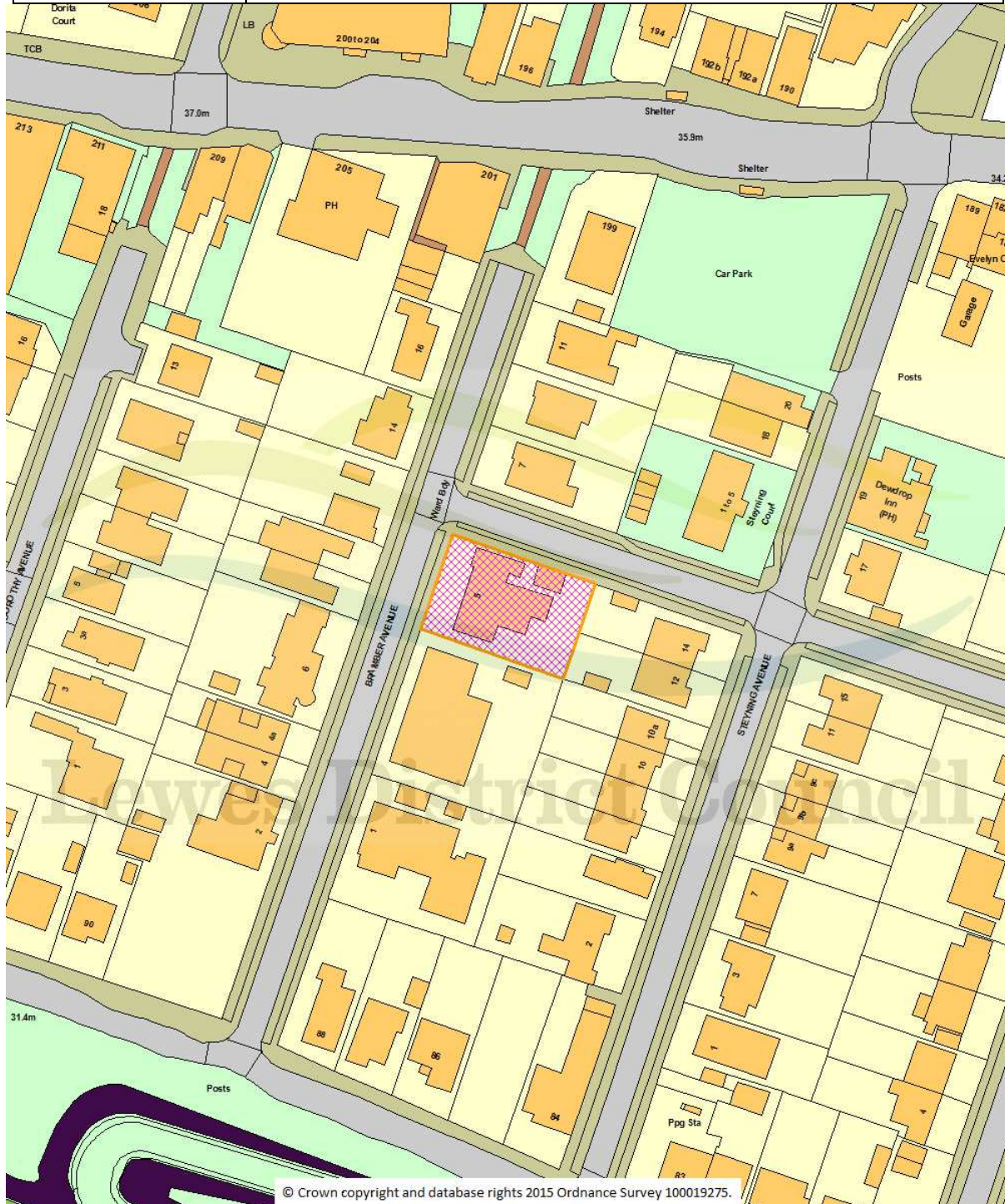


<b>APPLICATION NUMBER:</b>	LW/17/0363	<b>ITEM NUMBER:</b>	<b>9</b>
<b>APPLICANTS NAME(S):</b>	Mr & Mrs M Loughrey	<b>PARISH / WARD:</b>	Peacehaven / Peacehaven East
<b>PROPOSAL:</b>	Planning Application for Demolition of existing garage and construction of new single storey office accommodation		
<b>SITE ADDRESS:</b>	5 Bramber Avenue Peacehaven East Sussex BN10 8LR		
<b>GRID REF:</b>	TQ 4100		



## 1. SITE DESCRIPTION / PROPOSAL

1.1 The application site is located on the corner of Bramber Avenue and the Bramber and Steyning Avenue link road, in Peacehaven. Bramber Avenue is a non-through road just south of South Coast Road, A259.

1.2 The site comprises a detached chalet bungalow and flat roofed single garage sited to the north of the existing dwelling.

1.3 The application proposes demolition of the existing garage and construction of a single storey pitched roof building to be used by the applicant as an office for an established cryotherapy business facilitating beauty treatment equipment and supplies. It currently has a maximum of two staff.

1.4 The footprint of the proposed new office is approximately 7.7m by 4.6m. The proposed building would measure 2.3m to the eaves and 4.0 m to the ridge.

1.5 The ground floor of the proposed new building would be an open plan office area with ancillary kitchenette and WC facilities.

1.6 The new building has been designed from materials that match the existing dwelling. Walls would be white painted render with white UPVC framed windows and doors. The roof would be tiled with plain clay tiles.

1.7 Level access to the new building will be provided from an existing off road parking area, via a gate into the rear garden. Access to the existing house will be unaffected by the proposals.

## 2. RELEVANT POLICIES

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

**LDLP: – CP11** – Built and Historic Environment & Design

**LDLP: – RES18** – Garages and other Buildings

## 3. PLANNING HISTORY

**E/55/0386** - Outline Application to erect a bungalow. - **Refused**

**E/55/0504** - Planning and Building Regulations Application for proposed bungalow with garage. Building Regs Approved. - **Approved**

**LW/85/0273** - Erection of garage and extension to form new lounge and bedroom and use of bungalow to accommodate three elderly persons. – **Approved**

**LW/87/1950** - Extension. - **Refused**

**LW/88/0354** - Extension. - **Approved**

**LW/90/1718** - Single storey rear extension, porch and rooms in roof to provide three additional bedrooms. - **Approved**

**LW/01/0290** - Single storey front extension - **Approved**

**LW/10/0224** - Section 73A Retrospective application for the continued use as a residential dwelling - **Approved**

**LW/17/0114** - Demolition of existing double garage and erection of home office/studio with storage space above

#### **4. REPRESENTATIONS FROM STANDARD CONSULTEES**

##### **Peacehaven Town Council**

4.1 Refusal recommended on the following grounds:

- Over development
- Inadequate local infrastructure - including A259, surgeries, school
- Reduction of car parking facilities
- Exacerbate existing parking problems
- Density of layout & over development - too large for plot
- Local drainage needs to be improved - previous issues in this locality

##### **Environmental Health**

4.2 Contaminated Land; No objection but recommends a condition in relation to unsuspected contamination.

##### **ESCC Archaeologist**

4.3 No objection.

##### **Environmental Health**

4.4 No objection but recommends a condition restricting the hours of construction and an informative relating to waste management.

#### **5. REPRESENTATIONS FROM LOCAL RESIDENTS**

5.1 None.

## 6. PLANNING CONSIDERATIONS

6.1 The main planning issues for consideration are whether the proposed building will respect the character and appearance of the dwelling and locality and whether the use will have an adverse impact on the living conditions of the occupants of adjoining properties.

6.2 In terms of scale and siting the proposed building is considered to be acceptable and would read as a building used for ancillary purposes to the existing dwelling. The proposed building would be the same width as the existing garage, albeit extending beyond the existing garage by 0.7m at the front and 1.5 m at the rear, an increase in floor area of 9.9 square metres. The maximum overall height of the flat roof of the existing garage is 2.8 m. The proposed eaves height is around 2.3m with a pitched roof sloping away from the road up to a ridge height of 4m. The ridge height would be the same height as the roof of the existing rear projection to the main dwelling, with which it would be seen from the street. The proposed building will not materially harm the character and appearance of the existing dwelling or the wider street scene. The proposals are not considered to represent an overdevelopment of the site.

6.3 In terms of the use, having looked at the website address given in the application details [www.cryosthetics.co.uk](http://www.cryosthetics.co.uk), the business aims to "revolutionise Cryo into the beauty market by bringing new and exciting profitable treatments straight to your salon. At Cryosthetics, we are happy to help with starting up your business. As the business grows and develops we will continue to support and assist you."

6.4 Cryosthetics involves freezing/heating fat cells in stubborn fatty areas (Lipocontrast). The proposed building will be used as an office to assist the start-up of new businesses to make them operational elsewhere.

6.5 The building would be used between 09:00 and 17:00 and there will be 2 full time and 1 part time staff. This is as per the existing arrangement. The application form also states that there are currently 2 off street parking spaces and no additional car parking spaces are proposed. There is unrestricted on street parking available in the vicinity however.

6.6 It is considered that the office use would be relatively low key and that the level of comings and goings would not materially harm the living conditions of the occupants of adjoining properties. The siting of the proposed building is next to a road and the level of parking proposed and activity generated by the business is not such that a reason for refusal could be justified and defended at appeal.

6.7 It is noted that the use of the building as an office will be linked to the occupiers of the existing dwelling adjacent. However, in future, should a different business or office user, who does not also reside in the adjacent dwelling, occupy the new building, this could raise concerns in respect of the impact on residential amenity and potentially highways considerations, depending on the intensity of any such use. For this reason, and in view of the building itself being acceptable in terms of scale, design and siting, it is considered prudent to impose a condition to ensure that the building is only used for office purposes by persons who also occupy the adjoining dwelling.

6.8 Overall, it is considered that this application is acceptable and should be granted planning permission.

## **7. RECOMMENDATION**

That permission be GRANTED.

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

1. Any works in connection with this permission shall be restricted to the hours of 0800 to 1800 Mondays to Fridays and 0830 to 1300 on Saturdays, and not at any time on Sundays, Bank or Public Holidays.

Reason: In the interest of the amenities of the adjoining residents 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. No deliveries shall be taken at or despatched from the site outside the hours of 08:00 and 18:00 nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect residential amenities 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. 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 Planning Policy Framework, sections 12.0 and 12.1].

4. Unless otherwise approved in writing by the local planning authority, the office use of the outbuilding hereby permitted shall be carried on only by persons who occupy the existing dwelling, 5 Bramber Avenue, as their main residence, and their associated staff.

Reason: In order to manage the potential amenity and highways impacts and conflicts that may arise should the office use no longer be associated with the residential occupancy of the existing dwelling, having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

### **INFORMATIVE(S)**

1. 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>

2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to

grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

3. The applicant is hereby encouraged to minimise waste arising from the development by way of re-use and/or recycling. All waste materials arising from any clearance and construction activity at the site should be stored, removed from the site and disposed of in an appropriate manner. It is an offence to burn trade waste, so there should be no bonfires on site.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Design & Access Statement	2 May 2017	
Existing Floor Plan(s)	2 May 2017	001
Existing Floor Plan(s)	2 May 2017	002
Existing Elevation(s)	2 May 2017	003A
Existing Elevation(s)	2 May 2017	004
Existing Elevation(s)	2 May 2017	005
Proposed Floor Plan(s)	2 May 2017	102B
Proposed Elevation(s)	2 May 2017	103B
Proposed Elevation(s)	2 May 2017	104B
Proposed Elevation(s)	2 May 2017	105B
Location Plan	2 May 2017	1506 1:1250
Proposed Block Plan	2 May 2017	1506 1:500