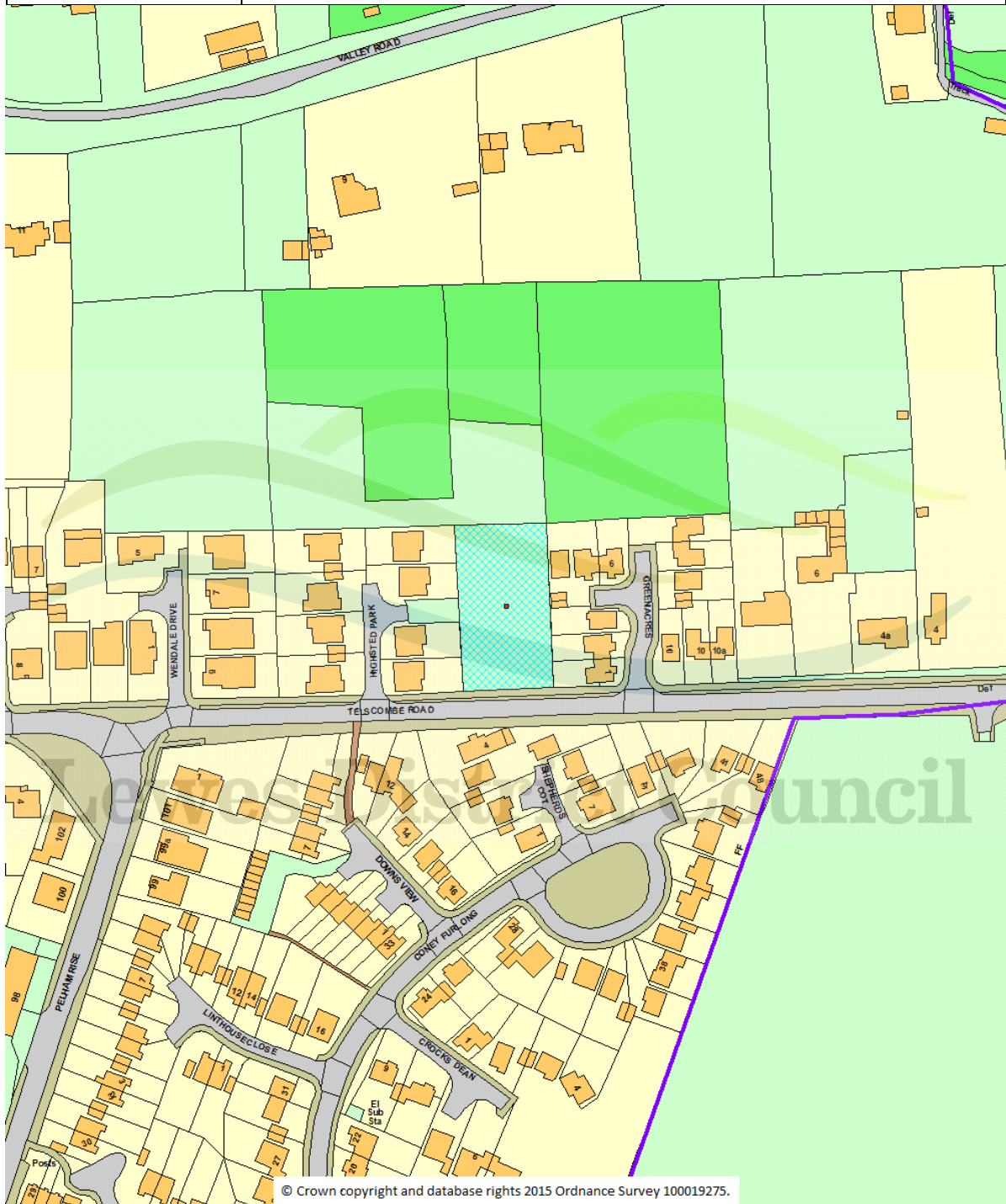


APPLICATION NUMBER:	LW/17/0294	ITEM NUMBER:	7
APPLICANTS NAME(S):	Gesmet Holdings And Investments Ltd	PARISH / WARD:	Peacehaven / Peacehaven North
PROPOSAL:	Planning Application for Erection of five 2 storey 3 bedroom residential houses with associated refuse, recycling and cycle storage areas, a new vehicular access and eight private parking spaces		
SITE ADDRESS:	Land Between Greenacres And Highsted Park Telscombe Road Peacehaven East Sussex		
GRID REF:	TQ 41 02		



1. SITE DESCRIPTION / PROPOSAL

1.1 The site is open, overgrown land located on the north side of Telscombe Road, between dwellings fronting onto two cul-de-sacs, Highsted Park and Greenacres. The respective dwellings back onto the site. To the north is open land running down towards Valley Road.

1.2 This is a full application for 5 houses on the site, served by a new cul-de-sac leading off Telscombe Road. The cul-de-sac would be at the back of the adjacent dwellings fronting onto Greenacres, leading to a turning head. Three of the proposed houses would be 'side on' to Telscombe Road (and would thus back onto the adjacent dwellings fronting Highsted Park), while the other two of the proposed houses would front onto the end of the cul-de-sac, and would face back towards Telscombe Road. The houses would each be three-bed.

1.3 Planning permissions for 5 houses on the site have been granted since 1989, and periodically renewed since that year.

2. RELEVANT POLICIES

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

LDLP: – CP11 – Built and Historic Environment & Design

3. PLANNING HISTORY

LW/17/0294 - Erection of five 2 storey 3 bedroom residential houses with associated refuse, recycling and cycle storage areas, a new vehicular access and eight private parking spaces -

LW/12/0564 - Erection of five x two storey three bedroom residential houses with associated refuse, recycling and cycle storage areas, a new vehicular access and eight private parking spaces - **Approved**

LW/04/2325 - Erection of six detached dwellings - **Withdrawn**

LW/04/0395 - Outline application for the erection of five detached dwellings - **Approved**

LW/92/0291 - Renewal of outline planning permission LW/89/217 for 5 detached dwellings - **Approved**

LW/86/1000 - Outline application for the erection of three dwellings - **Withdrawn**

E/65/0495 - Outline application for demolition of existing building and erection of one detached property, 12 Telscombe Road. - **Refused**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Peacehaven Town Council – Refusal Recommended due to:-

- o Inadequate infrastructure
- o Increase in air pollution due to congestion on A259
- o Development will increase traffic congestion
- o This location requires additional sewage pumps (as can be found at Greenacres development adjacent to site) which this application does not take into account
- o Currently there are parking issues at this location which will increase significantly
- o Over developed.

ESCC Rights Of Way – No objection (right of way runs along Telscombe Road and not across the site).

Environmental Health – In order to mitigate the impact on amenities in the locality, it is proposed that conditions are imposed to any permission limiting working hours of construction and controlling dust.

ESCC Highways – The application seeks approval for the development of 5 No.2 bed units. It is noted that similar proposals to develop this site have previously been submitted and received highways approval as such I have no major concerns from a highways perspective. Conditions are recommended.

Response

1. Parking & Layout

The East Sussex Parking Demand Calculator indicates that the parking provision required for a development of this type in this location is 10 spaces. The 8 on-site parking spaces proposed fall slightly short of this number, it is therefore recommended that 1 additional space in a tandem arrangement is provided for plots 1 & 2. Although it is preferred to limit parking in this type of arrangement, it is usually when served directly off the highway. In this case there is a circulation without encroaching into the highway realm and as such is acceptable. It is noted that the cycle parking is in accordance with the East Sussex County Council's adopted parking standards with 2 cycle parking space per dwelling.

2. Access/Layout

The submitted plan TA 262/10 Rev A indicates the access is suitable in terms of width and will accommodate two way flows; however, it is not clear if there is adequate room for a refuse/emergency vehicle to turn within the site. The Local Planning Authority would need to satisfy themselves that suitable means of waste collection has been provided as part of this proposal, ideally a tracking drawing should be submitted with vehicle dimensions included.

Conditions

1. No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved drawing (Ref: TA 262/10 Rev A).

Reason: In the interests of road safety.

2. No part of the development shall be occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority, to prevent surface water draining onto the public highway.

Reason: In the interests of road safety.

3. The access shall have maximum gradients of 4% (1 in 25) / 2.5% (1 in 40) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.

Reason: In the interests of road safety.

4. No part of the development shall be first occupied until visibility splays of 2.4 metres by 43metres have been provided at the proposed site vehicular access onto Telscombe Road

in accordance with approved plans. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: In the interests of road safety.

5. No part of the development shall be occupied until the car parking spaces have been constructed and provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car-parking space for the development.

6. No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

7. No part of the development shall be occupied until the vehicle turning space has been constructed within the site in accordance with details submitted to and approved in writing by the Local Planning Authority. This space shall thereafter be retained at all times for this use and shall not be obstructed.

Reason: In the interests of road safety

8. No development shall take place, including demolition, on the site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details provided to and approved in writing by the Local Planning Authority and such facility shall be retained in working order and utilised throughout the period of work on site to ensure the vehicles do not carry mud and earth on to the public highway, which may cause a hazard to other road users.

Reason: In the interests of road safety.

Notes

The Highway Authority would wish to see the roads within the site that are not to be offered for adoption laid out and constructed to standards at, or at least close to, adoption standards

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 7 representations from nearby residents in Highsted Park and Greenacre, objecting on grounds of:

- Drainage.
- Effect on wildlife, including foxes, birds and pheasants. .
- Inadequate access (including from "single track" Telscombe Road).
- Lack of infrastructure.
- Loss of light.
- Loss of open space.
- Loss of trees.

- Noise and disturbance (to Greenacres from use of access road, and health concerns from the road).
- Road damage from construction vehicles.
- Overdevelopment.
- Overbearing building/structure.
- Overlooking/loss of privacy to nearby gardens and houses.
- Overshadowing.
- Parking issues (inadequate parking in the locality already, leading to on-road parking, and further on-road parking from the development is anticipated, causing local annoyance and disruption).
- Smell/fumes.
- Traffic generation.
- There is no need for more housing.
- Impeded access for emergency vehicles from on-road parking.
- Damage to foundations of adjacent house from weight and extent of traffic.
- Loss of security from site clearance.
- Effect on health, property and garden from vehicle diesel fumes.
- Lack of landscaping along site boundaries.
- Inadequate drainage arrangements.

6. PLANNING CONSIDERATIONS

6.1 The site was granted permission for 5 dwellings in 1989 (LW/89/0217). That permission was not activated, and subsequent permissions for 5 dwellings were granted in 1992 (LW/92/0291), 2004 (LW/04/0395) and 2012 (LW/12/0564). The 2012 permission lapsed in 2015, and was for a layout which is identical to that now proposed. The fact that permission has been previously granted on the site over the last 28 years is a strong consideration in favour of permitting the current application.

6.2 The houses which back onto the site in Highsted Park and Greenacre were built when these earlier permission were granted. It is considered that there have been no material changes in planning considerations since these earlier permissions were granted. The proposed development would, like Highsted park and Greenacres, be a further cul-de-sac off this part of Telscombe Road, and would therefore be in keeping with the general pattern of development here.

6.3 Regarding planning policy, the site is within the Planning Boundary for Peacehaven, as identified in the Joint Core Strategy. As the general thrust of planning policy is to contain new development within Planning Boundaries, the development can be accepted in principle. However, acceptance is subject to compliance with more detailed planning policies, which aim to limit the impact of development on the character of a locality and the living conditions of local residents.

6.4 The site is not in a conservation area or national park, and therefore the particular constraints to development in those areas do not apply to the current proposal.

6.5 As indicated above, the cul-de-sac arrangement reflects that of Highsted Park and Greenacres and has previously been considered to be acceptable.

6.6 The effect on nearby living conditions from a development as proposed has also previously been considered to be acceptable. The new houses backing onto Highsted Park would have rear gardens of 9-11m and a separation distance of over 20m to the Highsted Park properties. At the north end of the site facing towards Telscombe Road would be 'side on' and the nearest would be 5m to the Highsted Park boundary. The access road running along the back and side of houses in Greenacres has been considered to be acceptable as

proposed. The relationship with nearby properties is considered to be acceptable in terms of light, overshadowing, overlooking and noise and disturbance.

6.7 Residents have highlighted that on-road parking takes place in the locality, sometimes restricting access, and the concern that this would worsen by the development. The number of on-site parking spaces has increased compared to the 2012 consent (after intervention by the Highway Authority) and each house would have 2 on-site parking spaces. The Highway Authority raise no objection to the application, in terms of parking provision, access and traffic generation.

6.8 The site is overgrown and residents have objected to the effect on wildlife habitat from the clearance of the site and development. It is recommended that an 'Informative' be added to any permission alerting the applicant to the need to comply with wildlife legislation and good construction practice in relation to potential wildlife on the site.

6.9 The broader issues of the effect on the available infrastructure in Peacehaven and the A259 are not considered to be sustainable reasons for opposing the scheme, given that in itself only 5 houses are proposed.

6.10 Overall, permission has previously been in place for an identical development. The 5 houses would, in a small way, contribute to the district housing supply. While the concerns of residents and the Town Council are noted, this is effectively a renewal of a long standing permission, without any material changes in circumstances in the locality since the permission was last granted in 2012.

7. RECOMMENDATION

That planning permission be granted.

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 Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

2. 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 and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

3. 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 and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

4. The land indicated on the approved plans for the parking and turning of vehicles for the development hereby permitted shall be laid out prior to the first occupation/use of the development and thereafter kept available for that purpose only. Cycle parking facilities shall be provided in accordance with details to be submitted to and agreed by the Local Planning Authority.

Reason: In the interests of highway safety having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

5. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - (a) all previous uses
 - (b) potential contaminants associated with those uses
 - (c) a conceptual model of the site indicating sources, pathways and receptors
 - (d) potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Policy Guidance contained in the National Planning Policy Framework 2012.

6. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Policy Guidance contained in the National Planning Policy Framework 2012.

7. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Policy Guidance contained in the National Planning Policy Framework 2012.

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Policy Guidance contained in the National Planning Policy Framework 2012.

9. The new access shall be in the position shown on the submitted plan [number TA 626/10] and shall be laid out and constructed in accordance with the attached HT407 diagram. All works shall be executed and completed to the satisfaction of the Local Planning Authority.

Reason: In the interests of traffic and pedestrian safety, having regard to Policy ST3 of the Lewes District Local Plan.

10. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment shall be provided within the site, in accordance with details which shall have first been approved by the Local Planning Authority, to prevent contamination and damage to the adjacent roads;

Reason: In the interests of highway safety and for the benefit and convenience of the public at large, having regard to Policy ST3 of the Lewes District Local Plan.

11. No development shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority and the approved Plan shall be implemented in full throughout the construction phase. The approved plan shall set out the arrangements for managing all environmental effects of the development during the construction period, including traffic (including a workers' travel plan), temporary site security fencing, artificial illumination, noise, vibration, dust, air pollution and odour, including those effects from the decontamination of the land.

Reason: In the interests of residential amenity of the locality, having regard to Policy ST3 of the Lewes District Local Plan.

12. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1, Classes A, B and C 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 and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

13. Development shall not begin until details of foul and surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The approved drainage works shall be implemented prior to the first occupation of the development.

Reason: To secure a satisfactory standard of development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

14. Prior to the commencement of development, details of a scheme for the protection of those trees which are to be retained around the perimeter of the site (both within and outside the site) shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to the commencement of construction and shall thereafter be retained until construction work has finished.

Reason: To help safeguard trees on and in the vicinity of the site, having regard to Policy ST3 of the Lewes District Local Plan.

15. Prior to the commencement of development, details of the proposed treatments for the boundaries of the site shall be submitted to and approved by the Local Planning Authority. Such treatments may include fencing with trellises above along the boundaries with the properties fronting Greenacres and Highsted Park, or such other treatments in order to achieve screening between the approved houses and neighbouring houses.

Reason: To help safeguard nearby residential amenity, having regard to Policy ST3 of the Lewes District Local Plan.

INFORMATIVE(S)

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. 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>

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Design & Access Statement	5 April 2017	
Proposed Block Plan	5 April 2017	01 A
Location Plan	5 April 2017	01 A
Other Plan(s)	5 April 2017	02
Existing Section(s)	5 April 2017	03
Proposed Layout Plan	25 May 2017	10D
Proposed Floor Plan(s)	5 April 2017	11 A
Proposed Elevation(s)	5 April 2017	12 A
Proposed Floor Plan(s)	5 April 2017	13 A
Proposed Elevation(s)	5 April 2017	14 A
Proposed Section(s)	5 April 2017	15 A
Proposed Elevation(s)	5 April 2017	16 A
Proposed Elevation(s)	5 April 2017	17 B
Proposed Section(s)	5 April 2017	18 A
Proposed Section(s)	5 April 2017	19
Proposed Elevation(s)	5 April 2017	20
Proposed Elevation(s)	5 April 2017	22
Proposed Elevation(s)	5 April 2017	23 B