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| <b>APPLICATION NUMBER:</b> | LW/07/0431  | <b>ITEM NUMBER:</b>   | <b>5</b>             |
| <b>APPLICANTS NAME(S):</b> | Mr & Mrs Burton   | <b>PARISH / WARD:</b> | Lewes / Lewes Priory |
| <b>PROPOSAL:</b>           | Planning Application for Erection of detached four bedroom dwelling & link detached garage (resubmission of LW/07/0116) |                       |                      |
| <b>SITE ADDRESS:</b>       | Land Adjacent Pilgrims, Kingston Road, Lewes, East Sussex, BN7 3NB  |                       |                      |
| <b>GRID REF:</b>           | TQ 4009   |                       |                      |

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## 1. SITE DESCRIPTION / PROPOSAL

1.1 Planning permission is sought to construct a new dwelling and garage on land in front of Pilgrims, Kingston Road, Lewes. The site lies within the Planning Boundary, an Area of Established Character and the Area of Outstanding Natural Beauty (AONB). Outline permission was granted in 2005 for a single dwelling of 180sqm floor area and a single garage (LW/05/1460). A detailed application earlier this year for a dwelling was withdrawn following objections from your officers (LW/07/0116).

## 2. RELEVANT POLICIES

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

**LDLP: – H12 – Areas of Established Character**

## 3. PLANNING HISTORY

**LW/07/0116** - Erection of detached four bedroom dwelling & link detached garage - **Withdrawn**

**LW/05/1460** - Outline application for the erection of a single dwelling of 180m2 floor area (net of external walls) and single garage (resubmission of LW/05/0983) - **Approved**

## 4. REPRESENTATIONS FROM STANDARD CONSULTEES

**Building Control** – Not received

**Environmental Health** – Recommend an acoustic survey and site investigation for potential contamination

**ESCC Highways** – No objection subject to improvements to visibility at access

**South Downs Joint Committee** – Not received

**The South Downs Society** – Not received

**Environment Agency** – Not received

**Main Town Or Parish Council** – Members were impressed by the attention to detail in the amendments to overcome previous concerns, reiterated their previous comments in welcoming the energy efficient measures proposed and could see no reason to object in planning terms to this application.

## 5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Two letters of objection received (one of the letters has been written on behalf of the residents of five dwellings in the vicinity of the site) - the house should be reorientated through 90 degrees to be more neighbourly and more in keeping with the area; the dwelling comparison plan is misleading as the

previous proposal shown was never submitted to the Local Planning Authority; obtrusive development in its present form; there will be an intensity of traffic movements at eastern corner of site which could be avoided if the access and garage were to be positioned near the southern corner of the site; the proposal will cover 55% more of its curtilage than the average plot in the vicinity; double garage significantly increases the bulk of the building and the length of its building frontage; will result in loss of trees to south eastern boundary.

## **6. PLANNING CONSIDERATIONS**

6.1 The current proposal seeks permission for a dwelling which has a floor area of 185sqm plus garage. It measures 7m to the ridge and has a slate tiled roof with a central zinc clad section. Solar panels are proposed for the south east elevation. The first floor is to be timber clad with rendered walls at ground floor.

6.2 A number of amendments have been made since the previous withdrawn submission, including reducing the area of zinc roofing, proposed, bringing the garage in line with the house, setting the dwelling further back from the north eastern edge of the plot, lowering the floor level and adding high level windows to the front elevation. These amendments have helped to minimise the impact on the neighbouring occupiers at Sandalwood to the north east.

6.3 The front of the dwelling is now shown as being 15m from the side of Sandalwood which contains no windows. There had been concern at the potential for overlooking of the front and rear gardens of Sandalwood but by moving the new dwelling further back by 3m to 15m and including high level windows only on the first floor it is not considered that there are any sustainable grounds for objection on the grounds of loss of privacy to Sandalwood.

6.4 The orientation of the dwelling has raised a number of objections locally. Many of the dwellings in the vicinity are positioned facing towards the road. However, there are exceptions to this arrangement and it is not considered that its position perpendicular to the road will have a harmful visual impact on the character of the area. The site is well screened from the road by a row of trees and it will not be widely visible from the AONB. The applicant has stated that the orientation of the dwelling minimises the impact on neighbouring dwellings, including the applicant's own property, Pilgrims. It will create a more spacious rear garden which will benefit from sunlight for much of the day and sets the building away from the shared access, reducing its prominence when viewed from the road.

6.5 The nature of development in this part of Kingston Road is characterised by dwellings of varying sizes and designs with non regimented layouts and often one dwelling in front of another. The plot size is considered to compare favourably to others in the vicinity and the principle of a dwelling on this plot has already been accepted with the granting of outline consent. The size of the dwelling proposed is only slightly larger than that approved at the outline

stage and its bulk has been reduced by the roof design. The side elevation of the new dwelling will add interest in terms of the number of openings proposed and it will not present a blank façade to the access road. It is not considered therefore that the orientation of the proposed dwelling will be out of character with this pattern of development or be contrary to the policy aims for the Area of Established Character.

6.6 Concerns have been expressed at the increase in the number of vehicular movements on the north east corner of the plot, close to Sandalwood and other properties. However, it is not considered that the movements associated with one dwelling will be so great as to result in a serious loss of amenity to adjoining residents.

6.7 It is considered that the proposal has successfully overcome previous design concerns and the application can be supported.

## **7. RECOMMENDATION**

That permission is granted.

### **The application is subject to the following conditions:**

1. Prior to occupation of the dwelling hereby approved, parking accommodation for vehicles shall be provided as shown on the approved plans and shall thereafter be permanently retained.

Reason - To ensure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan.

2. The area hatched green on the attached plan shall be cleared and thereafter kept free of obstruction to visibility of drivers using the access and adjoining road. For this purpose, the height of the drivers eye and the object viewed is taken to be 900mm above the access/carriageway levels.

Reason - In the interest of highway safety having regard to Policy ST3 of the Lewes District Local Plan.

3. Construction work shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0830 to 1300 on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interest of residential amenities of the neighbours having regard to Policy ST3 of the Lewes District Local Plan.

4. All trees, shrubs and hedges within the site, to be retained, shall be protected by 1m high fences for the duration of the building works at a distance equivalent to the outer most limit of the branches or half the height of the tree or whichever is the greatest or such other distance as may be agreed in writing by the Local Planning Authority. No materials or plant shall be stored, rubbish dumped, fires lit or buildings erected within the fenced area and no changes in ground level

or excavations may be made within the exclusion zone of the tree, shrub or hedge without the prior consent in writing of the Local Planning Authority, in accordance with BS.5837 – Trees in Relation to Construction.

Reason: To enhance the general appearance of the development having regard to **Policy ST3** of the Lewes District Local Plan.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, details for the planting of a hedge comprising of native species of trees and shrubs to be planted in double staggered rows at 40cm centres for a distance of 15m from the application site entrance south along the boundary with 'Vega'. The approved hedge shall be planted by the end of the next planting season following completion of the highway visibility improvement works. If within a period of five years from the date of the planting any tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted destroyed or dies, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason - To enhance the appearance and character of the site and its surroundings having regard to Policies ST3(f) ST9, ST11 and ST12 of the Lewes District Local Plan

6. 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.

7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation of the dwelling or in accordance with the programme approved in writing with the Local Planning Authority.

Reason: To enhance the general appearance of the development having regard to **Policy ST3** of the Lewes District Local Plan.

8. 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.

9. 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.

10. Before the development hereby approved is commenced on site, details/samples of all surfacing 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.

11. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development described in **Part 1, Classes A-E** 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.

12. The bathroom window in the north east (front) elevation of the development hereby approved shall be glazed in obscured glass in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall be maintained as such.

Reason: To protect the privacy and residential amenity of neighbours having regard to **Policy ST3** of the Lewes District Local Plan.

13. Before the development hereby permitted commences, the applicant shall undertake an acoustic survey which shall determine the exposure of the proposed development to noise in accordance with the criteria given in PPG24 Planning and Noise. The survey shall be submitted to and approved in writing by the Local Planning Authority. Where the acoustic survey has identified any adverse noise impact, a scheme of works to reduce the intrusion of noise shall be drawn up and submitted for approval by the Local Planning Authority. The approved scheme shall be fully installed before the dwelling is first occupied.

Reason - To reduce the risk of traffic noise disturbance for future residents having regard to **Policy ST13** of the Lewes District Local Plan.

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

| <u>PLAN TYPE</u>    | <u>DATE RECEIVED</u> | <u>REFERENCE</u> |
|---------------------|----------------------|------------------|
| Location Plan       | 30 March 2007        | 113455           |
| Sections            | 30 March 2007        | 113455           |
| Proposed Elevations | 30 March 2007        | 113455           |

|                              |               |        |
|------------------------------|---------------|--------|
| Proposed Floor Plans         | 30 March 2007 | 113455 |
| Other                        | 30 March 2007 | 113455 |
| Sections                     | 30 March 2007 | 113455 |
| Design & Access<br>Statement | 30 March 2007 |        |

**Summary of reasons for decision and any relevant development plan policies/proposal:**

It is considered that the proposal meets the aims and objectives of Local Plan Policy and respects the character of the location, complying with Policies ST3 and H12 of the Lewes District Local Plan.