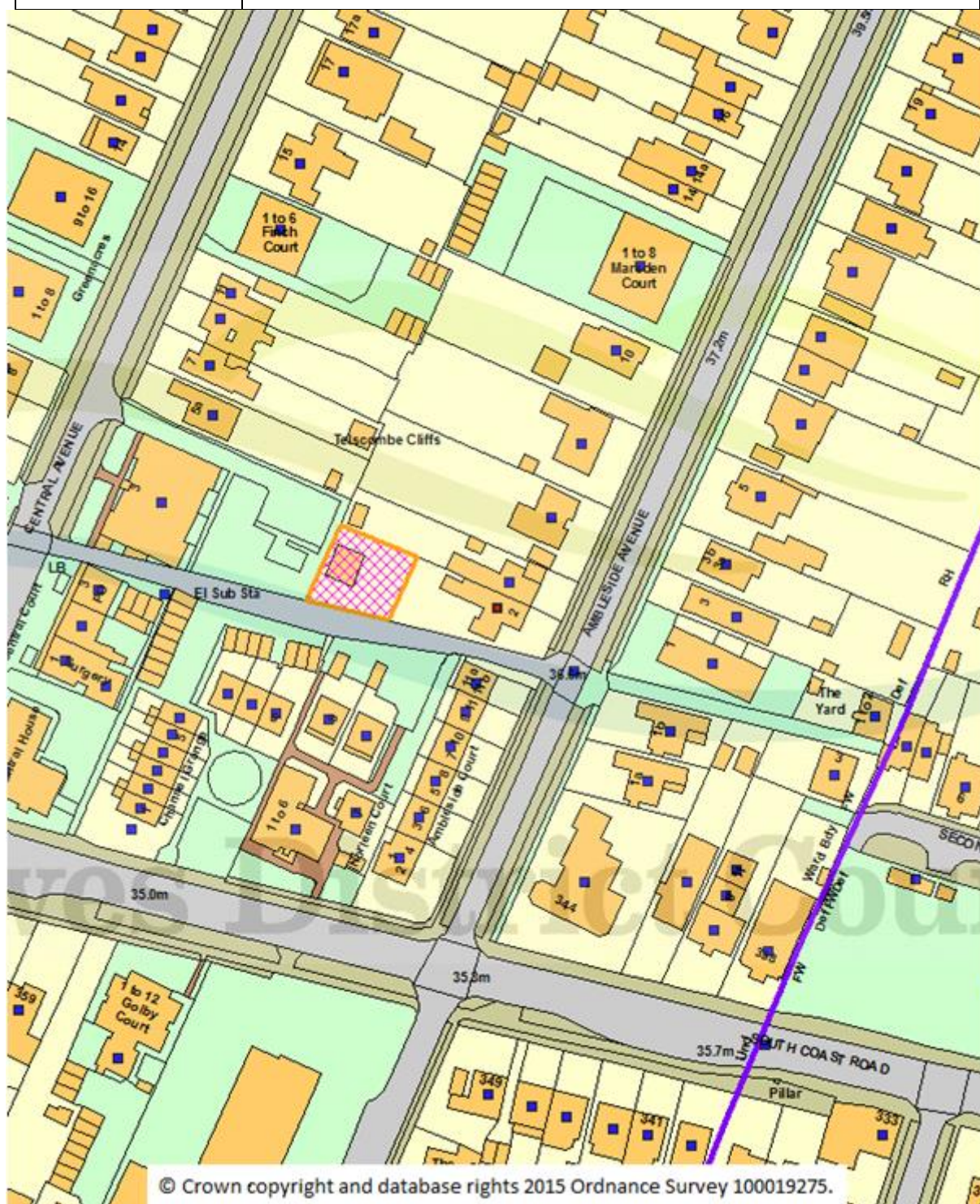


APPLICATION NUMBER:	LW/18/0234		
APPLICANTS NAME(S):	Mr Orford And Ms Meagher	PARISH / WARD:	Telscombe / East Saltdean & Telscombe Cliffs
PROPOSAL:	Planning Application for Demolition of existing garden room/home office, sub-division of plot and erection of a detached two bedroom bungalow with associated hard/soft landscaping		
SITE ADDRESS:	2 Ambleside Avenue Telscombe Cliffs East Sussex BN10 7LS		
GRID REF:	TQ 40 01		



1. SITE DESCRIPTION / PROPOSAL

1.1 The site is the end part of the rear garden of 2 Ambleside Avenue, which is occupied by a single storey building described as a "garden room/home office" in the application.

1.2 The proposal is to replace the single storey building with a two-bed bungalow. The bungalow would have a kitchen/dining/living area, two double bedrooms (one with en-suite) and separate bathroom, and would have a pitched roof. A garden would be provided at the side of the bungalow, which would be about 63 sq.m. On-site parking for one car would be provided.

1.3 Access would be from a surfaced access way which links Ambleside Avenue and Central Avenue, which already serves parking areas for nearby Norleen Court and Channel Grange.

2. RELEVANT POLICIES

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

LDLP: – ST04 – Design, Form and Setting of Development

LDLP: – CP11 – Built and Historic Environment & Design

3. PLANNING HISTORY

LW/87/0348 - Outline application for one detached bungalow and garage on land to rear of 2 Ambleside Avenue. - **Refused**.

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Telscombe Parish Council – Objection on the following grounds:

- Ambiguity of the plans - the plans include a detached 3 bedroom bungalow and a semi-detached chalet bungalow with 2 bedrooms in each property
- The lack of parking available for the new property/properties
- There being no back garden for the semi-detached chalet bungalows
- The amenities issues for the local residents - the potential of overlooking the properties nearby (semi-detached property), the increase of parking and access issues of the access road

4.2 Environmental Health – No objections, with standard conditions.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Occupier of 4 Ambleside Avenue (next to the site) objects on grounds that the proposal is contrary to government policy to prevent 'garden grabbing'. The dwelling would be close to the garden boundary, would cause overshadowing and substantial loss of privacy. The proposal is overdevelopment of a small area of garden. The shed/office on the site is different in character and stature to the proposed bungalow.

6. PLANNING CONSIDERATIONS

6.1 The site has had a refusal of permission for a bungalow before. This was LW/87/0348, an outline application for 'one detached bungalow and garage', which was refused in 1987 for the following reasons:

"The proposed development would constitute an undesirable form of backland development without proper road frontage and would have a detrimental effect on the amenities and privacy of the adjoining residential properties.

The means of access is restricted and unsuitable to serve further development by reason of its inadequate width and unmade condition."

6.2 Pre-application advice back in 2013 and in August 2017 (following which this application was submitted), set out the planning officer's view that a new application for a bungalow would be likely to be refused. It was not considered that the 1987 reasons for refusal would be overcome.

6.3 Telscombe Town Council object to the application, and the neighbouring occupier (whose garden would be adjacent to the proposed bungalow) also objects.

6.4 The applicant's agent was advised that the application was considered to be unacceptable and was given the opportunity to withdraw the application. In response, the agent said his client did not wish to withdraw the application, and felt that a similar approval was granted for 2 Telscombe Cliffs Way (LW/17/0320), wherein "A large section of the donor property garden was used and the access track is unmade".

6.5 In the circumstances, as a matter of discretion by the planning officer, having regard to the comments of the applicant, this application is reported to the Committee for a decision.

6.6 The LW/17/0320 Telscombe Cliffs Way case has some similarities to the current application, in that a bungalow was approved at the end of the rear garden of 2 Telscombe Cliffs Way, served by an unmade track leading up the side of the property. However, it does not necessarily follow that approval of that application should mean an approval is granted on the current application, as each case must be considered on its own planning merits. The Telscombe Cliffs case was for a building with a reduced profile adjacent to the neighbouring garden, was further away (about 20m compared to 8m) from the neighbouring property itself and was lower (with a shallower roof). In addition, Telscombe Town Council supported the application and there were no objections from local residents.

6.7 On the current site, the access way has been surfaced since the refusal of LW/87/0348, and it is now considered that the access (which, as indicated above, already serves other parking areas) is acceptable. However, the proposal is considered to be overdevelopment (with a building of excessive footprint size compared to amenity space and the footprint size of other dwellings in the locality), and unneighbourly (with overshadowing of the garden of 4 Ambleside Avenue and obtrusiveness next its rear garden). The excessive footprint of the building appears to partly be derived from a generous hallway (about 1.9m wide) and kitchen/dining/living area (of nearly 44 sq.m). On its merits, the application is considered to be contrary to the Council's planning policy and unacceptable.

7. RECOMMENDATION

7.1 That planning permission be refused.

Reason(s) for Refusal:

1. The proposal would constitute overdevelopment of the site, with a building of excessive footprint in relation to the level of amenity space on the site and out of keeping with the scale of existing development in the locality. The proposed building would also cause overshadowing and be unduly obtrusive to occupiers of 4 Ambleside Avenue (including from excessive height), with consequent reduction in the living conditions of those occupiers. The proposal would be contrary to Policies ST3 and ST4 of the Lewes District Local Plan, and CP11 of the Joint Core Strategy.

INFORMATIVE(S)

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Design & Access Statement	16 March 2018	
Location Plan	16 March 2018	LP01
Proposed Layout Plan	16 March 2018	PL01
Proposed Floor Plan(s)	16 March 2018	PL02
Proposed Roof Plan	16 March 2018	PL03
Proposed Elevation(s)	16 March 2018	PL04
Proposed Elevation(s)	16 March 2018	PL05
Proposed Section(s)	16 March 2018	PL06
Existing Layout Plan	16 March 2018	S01
Existing Floor Plan(s)	16 March 2018	S02
Existing Roof Plan	16 March 2018	S03
Existing Elevation(s)	16 March 2018	S04
Existing Elevation(s)	16 March 2018	S05