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| APPLICATION NUMBER: | LW/07/1123 | ITEM NUMBER: | 5 |
| APPLICANTS NAME(S): | Mr A Philp | PARISH / WARD: | Peacehaven / Peacehaven North |
| PROPOSAL: | Planning Application for Demolition of existing 'park' home and replacement with chalet bungalow and stables | | |
| SITE ADDRESS: | Land Adjacent To 8, Gold Lane, Peacehaven, East Sussex, | | |
| GRID REF: | TQ 4102 | | |

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1. SITE DESCRIPTION / PROPOSAL

1.1 The site is located on land which is within the countryside for planning purposes, beyond the Planning Boundary and edge of the built up area of Peacehaven. A mobile home currently stands on the site which the applicant has advised has been occupied since about 2001. There was historically a dwelling on the site which was lost in the 1970's and only a remnant remains of this.

1.2 It is proposed to construct a detached three bedroomed dwelling with integral double garage towards the frontage and a stable block of 8m by 5m at the rear, western, end of the site near the remains of the former dwelling. The application proposal is a revision to LW/07/0063 (which proposed a larger dwelling and no stable block) which is currently at appeal and pending a decision.

1.3 The proposed dwelling has been designed as a chalet style property with an 'L' shaped footprint. The shorter length of the 'L' is orientated in a north-south direction fronting Gold Lane and the longer length is orientated in an east-west direction, in a relatively central position on the width of the plot. A distance of approximately 5m would be maintained to the boundary shared with a neighbouring property at 8 Gold Lane. The width of the proposed dwelling would be approximately 12.4 m and it would measure about 14.9m deep.

1.4 The roof would have a half hipped profile to the south and a fully hipped profile to the north. The proposed dwelling would have a ridge height of 6.8m above ground level.

2. RELEVANT POLICIES

LDLP: – RES06 – New development in the Countryside

LDLP: – CT01 – Planning Boundary and Countryside Policy

LDLP: – PT19 – The Valley Area

LDLP: – RES03 – Second Phase of Residential Development

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

3. PLANNING HISTORY

LW/07/0063 - Erection of a detached house with integral garage (resubmission of LW/06/1014) - **Refused**

LW/06/1014 - Erection of a detached house with integral garage - **Refused**

LW/01/1451 - Outline application for a replacement bungalow. - **Refused**

LW/01/1447 - Outline application for a replacement bungalow. - **Refused**

LW/96/1212 - Outline application for residential development of houses and bungalows, associated infrastructure and open space - **Refused**

LW/96/1211 - Outline application for residential development of houses and bungalows, associated infrastructure and open space - **Refused**

LW/95/0368 - Outline application for erection of four-bedroom chalet bungalow with garage - **Refused**

LW/94/0540 - Outline application for the erection of 500 dwellings - **Deferred**

LW/94/0177 - Outline application for residential development for the erection of 500 dwellings - **Refused**

LW/91/1110 - Outline Application for residential development and ancillary uses. - **Refused**

LW/88/0795 - Outline application for residential development. - **Withdrawn**

LW/79/1564 - Outline Application for detached dwelling; on land to the south of 008. – **Refused**

LW/77/0076 - Rebuilding of demolished bungalow on plot 290. Demolished. - **Refused**

LW/76/0944 - Rebuilding of demolished bungalow on plot 290. - **Refused**

LW/74/1968 - Outline application to redevelop existing detached bungalow with detached bungalow and garage. - **Refused**

E/73/0666 - Outline application for demolition of existing and erection of detached bungalow and garage. - **Refused**

APPEAL/07/0032 - Erection of a detached house with integral garage (resubmission of LW/06/1014) - **Appeal In Progress**

APPEAL/79/1564 - Development Appeal - **Dismissed**

APPEAL/01/1447 - Development Appeal - **Dismissed**

APPEAL/01/1451 - Development Appeal - **Dismissed**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

ESCC Highways – No objections.

Environment Agency – No objection in principle but does request that a number of considerations be taken into account in relation to foul and surface water drainage, investigative works to take place if contaminated odorous material is found on the site, and care should be taken regarding the appropriate usage for the storage of fuels and oils on the site.

Main Town Or Parish Council – Recommends Approval. Proposal complies with policy ST3 of the Lewes District Local Plan.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 One letter of objection has been received. The objector recommends that the application be refused because the proposed development is located outside of the Planning Boundary, would be detrimental to the open character of the countryside and not in keeping with the character and appearance of the existing sporadic development in the surrounding area.

6. PLANNING CONSIDERATIONS

6.1 The main planning issue is whether the proposal conforms with planning policy which generally restricts new residential development in this location. For planning purposes the site is in the countryside, outside any Planning Boundary in the Lewes District Local Plan. It is also relevant to consider whether there has been any material changes in planning circumstances since planning permission was most recently refused for a dwelling on the site on 9th March 2007 under LW/07/0063 .

History

6.2 As indicated in the 'history' section of the report, the Council have previously refused permission for a dwelling on the site on a number of occasions. Applications have been refused in 1974, 1977, 1979 (subsequent appeal dismissed), 1989, 1995, 2002 (subsequent appeal dismissed) and 2006. Each application has been refused on the grounds that each proposal has constituted a new dwelling in the countryside, contrary to policy, which would unacceptably add to sporadic development in this location. Proposals to redevelop the site as part of a comprehensive redevelopment of the wider area were also rejected in 1998. The corresponding applications are listed in the 'history' section.

6.3 Of the most recent applications, in more detail, LW/07/0063 proposed a two storey property with a rectangular footprint of 12.8m x 9.3m and two storey rearwards projection extending approximately 3.3m to the west. The application proposed a distance of approximately 1m between the northern flank wall and boundary shared with 8 Gold Lane and approximately 2m between the southern elevation and southern boundary of the plot. The proposed building had a double pitched roof and a ridge height of approximately 7.1m above ground level. This application for new residential development was refused on principle, given that the site is outside any Planning Boundary, and because the scale and bulk of the dwelling was considered to be excessive. This application is currently at appeal, and a decision is awaited at the time of writing this report.

6.4 Prior to LW/07/0063 was application LW/06/1014. LW/06/1014 also proposed a two storey detached dwelling with double integral garaging. The proposed dwelling was a very similar design to LW/07/0063, with a rectangular footprint measuring 12.7m x 7.5m and rearwards projection extending by some 4.2m to the west. A ridge height of 8.2m was proposed under LW/06/1014.

6.5 Prior to LW/06/1014 was application LW/01/1447 in 2001, which was refused and dismissed on appeal in July 2002. The Inspector agreed with the Council at the time that the proposal constituted a new dwelling outside any Planning Boundary, and would thus be contrary to the generally restrictive 'countryside' policy which applied in this location. It is considered that, compared to the current application LW/07/1123, similar objections in principle apply now.

Other issues

6.6 There is a mobile home on the site, which it appears was moved onto the site around 2001 after LW/01/1447 was dismissed. It is not considered that this alters the planning position as far as a proposed new dwelling is concerned in any way. The current proposal would constitute a new dwelling in the countryside, which would be contrary to planning policy.

6.7 The applicants agent has contended that, in policy terms, "it may be in law there is no development boundary in existence at the present time in view of delays in reviewing the Development Plan or preparation of the LDF". However, Policy CT1 of the LDLP (which refers to Planning Boundaries) is a 'saved' policy in connection with the LDF process and is therefore relevant. The application site is clearly outside the Planning Boundary for Peacehaven on the Proposals Map to the LDLP. It is within an area which is a 'pool' site to be considered, along with other possible sites specified in the Local Plan, for development should there be a need for additional housing land at a later date. At the present time this exercise has not commenced.

6.8 The applicants agent has also referred to two new dwellings which have been built on adjacent land. These two dwellings were, however, replacements for dwellings which previously stood on those sites. The dwellings recently built were therefore approved, in accordance with policy RES 8 of the Lewes District Local Plan, as 'one for one' replacements. They do not therefore provide justification for the proposed dwelling.

6.9 The issues arising in this application, including those above, are being considered on appeal by the Planning Inspectorate in connection with the refusal of LW/07/0063. As noted above, the appeal decision on that case is awaited.

Current position

6.10 It is considered that the planning circumstances have not materially changed since the Council's refusal of the most recent application LW/07/0063 in March 2007 (or indeed earlier refusals as far as the principle of development is concerned). The proposed dwelling would be located outside of the Planning Boundary and is therefore unacceptable in principle under the restrictive 'countryside' policy of the Lewes District Local Plan.

6.11 In terms of the second reason for refusal of LW/07/0063, concerning the excessive height and bulk of the building, the proposed development now proposed is not significantly smaller and it is therefore considered that the development remains unacceptable in these terms.

6.12 The proposed stable block would be ancillary to the proposed dwelling and a relatively small part of the development in its totality.

6.13 Overall, the proposal is unacceptable in principle. There has been no material change in planning circumstances as far as the principle of a new dwelling on the site is concerned since the most recent and earlier refusals. Finally, approval of the current application would be inconsistent with previous refusals, including the Council's position on the most recent of those (LW/07/0063) which is currently at appeal, following refusal earlier this year.

6.14 The proposal is considered to be unacceptable.

7. RECOMMENDATION

That permission be REFUSED.

Reason(s) for Refusal:

1. The site is located outside any Planning Boundary identified in the adopted Lewes District Local Plan. The proposal would constitute, without overriding justification, new residential development and an ancillary building in the countryside. The proposal would add to the sporadic development in the area and would be detrimental to the predominantly open character of the locality. The proposal for a new dwelling would be unacceptable in principle, and contrary to Policy S10 of the East Sussex and Brighton and Hove Structure Plan 1991-2011 and Policy RES6 of the Lewes District Local Plan.

2. In addition to the objection to the principle of new residential development as referred to in Reason 1, the proposed dwelling would have excessive height and bulk and would be out of keeping with the character and appearance of the existing sporadic development on adjacent sites. The proposal would thereby be contrary 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> |
|----------------------|----------------------|------------------|
| Location Plan | 28 August 2007 | 1034/4 |
| Block Plans | 28 August 2007 | 1034/4 |
| Levels | 28 August 2007 | 1034/3 |
| Proposed Elevations | 28 August 2007 | 1034/3 |
| Proposed Elevations | 28 August 2007 | 1034/2A |
| Proposed Floor Plans | 28 August 2007 | 1034/2A |

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| Block Plans | 28 August 2007 | 1034/2A |
| Sections | 28 August 2007 | 1034/2A |
| Design & Access Statement | 18 September 2007 | |