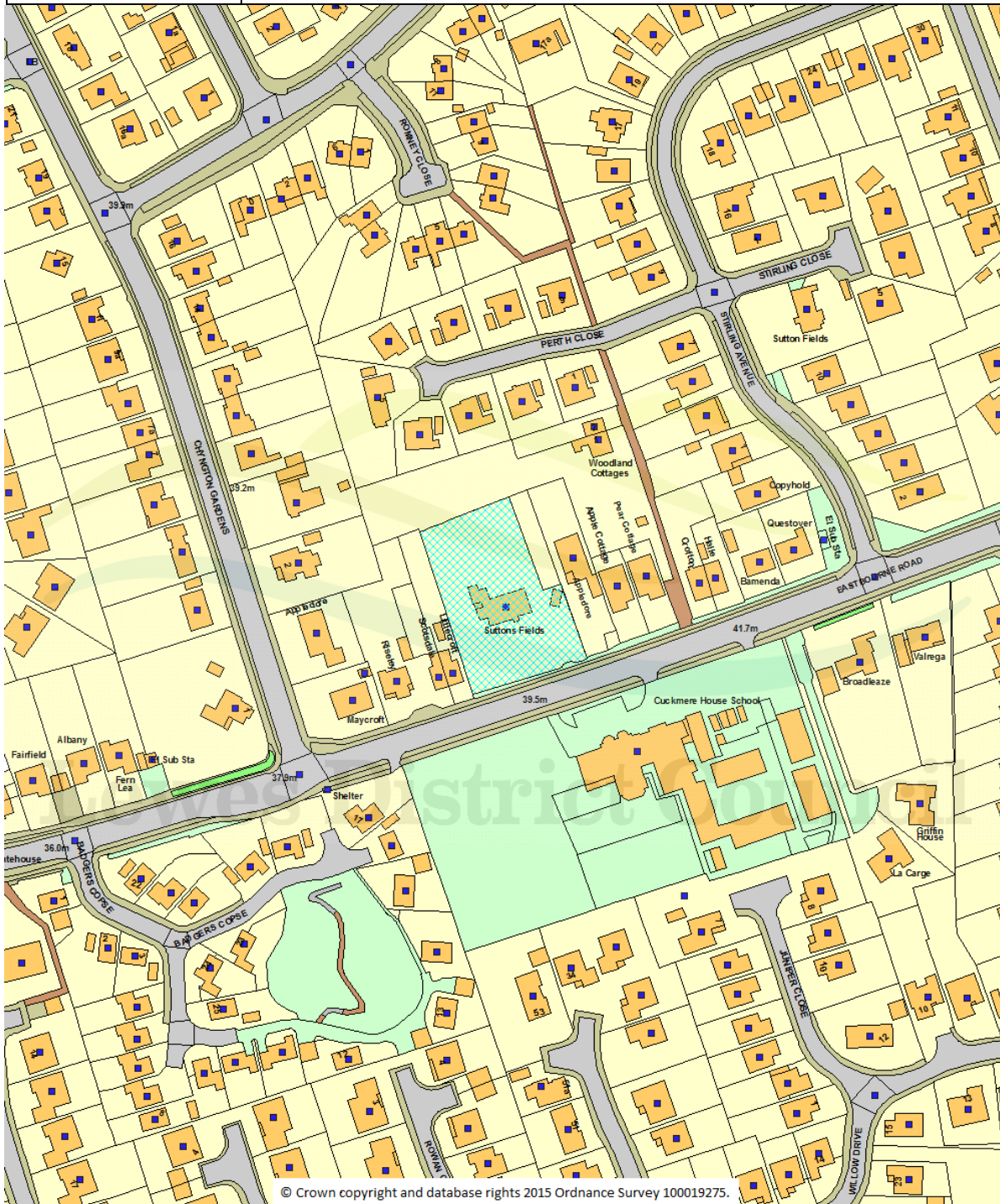


<b>APPLICATION NUMBER:</b>	LW/16/0491	<b>ITEM NUMBER:</b>	<b>6</b>
<b>APPLICANTS NAME(S):</b>	Mr S Wiley	<b>PARISH / WARD:</b>	Seaford / Seaford East
<b>PROPOSAL:</b>	Planning Application for Erection of 3 x three bedroom bungalows and 6 x two/three bedroom dwellings		
<b>SITE ADDRESS:</b>	Sutton Leaze Eastbourne Road Seaford East Sussex BN25 4BB		
<b>GRID REF:</b>	TQ 50 93		



## **0. Introduction**

0.1 Consideration of this application was deferred at the 14 December 2016 meeting, to enable the applicant to consider amending the layout so that the access is adjacent to neighbouring Milton Villa, and the housing is thus further away from Milton Villa.

0.2 At the time of writing (15 December 2016) the applicant is considering the amendment. An update on this will be given at the meeting.

### **Report to 14 December 2016 meeting**

## **1. SITE DESCRIPTION / PROPOSAL**

1.1 The site fronts onto Eastbourne Road between Chyngton Gardens and Sterling Avenue towards the east side of Seaford, and is flanked by houses being 'Milton Villa' and 'Appledore'. The site is roughly rectangular in shape, and has a frontage of 40m and a depth of some 60m. The site is slightly elevated above Eastbourne Road. The site was formerly occupied by a bungalow prior to its demolition, but now comprises open land.

1.2 The site is in a suburban part of Seaford, with predominantly residential properties in the locality, but with Cuckmere House School on the opposite side of Eastbourne Road. There is a bus stop on Eastbourne Road outside the frontage of the site.

1.3 The proposal is to develop the site with 6 two-storey houses and 3 bungalows. A new access road to serve the development would be centrally located off Eastbourne Road. There would be a terrace of three houses either side of the access. Each of the terraces would be a minimum of 1m off the respective side boundary. The gap between the terraces in the centre would allow room for the access road into the site. The three bungalows would be located towards the rear of the site, 6.7-8m in from the rear boundary. The bungalows, like the houses, would be 1m off the respective side boundaries, and would have 2.5m gaps between them.

1.4 All of the dwellings would face onto a centrally located parking area with, at the time of writing, 16 parking spaces (this may change, and an update will be given to the Committee at the meeting). The houses on the frontage would therefore back onto the Eastbourne Road, at a distance of about 5.5m. The Eastbourne Road boundary would have a new hedge planted along the boundary, behind which would be a low level (4' 6") close board timber fence with louvred screen over and cycle stores.

## **2. RELEVANT POLICIES**

**LDLP: – CP11 – Built and Historic Environment & Design**

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

## **3. PLANNING HISTORY**

**LW/88/1825 - Change of Use of single private dwelling house to Registered Residential Care Home including extension and alterations to provide owners accommodation. - Approved**

## **4. REPRESENTATIONS FROM STANDARD CONSULTEES**

**Seaford Town Council** – It was resolved to object, on the grounds of; over development, insufficient parking provision on site, increased traffic movements and road safety concerns and the impact on infrastructure and the character of the town generally.

**ESCC Highways** – On the safety of the access due to the proximity of the Cuckmere House School: The applicant commissioned a Road Safety Audit for the proposed access point. The Audit identified one concern regarding drainage, but this can be overcome by condition. The access point is considered to be acceptable.

On the access: Is acceptable, but a footway should be provided on one side of the access to the Eastbourne Road. The access should be 2m from the nearby lighting column and bus stop.

On parking provision/cycle parking: The 16 parking spaces are acceptable for a development of three x 3-bed and six x 2-bed dwellings.

**Southern Gas Networks** – Standard gas safety advice for construction purposes.

**Environmental Health** – Recommends conditions regarding 'unsuspected' contamination and hours of work during construction.

## 5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Representations objecting to the application have been made by 6 residents from six local households and on behalf of the Cuckmere House School.

5.2 Objections have been raised on grounds of highway hazards, loss of light, overdevelopment, overshadowing, parking issues, traffic generation, traffic on A259, out of character, overbearing building/structure. It is contended that the nine properties are too large and are excessive development for the plot, with a lack of parking provision.

5.3 The number of properties would constitute overdevelopment.

5.4 Highway and pedestrian hazards would result from the access, close to the bus stop and opposite the entrance to Cuckmere School. Taxi's stop at the school, buses wait at the bus stop, and coupled with the busy character of the Eastbourne Road and likelihood of overflow parking from the site, highway and pedestrian hazards would be increased.

5.5 Loss of light would be caused to 'Milton Villa', which has a kitchen, family room and bedroom window facing the site, and overlooking would be caused to 'Scotsdale' (the other half of the semi-detached 'Milton Villa', on the west side of the site).

5.6 The terraced houses would be out of keeping with the detached and semi-detached houses in the locality. The architectural style does not fit in with the Edwardian properties to the west, the school to the south, post war bungalows and early 20th century semi-detached houses to the east.

5.7 The houses, backing onto the Eastbourne Road, would be out of keeping with other development along the Eastbourne Road which conventionally fronts onto the main road.

5.8 The bungalows should be removed from the application as the conversion of their roofspaces to accommodation would cause overlooking.

5.9 The bungalow which stood on the site was demolished without prior notice to residents, presumably in the expectation that planning permission would be granted.

## 6. PLANNING CONSIDERATIONS

6.1 The site is within the Planning Boundary for Seaford (in the Joint Core Strategy) where new residential development can be acceptable in principle in planning policy terms.

6.2 The terraces of three dwellings either side of the access road would be uncharacteristic of the predominant form of dwellings in the immediate locality, which are mainly detached with some semi-detached properties. However, the NPPF generally encourages development of a "wide choice of high quality homes", while Policy CP7 of the JCS expects housing developments to "provide a range of dwelling types and sizes to meet the identified local need". In this case the market has apparently indicated that there is a demand for the type of dwellings which are proposed (although that is not necessarily indicative of local 'need'). The number of dwellings proposed to be below the threshold by which 'affordable' housing would be required.

6.3 The dwellings would have relatively short private gardens, but the proposed layout demonstrates that the number of dwellings can be accommodated on the site in, it is considered, a satisfactory manner. The dwellings adjacent to Eastbourne Road would be two-storey, with bungalows in the rear part of the site, so the height would not, it is considered, be excessive.

6.4 The orientation of the houses means that they would back onto the Eastbourne Road. The frontage would feature a replacement hedge (the existing hedge is not in a particularly good condition), in front of a low fence. The back of the houses would align with the front of Milton Villa. It is considered that the appearance of the houses in the 'street scene' would be acceptable.

6.5 The dwellings would have their primary windows facing front and back, with limited high level windows in the side elevations facing adjacent dwellings. Overlooking of nearby properties should not, it is considered, be significant, particularly in the context of a suburban area where some overlooking of gardens is inevitable.

6.6 The two-storey house closest to Milton Villa would be alongside that house, and would not materially protrude beyond its rear wall. Milton Villa itself is about 3m off the shared boundary (a driveway runs up the side of Milton Villa). The side-by-side position of the dwellings in relation to each other indicates that loss of light to Milton Villa would not justify refusal of the application.

6.7 On the east side 'Appledore' is set back into its plot, to the extent that Appledore would be sited between the houses and the bungalows. The new houses would be about 9m in front of, but also to the side of, Appledore. A section drawing submitted as part of the application shows that the new houses would be built on lower land, meaning that the impact on Appledore is correspondingly reduced. If permission is granted, a 'levels' condition should be imposed to ensure that the difference in levels is carried through to the completed development.

6.8 The central parking area could potentially be a source of noise and disturbance to nearby occupiers but, serving 9 dwellings, it is not considered that the level of such noise and disturbance would be significant.

6.9 At the time of writing the Highway Authority (HA) are generally content with the proposal. However, while the 16 parking spaces are considered adequate for occupants of the dwellings, the HA consider that the development does not provide for visitor parking, if the 2/3-bed dwellings are actually occupied as 3-bed properties. This is because the

parking requirement increases where larger properties are proposed (based on the number of bedrooms per dwelling). The applicant is considering this issue and an update will be provided at the meeting.

6.10 Those opposed to the development have highlighted the potential for highway and pedestrian hazards arising from the bus stop outside the site and the Cuckmere House School opposite, and these points have been put to the HA. The HA has responded, advising that the applicant has commissioned a Road Safety Audit for the proposed access point, which did not identify any significant concerns. The access to the development is on a straight stretch of the Eastbourne Road and adequate sightlines can be achieved both ways.

6.11 Overall, the proposal is for development of a relatively large site within the Planning Boundary, in a sustainable location in relation to shops and services.

6.12 The proposal is considered to be acceptable.

## **7. RECOMMENDATION**

That planning permission be granted.

### **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. 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.

3. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason; To enhance the general appearance of the 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. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Classes A-E (inc) of Part 1 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 and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

5. No development shall take place until details of the layout of the new access and specification for the construction of the access which shall include details of a footway link have been submitted to and approved in writing by the Planning Authority and the use hereby permitted shall not commence until the construction of the access has been completed in accordance with the specification set out on Form HT407 which is attached to and forms part of this permission.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regard to Policy ST3 of the Lewes District Local Plan.

6. The completed access shall have maximum gradients of 4% (1 in 25) from the channel line, or for the whole width of the footway/verge whichever is the greater, and 11% (1 in 9) thereafter.

Reason: To ensure the safety of persons and vehicles using the access and/or proceeding along the highway, having regard to Policy ST3 of the Lewes District Local Plan.

7. Prior to the commencement of development details of the proposed surface water drainage to prevent the discharge of surface water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site shall be submitted to the Local Planning Authority for approval in consultation with the Highway Authority.

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

8. Prior to commencement of development a Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the identification of areas for storing materials, plant and machinery; areas for contractor parking clear of the highway; turning area; size of vehicles, routing of vehicles and hours of operation. (Given the strategic nature of the A259 Eastbourne Road) the hours of delivery/ collection should avoid peak traffic flow times.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large, having regard to Policy ST3 of the Lewes District Local Plan.

9. During any form of earthworks and excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads

Reason: In the interests of highway safety and for the benefit and convenience of the public at large, having regard to Policy ST3 of the Lewes District Local Plan.

10. The development shall not be occupied until car parking, cycle storage and turning space for vehicles has been provided and constructed in accordance with the approved plans, and these areas shall thereafter be retained for those purposes.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regard to Policy ST3 of the Lewes District Local Plan.

11. The visibility splays available at the site access as shown on the submitted plan (Drawing No.1556.PL01A) shall be maintained to a minimum of 2.4m x 43m in both directions. These splays shall be cleared of all obstructions exceeding 600 mm in height and kept clear thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regard to Policy ST3 of the Lewes District Local Plan.

12. The building shall not be occupied until the existing access shown on the submitted plan [Drawing No. 1556.LP01] has been stopped up and the kerb and footway and verge] reinstated in accordance with details submitted to and approved in writing by the Planning Authority.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, having regard to Policy ST3 of the Lewes District Local Plan.

13. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Policy Guidance contained in the National Planning Policy Framework 2012.

14. Any works in connection with this permission shall be restricted to the hours of 0800 to 1800 Mondays to Fridays and 0830 to 1300 on Saturdays, and not at any time on Sundays, Bank or Public Holidays.

Reason: In the interest of the amenities of the adjoining residents 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.

## **INFORMATIVE(S)**

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. The applicant's attention is drawn to the need for a S184 licence for the construction of the new access. The existing access onto Eastbourne Road should then be permanently closed off. The applicant should contact ESCC to apply for a licence to ensure the construction is up to an acceptable standard. The alteration of this will require the compliance with the Traffic Management Act 2004 and that the contractor will have to book road space with the County Council's Network Coordination team (0345 60 80 193)

3. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Block Plan	10 June 2016	1556.LP01
Location Plan	10 June 2016	1556.LP01
Existing Layout Plan	10 June 2016	1556.S01
Existing Floor Plan(s)	10 June 2016	1556.S01
Existing Roof Plan	10 June 2016	1556.S03
Existing Layout Plan	10 June 2016	1556.S03
Existing Floor Plan(s)	10 June 2016	1556.S02
Existing Layout Plan	10 June 2016	1556.S02
Design & Access Statement	10 June 2016	
Proposed Elevation(s)	17 November 2016	1556.PL05 B
Proposed Section(s)	17 November 2016	1556.PL06 B