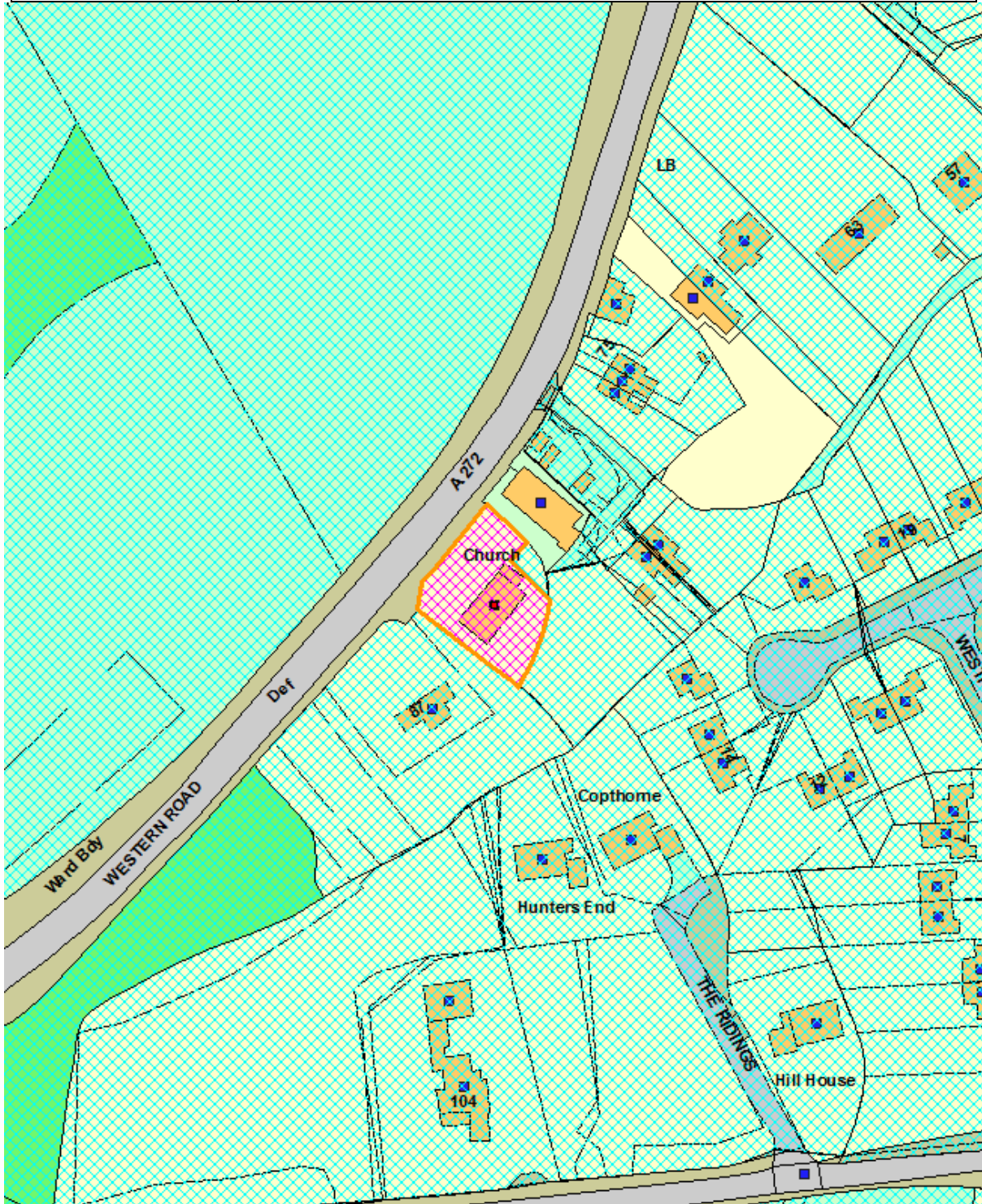


APPLICATION NUMBER:	LW/19/0354		
APPLICANTS NAME(S):	Mr & Mrs S Long	PARISH / WARD:	Newick / Newick
PROPOSAL:	Planning application for demolition of existing bungalow and garage and construction of pair of semi- detached 2 storey dwellings		
SITE ADDRESS:	85 Western Road, Newick, East Sussex, BN8 4NX		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

SITE DESCRIPTION

1.1 The application site lies on the southern side of Western Road on the edge of Newick village on a sweeping bend forming part of the A272, a busy east-west route between Haywards Heath and Uckfield. The site is currently occupied by a detached bungalow dwelling.

1.2 The application site lies within the defined Planning Boundary of Newick. The existing building is not listed and the site is not within a Conservation Area but it is within a policy H12 Area of Established Character. The application site is also within the 7km radius of the Ashdown Forest Special protection Area.

PROPOSAL

1.3 The application seeks full planning permission for demolition of the existing bungalow and construction of a pair of semi-detached houses.

1.4 The proposed houses would be set back from the road 9.6m and they are proposed to have a traditional form with pitched roof and gable ends.

1.5 The proposed external materials and finishes would be similar to those used in the construction of the existing bungalow: tile hanging, self-coloured render above brick plinth and clay plain tile roof. Windows and doors are proposed to be white uPVC and aluminium. All paving and patio areas are to be constructed using porous materials to allow natural drainage.

1.6 Car parking is proposed in front of the dwellings along with two vehicular access points onto the A272, one being shared with the approved development behind the application site.

2. RELEVANT POLICIES

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

LDLP: – CT01 – Planning Boundary and Countryside Policy

LDLP: – CP10 – Natural Environment and Landscape

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage

LDLP: – CP13 – Sustainable Travel

LDLP: – CP14 – Renewable and Low Carbon Energy

LDLP: – H12 – Areas of Established Character

LDLP:- DM24 – Protection of Biodiversity and Geodiversity

LDLP:- DM25 – Design

LDLP:- DM26 Refuse and recycling

NNP :- HO1.1 Respectful Design

NNP :- HO1.5 Adequate off road parking

NNP:- HO1.6 – Houses in Gardens

3. PLANNING HISTORY

LW/19/0354 - Demolition of existing bungalow and garage and construction of pair of semi-detached 2 storey dwellings -

E/63/0232 - Outline Application for the erection of fifteen dwellings. Deemed Refused. - **Deemed Refused**

E/66/0884 - Formation of Double Vehicular access. - **Approved**

E/66/0473 - Outline Application for one dwelling with garage. - **Approved**

E/67/0547 - Planning and Building Regulations Applications for detached bungalow with attached garage. Building Regulations Approved. Completed. – **Approved**

History for the separate plot to the rear:-

LW/19/0318/CD - Discharge of condition 2 relating to approval LW/19/0080. Approved 24 June 2019.

LW/19/0080 - Construction of a two bedroomed single storey dwelling and construction of a new access to that dwelling. Approved 24 April 2019.

LW/17/0029 - Loft conversion and replacement window. Approved 6 March 2017.

LW/16/0520 - Erection of a single storey two bedroom detached dwelling. Approved 26 April 2017.

LW/15/0609 - Erection of a detached three bedroomed dwelling. Withdrawn.

LW/13/0724 - Loft conversion and erection of a detached triple garage with office over. Approved 8 January 2014.

LW/07/0065 - Erection of two detached bungalows (resubmission of LW/06/1248). Refused 12 March 2007.

LW/06/1248 - Erection of two detached dwellings (resubmission of LW/06/0867). Refused 7 December 2006.

LW/06/0867 - Erection of two detached dwellings. Withdrawn.

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Main Town / Parish Council – Objection

- o Overdevelopment and overcrowding of the site
- o Access concerns including turning on driveway and insufficient/inadequate parking for residents, visitors and delivery vehicles
- o Contrary to policy HO1.6 of the Newick Neighbourhood Plan which states that construction of additional homes in the gardens of existing homes will not be supported.
- o It is also considered that the proposed development would damage an area of established character.

ESCC SUDS – No objection

The applicant has provided additional information addressing previous concerns raised in relation to the requested infiltration testing and groundwater monitoring.

Infiltration rates are considered sufficient for drainage, however, groundwater levels in June have been shown to be high at 0.88m below ground level in June. The Lead Local Flood Authority (LLFA) requests that further details are provided on how this may affect the detailed design of the proposed permeable paving.

If the local planning authority is minded to recommend approval, the LLFA suggests imposing the following conditions to manage surface water run-off from the development:

1. Details on how impacts of high groundwater on the hydraulic capacity and potentially structural integrity of the permeable paving will be managed should be provided to the local planning authority.
2. Prior to the occupation of the development, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

ESCC Highways – No objection

Having initially objected to the application on 4 June 2019, the highway authority submitted revised consultation comments on 1 July 2019 following the applicant's submission of amended plans, raising no objections to the proposal subject to conditions.

Access width:

The width of the northern access has been revised which is acceptable.

On site turning:

The revised tracking drawings show that drivers can manoeuvre into and out of the proposed parking spaces without hindrance and leave the site in forward gear. However those using the northern access will require use of the access drive to the newly consented property at 85 western Road. This may occasionally cause some confusion/delay to drivers but not affect the operation of the highway.

Construction traffic management

The Construction Management Plan (CMP) has been amended to ensure deliveries are off peak to the benefit of the highway network but the routing map does not show a vehicle route as requested.

Conditions

1. The new access to serve the northern house (shared with planning permission LW/19/0080) shall be in the position shown on the submitted plans number (10039 201A to 10039 204A) and laid out and constructed to the satisfaction of the Local Planning Authority prior to occupation of the development hereby permitted.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

2. The development shall not be occupied until parking areas have been provided in accordance with the approved plans (10039 201A to 10039 204A) and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

3. The development shall not be occupied until cycle parking has been provided in accordance with the approved plans and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development

4. No part of the development shall be occupied until the vehicle turning space has been constructed within the site in accordance with the approved plans (10039 201A to 10039 204A). This space shall thereafter be retained at all times for this use and shall not be obstructed.

Reason: In the interests of road safety

5. The completed access shall have maximum gradients of 2.5% (1 in 40) from the channel line and 11% (1 in 9) thereafter

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

6. Prior to the occupation of the development the drainage works 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 into the site shall be in operation and be maintained thereafter.

Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding.

7. The Construction Management Plan shall include an agreed construction route and be in operation and adhered to in full throughout the entire construction period, including during any ground works or works of demolition.

Reason: In the interests of highway safety and the amenities of the area.

Please note: The applicant's attention is drawn to the need for a licence for construction of the access. The applicant should contact ESCC to apply for a licence to ensure the construction is to an acceptable standard.

Tree & Landscape Officer Comments – No objection

The trees subject to Tree Preservation Order (No. 13) of 1997 should not be affected by the proposed development.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

Representations have been received from 16 Westpoint, objecting to the application for the following reasons:-

Out of character, Intrusive, Cramped, Over development, Overlooking, loss of privacy, Parking issues, Difficult to park in, Traffic generation, Inadequate access and Highway hazards

6. PLANNING CONSIDERATIONS

6.1 The main considerations in the determination of the application include the principle of development, design, impact on amenity, drainage, accessibility and general sustainability measures.

Principle

6.2 The application site lies within the Planning Boundary of Newick and is not therefore located in the countryside. The proposed development thereby complies with the council's key countryside policy CT1 and policy DM1 of the emerging Lewes District Local Plan Part Two. Policy SP2 of the Lewes District Local Plan Part One: Joint Core Strategy, states that in order to meet housing demand, additional dwellings can be supported within existing Planning Boundaries. The adopted Newick Neighbourhood Plan contains a policy restricting the construction of additional homes in the gardens of existing houses (policy HO1.6) but in this case the existing dwelling will actually be demolished and the whole plot re-developed. As such policy HO1.6 does not directly apply to this type of proposal and is more geared towards development proposals whereby the existing dwelling is retained and the plot sub-divided to allow building within the original garden area. It is considered that the proposal complies with relevant policies within the emerging LPP2 and the NNP relating to design.

6.3 The application site is within an Area of Established Character, meaning policy H12 of the Local Plan is applicable. In the immediate locality there is a mixture of single storey and two storey development, including semi-detached properties. Some are sited close to the road and others are set back from the road. However, the overriding character is considered to be the semi-rural nature of the locality as there is much planting and tree cover whereby the natural landscape appears to flow through the area and the urbanising effect of existing houses is mitigated. With sufficient landscaping the proposed development is not thought to contravene policy H12.

Design

6.4 The proposed design is considered to be acceptable and would integrate with existing neighbouring development in terms of style and materials. The front elevation of the dwellings, due to the difference in levels across the site, would be slightly taller than the rear, but the applicant has incorporated pitched roof dormers and has dropped the eaves height to the front elevation to avoid the dwellings having an overbearing or unduly dominant scale. The proposed development is considered to comply with policies ST3 and CP11 of the Lewes District Local Plan Part One: Joint Core Strategy.

Amenity

6.5 The way in which the properties would be orientated within the plot, together with the distance to neighbouring properties, is sufficient to prevent the development from having an overbearing impact or resulting in loss of light. There is a flank window to each proposed dwelling at first floor level, both serving bathrooms, and it is recommended that these are obscure glazed in order to safeguard neighbours' privacy and preclude overlooking.

6.6 To the rear of the application site a new bungalow has been approved. This bungalow has a secondary lounge window and a kitchen window on the north-west flank elevation, the closest elevation to the rear of the proposed semi-detached houses (ref. LW/19/0080).

However, any overlooking from the first floor windows to the rear elevations of the proposed semi-detached houses should be mitigated by the separation distance of 15m, landscaping, and the boundary treatment between the two sites.

Drainage

6.7 The applicant has responded to the initial concerns of the SuDS team in respect of infiltration testing and groundwater monitoring and the SuDS team raises no objection to the proposed development, subject to conditions requiring evidence of the drainage system having been implemented in accordance with the submitted details and details of how the structural integrity of the permeable paving will be managed in respect of groundwater levels. In summary, the proposed development should not increase the risk of flooding either within the site or to neighbouring properties.

Accessibility

6.8 The application site is a 200m walk from the nearest bus stops, meaning there are alternatives to private car use nearby, in turn reducing emissions and congestion. The bus stops are served by routes 31 and 121 which provide access to Haywards Heath, Lewes and Uckfield, all of which have mainline railway stations as well.

6.9 There is sufficient space in front of each dwelling to park 2 vehicles per dwelling and the highway authority raises no objection to this level of off-street car parking.

6.10 Within the back garden of each new dwelling there is to be a sheltered and secure shed for the storage of bicycles. Each shed would measure 3.6m in length and 2.4m in width, which is sufficient to store 4 or more bikes per dwelling.

6.11 In summary, the proposed development is considered to be reasonably accessible and with cycle storage and nearby bus stops future residents would not need to be solely reliant of private car use for all of their trips. The proposals are therefore compliant with policy CP13 of the Lewes District Local Plan Part One: Joint Core Strategy.

Sustainability Measures

6.12 Each of the new dwellings is to be provided with an electric vehicle charging point, as shown on the proposed hard and soft landscaping plan. This will be near to the off-street parking areas in front of each dwelling for convenience of use.

6.13 Rainwater falling from the roofs of each dwelling is proposed to be collected in a pair of rainwater harvesting tanks, beneath the parking area in front of each property. The grey water will then be pumped back to the proposed dwellings to be used in toilet flushing.

Ashdown Forest

6.14 Policy CP10 of the Joint Core Strategy states that new development within a radius of 7km from the Ashdown Forest SPA (Special Protection Area) could have a significant effect on protected birds in the site, caused by increasing recreational pressure. As such additional residential development in this zone is required to mitigate the potential harm by aiding in the delivery of Suitable Alternative Natural Greenspaces (SANGs) and the Ashdown Forest Strategic Access Management and Monitoring Strategy (SAMMS). The applicant will be required to enter into a Unilateral S106 Undertaking to secure financial contributions towards SANGs and SAMMS in accordance with policy CP10 of the Lewes District Local Plan Part One: Joint Core Strategy.

6.15 An Appropriate Assessment under Regulation 63(1) has been undertaken. Having concluded that the application will have a likely significant effect in the absence of avoidance and mitigation measures on the above European and Internationally protected sites, this represents Lewes District Council's Appropriate Assessment as Competent Authority in accordance with requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity.

6.16 The authority's assessment is that the application complies with CP10 (iii) and that it can therefore be concluded that there will be no adverse effect on the integrity of the Ashdown Forest SPA.

7. RECOMMENDATION

7.1 In view of the above approval of the proposed development is recommended, subject to the conditions listed and the completion of the S106 Unilateral Undertaking to off-set the impact of the proposals on the Ashdown Forest Special Protection Area.

The application is subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the approved Arboricultural Method Statement, drainage plan, materials schedule and landscaping plan.

Reason: In the interests of visual and neighbour amenity and in order to safeguard the character of the area in accordance with policies ST3, CP10, CP11 and CP12 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

2. The first floor level windows on the flank elevation of each dwelling hereby permitted (bathroom windows) shall be obscure glazed and non-opening unless those part(s) of the windows that can be opened are at least 1.7m in height above internal finished floor level.

Reason: In order to safeguard the privacy and amenity of neighbouring residents in accordance with policies ST3 and CP11 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

3. Prior to the implementation and construction of the permeable paving and hard surfaces, details of how the impact of high groundwater on the hydraulic capacity and structural integrity of the permeable paving areas will be managed shall be provided to the local planning authority. The development shall be implemented in accordance with the approved details and maintained as such thereafter.

Reason: In the interests of amenity and managing flood risk in accordance with policies CP11 and CP12 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

4. Prior to the occupation of the development, evidence (including photographs) should be submitted to the local planning authority to show that the drainage system has been constructed as per the final agreed detailed drainage designs. The development shall be maintained as such thereafter.

Reason: In the interests of amenity and managing flood risk in accordance with policies CP11 and CP12 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

5. The new access to serve the northern house (shared with planning permission LW/19/0080) shall be in the position shown on the approved plans submitted with this application (LW/19/0354) and numbered (10039 201A to 10039 204A) and laid out and constructed to the satisfaction of the Local Planning Authority prior to the occupation of either dwelling incorporated into the development hereby permitted.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

6. The development shall not be occupied until the parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

7. The development shall not be occupied until cycle parking has been provided in accordance with the approved plans and these areas shall thereafter be retained for that use thereafter.

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

8. No part of the development shall be occupied until the vehicle turning space has been constructed within the site in accordance with the approved plans. This space shall thereafter be retained at all times for this use and shall not be obstructed.

Reason: In the interests of road safety in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

9. The completed access shall have maximum gradients of 2.5% (1 in 40) from the channel line and 11% (1 in 9) thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

10. Prior to the occupation of the development the drainage works 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 into the site shall be in operation and be maintained thereafter.

Reason: To ensure the appropriate management of surface water on and adjacent to the highway and prevent an increased risk of flooding in accordance with policies CP11, CP12 and CP13 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

11. The development hereby permitted shall be implemented in accordance with the approved Construction Management Plan which includes an agreed construction route. The Construction Management Plan shall be in operation and adhered to in full throughout the entire construction period, including during any ground works or works of demolition.

Reason: In the interests of highway safety and the amenities of the area in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework.

12. Neither of the new dwellings hereby permitted shall be occupied until details of how the development incorporates measures to reduce carbon energy use and facilitate renewable energy installations have been submitted to and approved in writing by the local planning authority. The approved measures shall be put in place prior to the first residential of the new dwellings as they are each completed, and retained as such thereafter.

Reason: In order to reduce locally contributing causes of climate change in accordance with policy CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and the National Planning Policy Framework 2019.

13. The rainwater harvesting scheme hereby approved shall be put in place prior to the first residential of the new dwellings as they are each completed, and retained as such thereafter.

Reason: In order to reduce locally contributing causes of climate change in accordance with policy CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and the National Planning Policy Framework 2019.

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

3. The applicant's attention is drawn to the need for a licence for the construction of the access. The applicant should contact East Sussex County Council to apply for a licence to ensure the construction is to an acceptable standard.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Transport Assessment	14 May 2019	10039/23 Transport Report
Planning Statement/Brief	14 May 2019	Planning Statement
Additional Documents	14 May 2019	Materials Schedule
Design & Access	14 May 2019	Design & Access Statement

Statement

Tree Statement/Survey	14 May 2019	NJCL 373 Arboricultural Method Statement
Other Plan(s)	14 May 2019	NJCL 373 B 090119 Tree Protection Plan
Other Plan(s)	14 May 2019	NJCL373 A 090119 Tree Layout Plan
Location Plan	14 May 2019	Location Plan
Proposed Layout Plan	14 May 2019	212 0 Landscaping Garden Buildings _ Structures
Other Plan(s)	14 May 2019	211 0 Drainage Plan
Existing Layout Plan	14 May 2019	210 0 Existing Contours _ Proposed Levels
Proposed Elevation(s)	14 May 2019	201 B
Proposed Floor Plan(s)	14 May 2019	201 B
Additional Documents	7 August 2019	Construction Management Plan
Landscaping	17 June 2019	211 B Hard and Soft Landscaping Plan
Existing Layout Plan	17 June 2019	210 B Existing Contours and Proposed Levels
Additional Documents	17 June 2019	10039/2.3 Transport Report Supplement

Application Details

	Existing	Proposed	Gain/Loss
Residential - Houses - Market Housing			
3 Bedrooms	1	2	
Parking - Cars -			
Unit	2	4	
Parking - Bicycles -			
Unit	2	4	