the district's unique built and natural heritage.

6.5 The reduction of the development to a single dwelling now ensures that the development is spaciouly arranged with a good sized amenity space serving the dwelling. The single storey nature of the scheme also helps in this respect ensuring the dwelling will not appear prominent in the locality. Whilst the dwelling is pushed into the corner of the plot, sufficient space is maintained to the site boundaries to avoid the scheme looking cramped. Whilst the position of the dwelling towards the rear of the site is unusual, it is not considered 'out of keeping' as the plot doesn't sit within a formalised street scene. It is also reflective of the positioning of the neighbouring dwelling to the north, Horns Lodge Cottage and as noted above is almost identical to the position of the motel previous permitted at the site.

6.6 In terms of the actual design of the dwelling this is relatively traditional and unobjectionable and therefore would not detract from the general character of the area.

6.7 For these reasons the application is considered to comply with policy ST3 of the Local Plan and Core Policy 11 of the Joint Core Strategy in terms of its design and layout and impact on the character and appearance of the area.

Impact on neighbour amenity

6.8 When the last application was determined no reason for refusal was relied upon in relation to the impact of the proposed dwellings on the amenity of neighbouring dwellings. However, the position of the single storey dwelling now proposed is very different to the position of the dwellings proposed by that scheme and therefore careful re-examination of this issue is required. In addition, the removal of the hedge screening that previously ran along the other side of the eastern boundary has changed the relationship with the neighbouring properties. What hasn't changed however is the presence of 2 metre high close boarded fencing on the site boundary and the fact that the neighbouring dwellings to the east sit at a slightly higher level than the application site.

6.9 The position of the proposed dwelling towards the rear of the site now means that the most closely effected dwelling to the east of the site would be Two Willows. This is a chalet style dwelling that is currently set some 8 metres from the mutual boundary. The occupiers of this property are concerned that the proposed dwelling will result in a loss of light and privacy to their home which will be worsened once they have constructed their recently approved rear extension.

6.10 Whilst these concerns are noted, it is considered that the single storey nature of the proposed dwelling will ensure that no significant harm is caused to the living conditions of these neighbouring occupiers. The presence of the close board fence on the boundary should ensure that there is no significant overlooking between the two properties and the 2 metre set back and hipped roof of the proposed dwelling will minimise the bulk of the proposed unit that is visible from the adjacent site. Whilst the roof of the new dwelling will be visible above the fence line, it is not considered that its appearance would be overbearing or result in a significant amount of overshadowing due to its low overall height.

6.11 To the south of Two Willows, the St James Walk properties are set even further away from the proposed dwelling with the closest of these dwellings being set some 15 metres from the mutual boundary. The retention of the close board fencing on the mutual boundary, and low level design of the proposed dwelling is considered sufficient to ensure that no significant harm would be caused to the living conditions of these neighbouring occupiers.

6.12 To the north of the application site, the neighbouring property Horns Lodge Cottage also has an L-shaped footprint and extends close to the mutual boundary. Whilst it has a number of windows directly overlooking the application site, by virtue of the fact they are all first floor windows they will effectively look over the roof of the proposed dwelling and therefore shouldn't be affected by loss of light or privacy.

Living conditions for future occupiers

6.13 Some of the objectors to this application have raised the issue of poor living conditions for future residents of the proposed dwelling due to the relationship with the neighbouring public house. This was a matter that was raised and considered by the Appeal Inspector back in 2007 however he did not consider the erection of a dwelling in

close proximity to an existing pub would be unacceptable. The following comments were made:

"A large proportion of the private amenity space available to future occupiers of the house on Plot 1 would be reduced to the rear of Horn Lodge Inn. A 2 metre high brick wall would separate the respective gardens and part of the boundary would be delineated by the western flank wall of the new house. Whilst I consider it likely that the pub garden would be well used during good weather, I am not persuaded that such use would seriously impact upon the living conditions of occupiers of the new house. The L-shaped configuration of the garden to plot 1 would afford its occupiers the option of outdoor space further away from the neighbouring public house facility."

6.14 Whilst this scheme does not have the same L-shaped configuration of garden as was before that Inspector and therefore none of the amenity space now proposed would benefit from the screening of a building, this is a much more substantial garden which means that potential occupiers have the option of outdoor space away from the pub garden.

6.15 When considering the previous application, the relationship with Horns Lodge Cottage was considered to be poor as it would result in substantial overlooking from this existing dwelling. As noted above Horns Lodge Cottage lies to the immediate north of the application site. It is a two storey dwelling with two first floor bedroom windows directly overlooking the application site at a distance of some 4 metres from the mutual boundary. There is also an additional first floor secondary bedroom window (approved 2009) that sits practically on the mutual boundary i.e. within 0.5 metres. However this window is conditioned to be obscured glazed and fixed shut (unless fanlight opening). It was felt that the rear gardens of the proposed dwellings would be significantly overlooked by these first floor windows.

6.16 The siting of the bungalow now proposed, close to the mutual boundary with Horns Lodge Cottage moves the proposed private amenity space away from the mutual boundary and the building itself will act as a screen. Whilst there is still a small area that is close to the mutual boundary that could be easily overlooked, the majority of the garden space is better separated. This is considered sufficient to address the previous concerns in relation to the living conditions of future occupiers.

Highway Safety

6.17 As noted above the proposed scheme provides the dwelling with two on-site parking spaces to be accessed via the existing pub car park. Turning would take place within the car park.

6.18 The proposal does not result in the loss of any of the existing parking for the public house, as all of the structures and associated parking are contained within land outside of the car park. Therefore there will be no loss of parking and the applicant has demonstrated that 18 parking spaces will be retained on site and a suitably worded planning condition can ensure that this is the case.

6.19 To ensure that the visibility at the car park access is maintained (and can't be obscured by parked cars) the scheme proposes the erection of bollards across the forecourt of the pub and a new raised kerb to formalise the entrance.

6.20 These proposals are all in line with discussions held with the highways authority in relation to the previous application and confirmation that the current scheme is now

acceptable in terms of its access and parking arrangement, is expected. Members will be updated on this matter at the committee meeting.

Conclusion

6.21 With the application site falling within the planning boundary of South Chailey the development of this site is acceptable in principle.

6.22 The proposed design and layout of the dwelling is considered to be acceptable and will not detract from the character and appearance of the locality. The amenity of existing and future occupiers is also considered to be acceptable. Appropriate access and parking for the proposed dwelling and existing public house can now be secured and for these reasons it is considered that this proposal has adequately addressed all the previous concerns raised in relation to the development of this site. This application is therefore considered to comply with Policy ST3 of the Lewes District Local Plan and Core Policy 11 of the Joint Core Strategy and can now be supported.

7. RECOMMENDATION

7.1 Recommend that, subject to receipt of confirmation from the Highways Authority that the access and parking proposals are acceptable that planning permission is approved subject to the conditions outlined below.

The application is subject to the following conditions:

1. Before the development hereby approved is commenced on site, details/samples of all external 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 and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

2. The land indicated on the approved plans for the parking and turning of vehicles in relation to the development hereby permitted and the adjacent public house shall be laid out prior to the first occupation of the dwellings hereby approved and thereafter kept available for that purpose only.

Reason: In the interests of highway safety having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

3. Development shall not begin until details of the proposed works to the junction with the A275 (erection of bollards and proposed raised kerb) have been submitted to and approved in writing by the Local Planning Authority; and the dwelling shall not be occupied until those works have been carried out in accordance with the approved details.

Reason: To secure satisfactory standards of access for the proposed development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

4. 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 Policy ST3 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 **** of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

5. Construction work shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0830 to 1300 on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interest of residential amenities of the neighbours having regard to Policy ST3 of the Lewes District Local Plan.

6. Development shall not begin until details of finished floor levels in relation to the 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 and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Planning Statement/Brief	8 September 2016	
Location Plan	21 November 2016	000-01
Proposed Block Plan	21 November 2016	001-01
Proposed Layout Plan	8 September 2016	002
Proposed Roof Plan	23 September 2016	003
Proposed Floor Plan(s)	23 September 2016	003
Proposed Elevation(s)	8 September 2016	004
Other Plan(s)	8 September 2016	1:500 HIGHWAYS