

APPLICATION NUMBER:	LW/07/0456	ITEM NUMBER:	4
APPLICANTS NAME(S):	Mr & Mrs M Austen	PARISH / WARD:	Barcombe / Barcombe & Hamsey
PROPOSAL:	Planning Application for Erection of a four bedroom detached dwelling with integral garage		
SITE ADDRESS:	Land To The Rear Of The Royal Oak, High Street, Barcombe, East Sussex, BN8 5BA		
GRID REF:	TQ 4215		

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1. SITE DESCRIPTION / PROPOSAL

1.1 The Royal Oak Pub is located on the south eastern side of the High Street in the centre of Barcombe. The pub garden is then located to the south east of the pub and split into two separate sections. There are four properties located within the vicinity of the pub garden: The Old Police Station to the west, Willows to the south and Palm Tree Cottage and Acorn Cottage to the south east. A side access road runs parallel with the Pub along the eastern boundary to Gladstone Building and Weald Close. To the western side of the site is Weald View, which loops to the south of the site and adjoins the side access road. The pub and above four properties are located on an island in the middle. The whole area is located within the Barcombe Conservation Area.

1.2 The neighbouring properties to the south east, Palm Tree Cottage & Acorn Cottage, are screened from the site by fencing approximately 1.8 metres high. This is reinforced in some areas by additional boundary hedging between approximately 1.9 and 2.3 metres high. Willows to the south and the amenity space of The Old Police Station are also screened by 1.8m H fencing, with some additional boundary hedging. Willows is further screened from the site by the property's garage which is to the north of the property. The Old Police Station is also partially screened by a tall tree. To the east of the site is a continuous boundary wall and two outbuildings. At the closest point the new dwelling would be approximately 10 metres from the two properties to the south east, and 2 metres from the amenity space of The Old Police Station.

1.3 The proposed dwelling would measure approximately 11.6 metres wide, by 11.7 metres deep, by 7.7 metres high to the ridge. The house design would incorporate a steep cat slide roof to the south east elevation. The only first floor south facing window would be obscure glazed, while the only south east facing first floor window would be a high level window serving bedroom three. The building would incorporate small pane, timber framed double glazed windows and would be brick faced on the ground floor with vertical tile hanging to the first floor. The roof would be clad with machine made clay tiles. The road frontage would be approximately 13 metres wide while the access would be set back 3 metres from the roadside. The existing brick wall to the east of the site will be taken down and rebuilt to include the access.

2. RELEVANT POLICIES

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

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

LDLP: – RES05 – Unidentified Residential sites

LDLP: – H05 – Conservation Areas

3. PLANNING HISTORY

LW/99/0906 - Single storey rear extension to form new male and female toilets - **Approved**

LW/99/0873 - Installation of new double glazed door to main pub entrance and new double glazed windows to pub annex building - **Refused**

LW/92/1433 - Two wall mounted illuminated advertising boards, replace name on illuminated pictorial hanging sign and floodlit lettering on wall - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Main Town Or Parish Council – After widespread local consultation, which produced a range of different views, the Parish Council supports this planning application but with heavy reservations over the height of the development and the impact on neighbouring properties which could be overlooked and would ask planning officers to pay particularly close attention to these issues.

Environmental Health – Possible issue of noise, need details of boundary treatment

ESCC Highways – Initial objections to the proposal due to the proposed new access being inset 1.5 metres from the highway edge were withdrawn following resubmitted plans detailing the new access being inset 3 metres. Suggested conditions.

Design & Conservation Officer – I have no objections to this proposal which was discussed prior to application and will be sympathetic to the appearance of the Conservation Area. The treatment of the boundary wall has also been discussed as it is a fairly prominent high quality wall and I consider that its reconfiguration is an acceptable solution.

Recommend approval subject to materials and joinery details being submitted and approved.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Four letters of objection were received from local residents. Objections raised regarding: The house is too large, will dominate the relatively low neighbouring properties and overshadow them; the house would be located too close to the boundary of neighbouring property Palm Tree Cottage; the access is unsafe and on a narrow lane; the proposed access will mean the loss of a number of on street parking spaces; the site plan for the property omits the neighbouring dwelling Willows; the window to bedroom three will overlook the Willows; the window serving bedroom three and the kitchen window will overlook the amenity space, patio, back door and both bedrooms of Palm Tree Cottages causing loss of privacy; and the existing pub garden is well used and the loss should be resisted. Other non-planning related matters were also raised.

5.2 One letter requesting an amendment to the access was received from a local resident. The amendment would entail merging the proposed pedestrian and vehicular access into a single entry point; bringing the access closer to the road and using a gentler curve on the wall. This would reduce the loss of on street parking spaces.

5.3 One letter of support received from local residents: The proposed house is attractive and in-keeping with the area; the access is likely to remove a bottleneck in the access lane; the site provides adequate parking which will reduce the need to park on street; it is a brownfield development; and the reduction in size of the pub garden will reduce noise levels from people using the garden.

6. PLANNING CONSIDERATIONS

6.1 It is considered that the principal issues to be considered in the determination of this application are: impact on residential amenities, impact on the Conservation Area, design, highway safety and policy.

6.2 The plot of land is located within the Barcombe Planning Boundary and consequently there is a presumption in favour of development subject to satisfying other relevant Local Plan policies. The plot is of a reasonable size, having a width of 21m and depth of 29m which compares favourably with other plots in the vicinity.

6.3 The proposal, having regard to the setting of the plot, being surrounded by residential development on three sides, has some characteristics of backland development and it is appropriate to consider the relevant Policy ST4 in this regard. Section (a) of Policy ST4 suggests that development will not be permitted unless safe and convenient vehicular access, without causing noise disturbances to occupiers of other dwellings can be provided. In this instance the access is direct from a side road, that already abuts neighbouring properties and it is not considered that this will alter existing circumstances in terms of noise, as traffic currently circulates around the neighbouring properties.

6.4 Policy ST4 (b) suggests design and landscaping measures should be included which will afford sufficient levels of privacy and freedom from noise disturbances to the occupiers of the existing and proposed new house. In this regard the plot is of sufficient size to comfortably accommodate the proposed dwelling and a landscaping condition can be imposed to ensure that the site will be sufficiently screened on all sides. There is currently high fencing to the south and south east of the site and some hedging. To the north the property will need to be sufficiently screened from the remaining pub garden. It should be noted at the closest point the new dwelling will be approximately 5.8 metres from the remaining pub garden, which is comparable to the distance between the existing pub garden and neighbouring properties.

6.5 The new house will incorporate a steep cat slide roof on the south east elevation, which considerably reduces the bulk of the dwelling and also means

that Acorn Cottage is not overlooked. Residents at Palm Tree Cottages and Willows have both objected on the grounds of being overlooked. There is only one high level window, approximately 1.7 metres above floor level, serving bedroom 3, which looks out towards Palm Tree Cottages. This was amended from a full size window and will mean almost no overlooking of this property is possible. The window is located approximately 15 metres from Palm Tree Cottages and partially recessed behind the cat slide roof slope. In an ideal situation the window serving this room would be larger, but the bedroom is small and will still get enough light to be considered acceptable in amenity terms. The ground floor kitchen window will also not overlook Palm Tree Cottages due to boundary fencing and hedging. The only window overlooking the Willows would be obscure glazed. The position of garage at the Willows means that overlooking is not possible as it blocks all views to the side of the house.

6.6 Policy ST4 (c) states that there should be no erosion of the essential elements of the character and appearance of the area. The Design and Conservation Assistant does not consider that the proposal will have any detrimental impact on the appearance or character of the Conservation Area. The general spacing of the plot is suitable for a centre village location and is comparable, if not larger than some surrounding properties. There is a range of building styles in the vicinity and the design and materials proposed are considered to be in keeping.

6.7 The residents of Acorn Cottage have suggested that their property would be overshadowed by the development. However the proposed new dwelling would be located to the north of Acorn Cottage and would not overshadow the property. It is further considered that the change of use from pub garden to residential use is likely to mean a lower impact on residential amenities of the properties which abound the site. The pub garden is likely to be busiest in the good weather when people will be more inclined to be enjoying their amenity space. It is considered that the use of the residential space is likely to be less intensive than the existing pub garden.

6.8 Initial plans were amended following highway comments requesting the proposed access to be set back 3 metres from the highway, so as to allow safe egress on to the highway. Some concern has been raised about the loss of parking space along the access lane to the east. The road is an unadopted highway and the Highway Authority has raised no objections. The site provides two parking spaces and a garage space, and it is not anticipated that the proposal will lead to more on street parking.

6.9 In conclusion it is considered that as the plot is located within the planning boundary, the scheme accords with the aims of Policy ST4, has no impact on the Conservation Area and little impact on residential amenities, the application can be supported.

7. RECOMMENDATION

The application is approved.

The application is subject to the following conditions:

1. 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 **Policies ST3 & H5** of the Lewes District Local Plan.

2. 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 **Policies ST3 & H5** of the Lewes District Local Plan.

3. Before the development hereby approved is commenced on site, details of all new joinery; at a scale of at least 1:20 shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To protect the character and appearance of the Conservation Area having regard to **Policies ST3 & H5** of the Lewes District Local Plan.

4. 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 **Policies ST3, ST4 & RES5** 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 a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed prior to the first occupation of the new dwelling or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enhance the general appearance of the development having regard to **Policies ST3, ST4 and RES5** of the Lewes District Local Plan.

6. The development hereby approved shall not be brought into use until the attached Highway Authority Technical requirements have been carried out, unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of local highway conditions having regard to **Policy ST3** of the Lewes District Local Plan.

7. 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, Class 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.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Elevations	30 May 2007	06.12.07 REV A
Sections	30 May 2007	06.12.07 REV A
Proposed Floor Plans	30 May 2007	06.12.07 REV A
Location Plan	30 May 2007	06.12.07 REV A
Design & Access Statement	4 April 2007	
Existing Elevations	4 April 2007	06.12.10
Proposed Elevations	4 April 2007	06.12.10
Landscaping	30 May 2007	06.12.09 REV A
Block Plans	30 May 2007	06.12.09 REV A

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, ST4, RES5 & H5 of the Lewes District Local Plan.