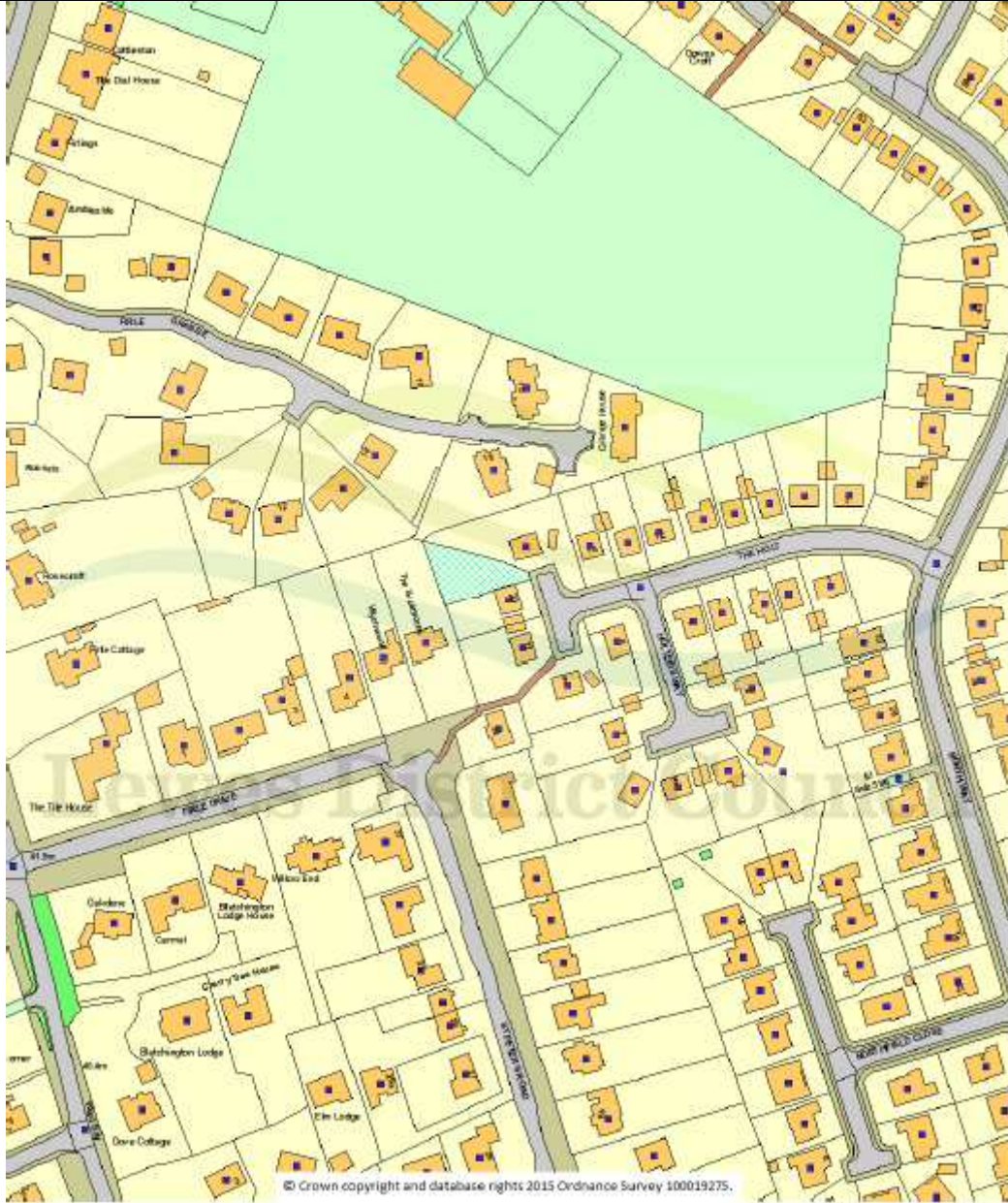


<b>APPLICATION NUMBER:</b>	LW/17/0754	<b>ITEM NUMBER:</b>	<b>10</b>
<b>APPLICANTS NAME(S):</b>	Ms T Saunders	<b>PARISH / WARD:</b>	Seaford / Seaford North
<b>PROPOSAL:</b>	Planning Application for Proposed 3 bedroom detached dwelling with garage		
<b>SITE ADDRESS:</b>	20 The Holt Seaford East Sussex BN25 3HR		
<b>GRID REF:</b>	TQ 48 00		



## 1. SITE DESCRIPTION / PROPOSAL

1.1 This is a full planning application proposing the subdivision of the garden of 20 The Holt and the construction of a detached two storey 3 bedroom dwelling with single garage.

1.2 The proposed plot is triangular in shape because it is situated within the north western corner of the cul-de-sac, which is The Holt. The southern boundary of the application site borders the northern elevation of the existing dwelling (20 The Holt). The principle elevation of the proposed dwelling would be situated on the same building line as the rear elevation of the existing dwelling and would be set back around 12m from the pavement edge. The proposed garage would be hard up against the proposed boundary to be shared with the existing property and would be set back around 1.8m from the principle elevation of the proposed dwelling. The proposed dwelling would have a width of approximately 7.4m leaving a gap of around 1m to the northern boundary shared with No.18 The Holt. The proposed dwelling would be pitched from front to back with its ridgeline orientated on a north south axis. It would have a two storey gable fronted projection and gable porch to the eastern (front) elevation.

1.3 The proposed dwelling would have brickwork facing walls at ground level with white Upvc shiplap cladding above and interlocking concrete roof tiles. The windows would be white Upvc casements.

1.4 The proposed rear garden would have a depth of just over 8m and include the provision of a garden shed/bike store behind the garage and a refuse and recycling storage area adjacent to the northern boundary.

1.5 The perimeter would be enclosed with a 1.8m high boundary fence and planting. A eucalyptus tree would be removed.

## 2. RELEVANT POLICIES

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

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

## 3. PLANNING HISTORY

**S/53/0090** - Outline application for residential development.

Part Approved/Part Refused.

See Plan - Sections B, C, D, E & F Approved, Sections A & G Refused. - **Split**

**S/69/0229** - Outline application for forty-nine houses and garages - **Refused**

**LW/74/1555** - Outline application for residential development (approx. eight units/acre) on existing agricultural land. - **Refused**

**LW/80/0726** - Outline Application for residential development. Restrictive Planning Condition No's. 14 & 15. - **Approved**

**LW/81/0106** - Approval of Reserved Matters (LW/80/0726) for the construction of new estate roads and erection of thirty-five detached bungalows, twelve detached three bedroom bungalows, two detached four bedroom houses with garages. - **Approved**

**LW/81/0413** - Approval of Reserved Matters (LW/80/0726) for the erection of fourteen detached four bedroom houses and ten detached three bedroom house with garages. - **Approved**

**LW/86/1968** - New attached garage and extension to existing garage. - **Approved**

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

**4.1 Environmental Health** – No objections subject to the recommendation of a planning condition to restrict the hours of construction to protect the interests of residential amenity.

**4.2 Seaford Town Council** – Recommends that the application be supported.

**4.3** The Committee considered that the plot could accommodate the proposed dwelling without adversely affecting neighbouring properties and the general character of the area and that the development of windfall sites such as this is in line with local and national policies.

#### **5. REPRESENTATIONS FROM LOCAL RESIDENTS**

**5.1** Nine letters of objection have been received from seven households. No objection has been received from an eighth household. The concerns have been summarised as follows;

- *"The Town Council have lost the plot and have no common sense or consistency"*. A planning application was made opposite the application site (LW/17/0609) to move a garden fence which was recommended for refusal on the grounds of impact on the street scene and visibility.
- The Town Council support this application stating that the application plot could accommodate the proposed dwelling and without detriment to the living conditions of adjoining properties. They also state that windfall sites such as this are in line with national and local policies.
- The extra dwelling will increase traffic and be prejudicial to the safety of pedestrians and other highway users.
- Set a precedent which will encourage applications for other new dwellings which will have a cumulative detrimental effect and may be difficult to resist.
- The access for the proposed dwelling is currently used for parking and turning.
- Overdevelopment and squeezed into the applicant's garden (inappropriate development of residential gardens para 53 of NPPF).
- Overlooking and a loss of privacy (The Sycamores).

- Out of character with the low density grain of existing surrounding development.
- Overbearing.
- Overshadowing and a loss of daylight.
- Lack of infrastructure (overstretching social and healthcare services).

5.2 The Town Council has sold off open space at the busy junction of North Way and The Holt for the construction of a three bedroom bungalow which has already started causing parking and access issues in the area.

5.3 The agent has written comments in response to the above matters which will be included in the main issues section of this report.

## 6. PLANNING CONSIDERATIONS

6.1 The main issues for consideration are impact on the character and appearance of the area, impact on the living conditions of adjoining properties and highways.

### Character and Appearance

6.2 The Holt is a 1970's housing estate characterised by two storey detached houses some linked with flat roofed single garages, all set back from the highway. The locality is flat and the layout has a spacious setting with open landscaping and planted green spaces between and around houses.

6.3 The application site is a garden space between the existing dwelling and No. 18 which is at right angles to No. 20 The Holt. The distance between the existing property and No. 18 is approximately 7m. The application site is not a brownfield site as suggested by the agent. A brownfield site is defined in para 111 of the NPPF as being previously developed land that is not of high environmental value. This type of land is generally of a commercial nature, not a residential garden.

6.4 The proposal of a detached 3 bedroom dwelling in this space is contrived and would be cramped and out of keeping with the more spacious pattern of existing development in the locality. The agent has commented that, *"the dwelling would be set back and partially obscured by No 18 The Holt and have little impact on the street scene within the Close."* The proposed street scene drawing (2017-82-07) illustrates the tight knit relationship of existing dwellings either side, with that proposed. The proposed development would be at odds with the general rhythm and pattern of existing properties in the locality.

6.5 Paragraph 53 of the National Planning Policy Framework seeks to resist the inappropriate development of residential gardens which would cause harm to the local area. The proposed development constitutes poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions in conflict with the design paragraphs of the National Planning Policy Framework.

6.6 It is considered that the proposed dwelling would detract from the street scene and character and appearance of the area in conflict with policy ST3 of the Local Plan, CP11 of the Joint Core Strategy and the National Planning Policy Framework.

### Living Conditions

6.7 The proposed dwelling is pushed back into the site behind the rear of the existing dwelling because the width of the proposed plot would be too narrow to facilitate it on the same building line as existing dwellings. In this respect it is a back-land type of relationship with the existing property with its two storey flank wall (8.4m deep) only 3m from the southern elevation shared with the garden (and conservatory) boundary of the existing dwelling. This may appear oppressive when viewed from the garden and conservatory within the existing property.

6.8 In terms of overlooking and a loss of privacy it is considered that the proposed dwelling would compromise the living conditions for the occupiers of The Sycamores which adjoins the application site to the west. There would only be just over 8m (as scaled from the drawings) between the proposed dwelling and rear garden boundary shared with The Sycamores. The proposed first floor bedroom windows would overlook and as such would compromise the privacy to the rear garden area and windows in the north facing elevation of The Sycamores. The agent has commented that "any views to the rear elevation of The Sycamores would be very oblique and some 16 metres away". However, the separation distance between properties is around 11metres.

6.9 The windows proposed in the northern side elevation would have obscured glass (be fixed shut with high level fanlight openings) and it is considered that no material harm, by reason of loss of privacy and overlooking would result for the occupants of No.18 The Holt.

6.10 The agent considers that due to the orientation of the site there would be no material harm by reason of overshadowing and loss of daylight/sunlight. However, it is considered that the proposed dwelling would result in some overshadowing and loss of sunlight and daylight (in the afternoon hours) to the west side and garden of No.18 The Holt.

6.11 The proposed dwelling would therefore materially harm the living conditions of adjoining properties in conflict with policy ST3 of the Lewes District Local Plan.

### Highways

6.12 The application proposes a single garage and off street parking. The garage falls slightly short of the internal measurements stipulated by ESCC Highway Authority (2017 Minor Planning Application Guidance) for a single garage, which is 6 x 3m with a door width of 2.4m. Notwithstanding this, it is considered that the proposed 3 bedroom dwelling in this cul-de-sac location would not materially harm the free flow of traffic nor prejudice the safety of pedestrians and other highway users.

6.13 Overall, the proposed development is considered to be unacceptable and would conflict with the relevant local and national planning policies.

## **7. RECOMMENDATION**

That permission be REFUSED.

### **Reason(s) for Refusal:**

1. The subdivision of the plot and proposed dwelling would be cramped and out of keeping with the spacious pattern of existing development in the locality and would conflict with policy ST3 of the Lewes District Local Plan, CP11 of the Joint Core Strategy, design paragraphs and paragraph 53 of the National Planning Policy Framework which seeks to resist the inappropriate development of residential gardens which would cause harm to the local area. In this respect the proposed development constitutes poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

2. The proposed development by reason of its cramped layout and siting would compromise the living conditions for the occupants of adjoining properties by reason of its overbearing impact, overlooking and a loss of privacy, and overshadowing and a loss of daylight and sunlight, all in conflict with policy ST3 of the Lewes District Local Plan.

**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 with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, thereby allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied as part of a revised scheme. The Local Planning Authority is willing to provide pre-application advice and to advise on the best course of action in respect of any future application for a revised development.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Existing Layout Plan	31 August 2017	2017-82-01
Existing Elevation(s)	31 August 2017	2017-82-02
Existing Elevation(s)	31 August 2017	2017-82-03
Proposed Layout Plan	31 August 2017	2017-82-04
Proposed Floor Plan(s)	31 August 2017	2017-82-05
Proposed Roof Plan	31 August 2017	2017-82-05
Proposed Elevation(s)	31 August 2017	2017-82-06
Street Scene	31 August 2017	2017-82-07
Location Plan	31 August 2017	2017-82-08
Proposed Block Plan	31 August 2017	2017-82-08
Planning Statement/Brief	31 August 2017	PS/2017/82