

APPLICATION NUMBER:	LW/17/0660	ITEM NUMBER:	8
APPLICANTS NAME(S):	Mr N Humphries	PARISH / WARD:	Telscombe / East Saltdean & Telscombe Cliffs
PROPOSAL:	Planning Application for Demolition of existing dwelling to be replaced with a block of 6 x 1 Bed flats with associated car parking		
SITE ADDRESS:	22 Bannings Vale Saltdean East Sussex BN2 8DB		
GRID REF:	TQ3801		



1. SITE DESCRIPTION / PROPOSAL

Site Description

- 1.1 The application site is occupied by a detached two storey dwelling house with a pitched roof. The property is one of a group of three properties of similar scale and form, notable because of their narrow width and clad first floor which is also slightly pitched, similar to a mansard roof. The property adjoins 20 Bannings Vale, a large two storey pitched roof building containing 4 self-contained flats.
- 1.2 The property has a detached garage to one side and is set back from the street behind a front garden laid to lawn. The back garden to the property is some 25m in length.
- 1.3 The application site lies at the foot of a hillside, with ground level sloping downward from front to rear, reaching a dip before rising again in the direction of Hamsey Road, Tye Close and the A259 coast road.
- 1.4 The property is sited within the Planning Boundary of Saltdean and the building is not Listed or located in a Conservation Area.

Proposal

- 1.5 The application seeks planning permission for the demolition of the existing detached dwelling house and for re-development of the site with a three storey building contained 6 x 1-bedroom flats.
- 1.6 The new building will have three storeys, although the top storey will be set back from the edges of the floors below and will feature a split pitched roof set at a shallow angle. The footprint will increase to 16m x 7.3m in relation to the current house which is 10.9m x 5m, but still smaller than the neighbouring flats which have a footprint of 19.8m x 10.3m (20 Bannings Vale).
- 1.7 In terms of height, the proposed building will be 9.3m overall and 6.1m at the notional eaves level at the point where the second floor level is set back from the two storeys beneath.
- 1.8 External materials and finishes are proposed to be facing brickwork at ground floor level with painted render walls above.
- 1.9 The ground and first floor plans will be the same, with a 1-bed flat at the front and at the rear and a communal hallway and staircase in between. The top floor will have a slightly different configuration but with the bedroom and living areas swapped around and there being 5.6 square metre outdoor balconies to the front and to the rear.
- 1.10 A new driveway from Bannings Vale along the side of the building would provide access to a communal parking area for six cars and a cycle storage area.

2. RELEVANT POLICIES

LDLP: – CT01 – Planning Boundary and Countryside Policy

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

LDLP: – SP2 – Distribution of Housing

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP13 – Sustainable Travel

3. PLANNING HISTORY

LW/99/0387 - Single storey side extension - Approved

LW/06/0007 - Room in roof with rear dormer and side gable - Refused

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Telscombe Town Council

4.1 The Planning & Highways Committee considered the application and OBJECT to the proposal on the grounds that the access to the site is sub-standard, at approx. 3m in width two cars could not pass meaning that cars could be forced to reverse on to a busy road causing obstruction. That the two top floor flats measure less than the minimum size set out in the DCLG document Technical Housing Standards nationally described space standards which shows that the minimum gross internal area should be 37sqm not 32sqm as proposed. That the massing, height and design would be out of keeping with the predominantly two storey street scene, and would therefore be contrary to ST3 of the Saved Local Plan.

4.2 That the proposal would cause loss of privacy to the neighbouring property by virtue that the proposed windows on the south west facing façade would look directly onto windows of the neighbouring property. The proposal would be unneighbourly by virtue of continuing traffic movement and noise that would detrimentally affect the enjoyment of the neighbouring properties.

ESCC Highways

4.3 No objection

4.4 The width is acceptable at 4.5m however this would need to be extended for the first 5m from the highway, the plan indicates approximately 4m. If the plan is amended this would overcome my concerns.

Environmental Health

4.5 No objection subject to conditions relating to unsuspected contamination, asbestos and a Construction Environment Management Plan.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 A representation has been received from Flat 1, 20 Bannings Vale, in support of the application for the following reasons:-

- The current state of the property needs urgent works
- A new fence/wall should be built on the boundary
- The site should be kept clean whilst works commence
- Something drastic needs to be done to combat the current gridlock on the A259
- Bus lanes and public transport schemes do not help self-employed van users

5.2 A representation has been received from 18 Bannings Vale objecting to the application for the following reasons:-

- Out of character
- Over development
- No 3 storey buildings in the vicinity
- Overbearing building/structure
- Highway hazards
- Traffic generation
- Parking issues
- Lack of infrastructure

6. PLANNING CONSIDERATIONS

6.1 The main considerations in the determination of the application include the principle of development; the design; impact on amenity; and accessibility and sustainable transport.

Principle

6.2 The application site lies within the Planning Boundary of Saltdean within a predominantly residential area. The proposals will result in a net increase of 5 dwelling units on the site, which will make more efficient and effective use of the land, providing much needed additional housing within the Lewes District. The proposals are thereby acceptable in principle and meet the requirements of policy SP2 of the adopted Joint Core Strategy.

6.3 There is no objection to the loss of the existing dwelling, which is neither Listed or of any special historic or architectural importance.

Design

6.4 The proposed building will be three storeys in height and it is noted that adjoining properties are two storeys in height with pitched roofs. The comments received from the near neighbour in this respect are acknowledged.

6.5 The applicant has sought to keep the overall height of the building to a minimum by setting the top floor back from the edges of the floors below and by designing a shallow split-pitched roof that overall will not be significantly taller than the neighbouring properties, particularly 20 Bannings Vale. It should be noted that 20 Bannings Vale is two storeys with a pitched roof, the ridge being slightly lower than the top floor of the proposed development.

6.6 In addition there are three-storey flats nearby including 1-8 Reba Court off Tye Close and 12 flats within 15 Bannings Vale ("The Grange") opposite the application site. These buildings also have pitched roofs and as such will be taller than the proposed development.

6.7 As above there are many flats in the local area, including nearby Martlet House (10 Bannings Vale) which comprises 40 flats.

6.8 In summary, the height, scale and proposed use of the development will not be out of keeping with existing development in this locality.

6.9 The proposed building has also been carefully designed to avoid being sited too close to the common boundaries with the neighbouring buildings, 20 and 24 Bannings Vale, which insures that the rhythm and spacing between buildings is maintained and a "terracing effect" is avoided.

6.10 There are a variety of different dwelling types in this location, including 1, 2 and 3 storey development comprising dwelling houses and flats, and these use a wide ranging palette of external materials and finishes including render, facing brick, timber cladding. The proposed building makes reference to these building materials and the split-pitched roof form also is derived from the traditional pitched roof and in design terms is preferable to a flat roof in this location.

Amenity

6.11 The spaces between the proposed building and the neighbouring properties will be at least 6m and are sufficient to prevent the development from leading to undue overshadowing or having an overbearing impact. In terms of privacy and overlooking it is noted that the north-easterly flank windows will be to bathrooms and, on the top floor open plan kitchens. These windows will be obscure glazed and non-opening up to at least 1.7m above finished internal floor level. The top floor kitchens will be open-plan at the back of the living areas, which will benefit from a good outlook and plenty of natural light, thereby the obscure glazing of the kitchen windows will not be unduly harmful to future occupiers' living conditions.

6.12 The kitchen and bathroom windows at first and second floor level on the south-westerly flank elevation will be obscure glazed and non-opening below 1.7m, the only clear glazed windows will be to the communal hallways/landings and to the internal cupboard rooms to the two first floor flats. These cupboard rooms will be neither living areas nor bedrooms and will be used for storage. As such the neighbouring occupiers of 20 Bannings Vale should not feel overlooked.

6.13 In terms of increased comings and goings and intensified levels of domestic activity that will be brought about by the increase of dwelling units, it is considered that this should not have a harmful impact on neighbour amenity by way of nuisance and disturbance in view of the site context in which many buildings comprise flats, including 10 and 15 Bannings Vale.

6.14 In respect to the size of each of the flats proposed the objection from the Town Council is acknowledged. The Government's Technical Housing Standards - nationally described space standard (published in March 2015) advises that 1-bedroom flats capable of habitation by two people should have an area of at least 51.5 square metres.

6.15 This particular standard is not adopted in the current Joint Core Strategy for Lewes District, but even so, the sizes of the flats proposed in this instance are not

significantly less than the national standard. The ground and first floor level flats will have floor areas of 46 square metres and the top floor flats will have a floor area of 31 square metres and a 5.6 square metre balcony, making a total of 36.6 square metres. The proposed floor plans which have been submitted are to scale and indicate that a double bed and other furnishing could be accommodated in each flat and that there will be sufficient circulation space for future residents.

Accessibility and Sustainable Transport

6.16 The application site is 220m from the nearest bus stop along the A259 and 400m from the shopping parade in Longridge Avenue, Saltdean. As such future residents of the development will not need to be solely reliant on the use of a private car for their day to day travel needs. The application proposes 6 car parking spaces to the rear of the new building, a similar arrangement to neighbouring 20 Bannings Vale, which has car parking and garaging to the rear. This is considered to be acceptable.

6.17 The applicant has also responded to the initial objection from ESCC highway authority by widening and elongating the point of vehicular access so that two vehicles may pass clear of the public highway.

6.18 The applicant also proposes to build a secure and sheltered cycle storage facility behind the building. This should include a minimum of 12 spaces (for example 6 x Sheffield stands) in order to encourage future residents to be less dependent of the private car for all of their journeys.

7. RECOMMENDATION

In view of the above approval is recommended.

The application is subject to the following conditions:

1. No development shall take place until details and samples of all external materials including the fenestration; hard surfaces; roof materials and external finishes to the walls, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples and retained as such thereafter.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policy ST3 of the Lewes District Local Plan, policy CP11 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

2. No development, including demolition of the existing dwelling, shall be carried out until a Construction Environment Management Plan has been submitted to and approved by the Local Planning Authority. This shall include the arrangements and mitigation measures for all environmental effects of the development during the construction period including traffic (deliveries, contractor's vehicles and parking clear of the public highway); temporary site security fencing; the timing of deliveries for plant, materials and removal of waste; storage areas for plant and materials; artificial illumination; noise; vibration; dust; air pollution; and odour, including those effects from the decontamination of the land.

Reason: In the interests of highway safety and the amenity of neighbouring residents, having regard to retained policy ST3 and Core Policies 11 and 13 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

3. No development shall take place until details of the refuse and recycling storage area, to include a 1:50 scale layout plan and 1:100 scale elevations, as indicated on the approved plans, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the refuse and recycling facilities shall be provided prior to the first residential occupation of the approved development and retained as such thereafter, unless otherwise agreed in writing by the local planning authority. .

Reason: To ensure a satisfactory development in keeping with the locality and in order to safeguard both neighbour and visual amenity, having regard to policy ST3 of the Lewes District Local Plan, policy CP11 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

4. No development shall take place until details of the cycle parking facility, to include a 1:50 scale layout plan and 1:100 scale elevations, as indicated on the approved plans, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the cycle parking facility shall be provided prior to the first residential occupation of the development and retained as such thereafter for the use of residents and visitors to the development hereby permitted, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and to encourage and provide for means of travel other than the private car in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

5. Notwithstanding the drawings hereby permitted, no development shall be carried out until a plan for both hard and soft landscaping (to include details of species, planting density and planting heights), has been submitted to and approved in writing by the local planning authority.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 of the Lewes District Local Plan, Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

6. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the first occupation of either new dwelling hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

7. All hard surfaces incorporated into the development hereby approved shall be constructed from porous or permeable materials or designed to direct surface run-off to soakaways within the application site.

Reason: In order to drain surface run-off water naturally in the interests of sustainability and reducing the risk of flooding, in accordance with Core Policies 11 and 12 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to National Planning Guidance contained in the National Planning Policy Framework 2012.

8. Notwithstanding the drawings hereby permitted, no development shall be carried out until a plan indicating the positions, design, materials and type of boundary treatment to be erected, to include the heights, materials and design of any fences and/or walls, has been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed in accordance with the approved details prior to the first residential occupation of the new dwelling hereby permitted and retained as such thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 of the Lewes District Local Plan, Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

9. Prior to the first residential occupation of the development hereby permitted the vehicular access, car parking and turning facilities shall be provided in accordance with the approved drawings and retained as such thereafter only of the parking of vehicles associated with the residents and visitors to the approved development.

Reason: In the interests of amenity and to provide for the travel demand generated in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

10. The overall maximum height of the development hereby permitted, to the highest part of the split-pitched roof, shall not be more than 2.61m above the main ridge height of 24 Bannings Vale or 0.83m above the main ridge height of 20 Bannings Vale, in accordance with approved drawing no. 710.BVS.111, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and the appearance of the street scene, having regard to retained Policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

11. Construction work and deliveries in association with the development hereby permitted shall be restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays. No works in association with the development hereby permitted shall be carried out at any time on Sundays or on Bank/Statutory Holidays.

Reason: In the interests of the residential amenities of the neighbours having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

12. Unless otherwise agreed in writing by the local planning authority, and with the exception of the internal cupboard room and communal hallway/landing windows, all windows at ground and first floor level on the north-east and south-west flank elevations of the development hereby permitted shall be obscure glazed (to a minimum of Level 3 privacy) and non-opening, unless the parts of the windows which can be opened are at least 1.7m in height above the internal finished floor level. The windows shall be retained as such thereafter.

Reason: To protect the privacy and residential amenity of neighbours having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

13. Unless otherwise agreed in writing by the local planning authority, the windows at second floor level on the north-east and south-west flank elevations of the development hereby permitted shall be obscure glazed (to a minimum of Level 3 privacy). The windows shall be retained as such thereafter.

Reason: To protect the privacy and residential amenity of neighbours having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

14. 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, a 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 Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and the National Planning Policy Framework.

INFORMATIVE(S)

1. 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>

2. 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.

3. The applicant is hereby reminded of the Control of Asbestos Regulations 2012 when carrying out demolition and other works associated with the development hereby permitted. For more information please visit <http://www.hse.gov.uk/Asbestos/regulations.htm>.

4. The applicant is hereby encouraged to minimise waste arising from the development by way of re-use and/or recycling. All waste materials arising from any clearance and construction activity at the site should be stored, removed from the site and disposed of in an appropriate manner. It is an offence to burn trade waste, so there should be no bonfires on site.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Design & Access Statement	24 July 2017	
Location Plan	24 July 2017	710.BVS.100

Existing Block Plan	24 July 2017	710.BVS.100
Proposed Block Plan	30 August 2017	710.BVS.101 REV A
Proposed Floor Plan(s)	30 August 2017	710.BVS.110 REV A
Proposed Elevation(s)	30 August 2017	710.BVS.110 REV A
Street Scene	24 July 2017	710.BVS.111