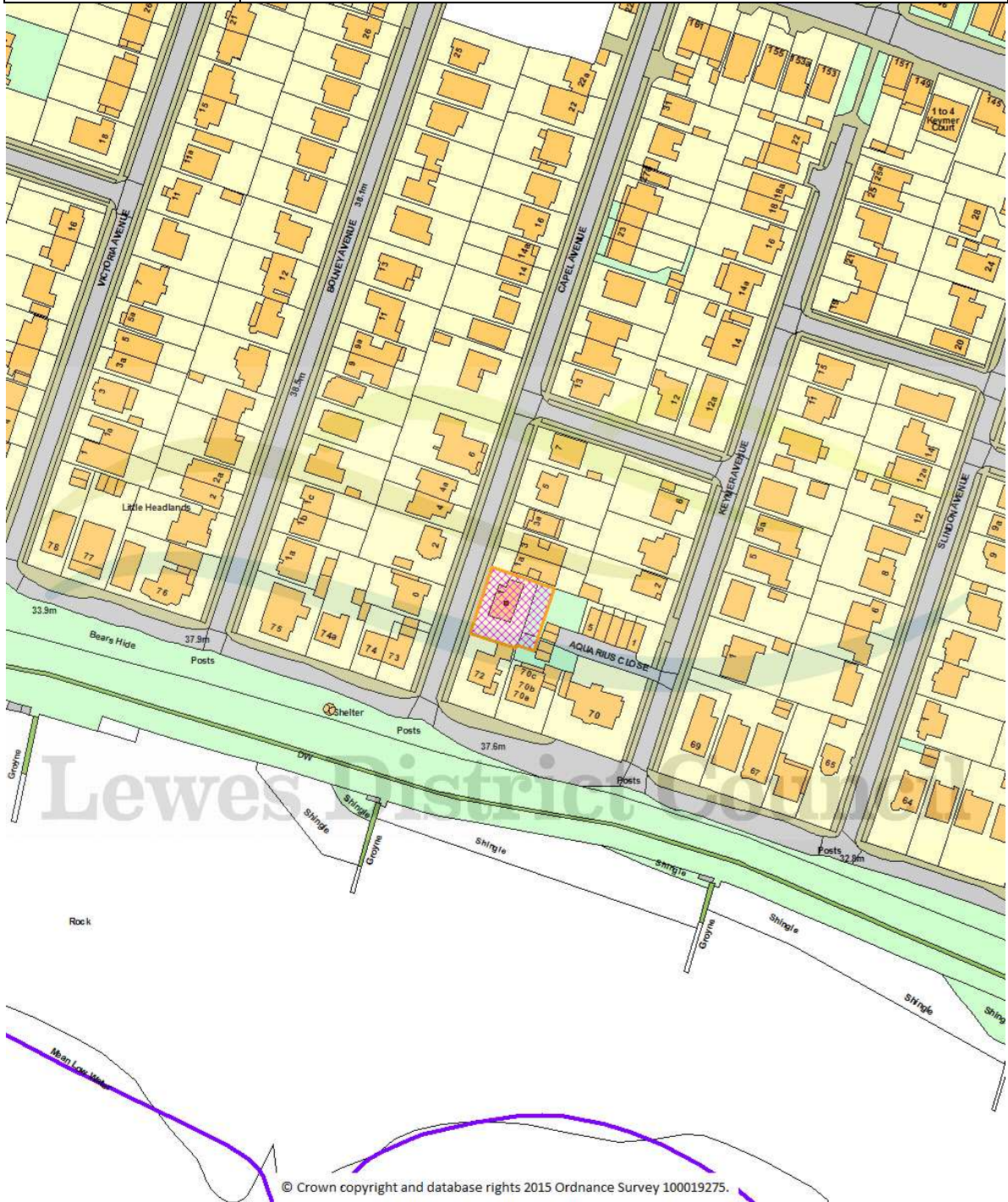


APPLICATION NUMBER:	LW/17/0529	ITEM NUMBER:	8
APPLICANTS NAME(S):	Mr & Mrs N Paterson	PARISH / WARD:	Peacehaven / Peacehaven East
PROPOSAL:	Planning Application for Demolish existing bungalow and replace with two 3-bedrooed detached dwellings with off road parking and associated hard/soft landscaping		
SITE ADDRESS:	1 Capel Avenue Peacehaven East Sussex BN10 8NB		
GRID REF:	TQ 41 00		



1. SITE DESCRIPTION / PROPOSAL

SITE DESCRIPTION

1.1 The application site is occupied by a detached bungalow dwelling located on the eastern side of Capel Avenue near to the clifftop and the junction with The Promenade. The bungalow has been extended in the past and has off-street parking in front. The rear garden is partly truncated due to the communal gardens and garages to the flats at 70 The Promenade and Aquarius Close.

The site is not in a Conservation Area and the building is not Listed or of Local Interest. The application site is within the Planning Boundary of Peacehaven.

PROPOSAL

1.2 The application seeks planning permission for the demolition of the existing bungalow and for re-development of the site by way of a pair of two storey dwellinghouses. Part of the land, including two garages and some of the back garden, are also owned by the applicant but this land is excluded from the proposed development site.

1.3 The two proposed dwellings will closely follow the footprint of the existing bungalow and will align with the building line along Capel Avenue.

1.4 The larger of the two dwellings will have a garage to one side with parking space for a second car in front of the garage. The back garden will be 7.5m in length and will include secure and sheltered cycle storage facilities. The first floor will provide an open plan kitchen, dining and living room. The ground floor will provide for three bedrooms, two having en-suite facilities, and a family bathroom. The dwelling will have dimensions of 11.7m x 7.7m and a floor area of 148 square metres (86 + 62).

1.5 The other property will have two off-street car parking spaces in front, but no garage. The back garden will also be 7.5m but will be slightly off-set owing to the position of the communal gardens to the nearby flats in The Promenade. Again cycle parking facilities are proposed in the back garden of the house. The upper floor of the dwelling will accommodate an open plan kitchen, living and dining room. The ground floor level will incorporate three bedrooms, one with en-suite facilities, and a family bathroom. The dwelling will be 10.6m from front to back and 7.1m in width and will have a floor area of 126 square metres (68 + 58).

1.6 The new dwellings will have a flat roof design achieving a height of 5.9m above ground level. The dwellings will have a first floor balcony on the rear elevation with spiral galvanised steel steps going down to the back gardens.

1.7 The palette of external materials and finishes includes a plinth of grey/blue engineering brick with off-white/pale grey rendered walls above and horizontal timber cladding of either larch or red cedar. The windows and doors will be anthracite.

1.8 The principal elevations will incorporate recessed and projecting elements and design details including long and low-profile window openings set into reveals and louvred timber blinds to the taller windows above the entrance to each dwelling.

2. RELEVANT POLICIES

LDLP: – CT01 – Planning Boundary and Countryside Policy

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

LDLP: – SP2 – Distribution of Housing

LDLP: – CP2 – Housing Type, Mix and Density

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP13 – Sustainable Travel

3. PLANNING HISTORY

LW/04/0076 - Outline application for the erection of a three bedroom bungalow within sub-divided rear garden, one bedroom to be in roofspace above the garage - **Refused**

LW/00/1403 - Single storey side extension - **Approved**

LW/98/0528 - Single storey side extension & retrospective application for a rear conservatory - **Approved**

E/58/0269 - Planning and Building Regulations application for Approval of Detailed particulars for two detached bungalows on part plots 4-6, block 96, Capel Avenue. Building Regs Approved. Completed. - **Approved**

E/58/0208 - Outline application to erect two detached bungalows on plots part 4 - part 6, block 96, Capel Avenue. - **Approved**

E/58/0080 - Outline application to erect two detached bungalows and garages. - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Environmental Health – No objection

Subject to conditions relating to hours of construction; dust suppression; and an Informative relating to waste management.

Peacehaven Town Council – Refusal Recommended due to:-

- o Out of keeping with street scene - impairment of street scene (properties in Capel Avenue are bungalows), changing the character and appearance, detrimental to it, will spoil the ambience of Road/Avenue, unfriendly
- o Loss of privacy - over-looking, causing loss of privacy or light, too close
- o Poor design- does not fit in with local surroundings
- o Inadequate local infrastructure - including A259, surgeries, school
- o Effect on local character - surrounding area included
- o Increase of traffic, congestion and air pollution
- o Exacerbate existing parking problems
- o Parking & highway safety - this road being a dead end
- o Absence of adequate car parking facilities - provision for pedestrians, wheelchairs and prams

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 A representation has been received from 72 The Promenade, in support of the planning application for the following reasons:-

- No loss of light
- No loss of view
- No overlooking
- Colour scheme is easy on the eye
- Will blend in well with other buildings in Capel Avenue
- Design will enhance the area
- In keeping with today's architecture

5.2 A representation has been received from 70B The Promenade, objecting to the application for the following reasons:-

- Loss of privacy
- Incongruous appearance
- Disruption and noise
- Building works vehicles
- Danger to adjoining properties due to chalk cliff face

6. PLANNING CONSIDERATIONS

6.1 The main considerations in the determination of the application include the principle of development; design; the impact on amenity; accessibility and sustainable transport.

6.2 The comments of the Town Council in relation to there being inadequate local infrastructure, including A259, surgeries, school, are acknowledged. However, it is considered that this small scale of development, which will result in a net increase of one additional household will not have a significant material impact on the existing infrastructure.

PRINCIPLE

6.3 The application site is within the Planning Boundary of Peacehaven and located in a predominantly residential area a short distance from the A259 South Coast Road. The proposal is to replace an existing dwelling with two new dwellings and in principle this is acceptable and compliant with Spatial Policy 2 of the Joint Core Strategy because the site constitutes an unidentified infill development within the existing Planning Boundary.

6.4 The plot is wider than most in the nearby vicinity and can accommodate more than a single dwelling unit.

6.5 The demolition of the existing bungalow is considered acceptable in principle and the building is not of Local Interest or a special historic significance.

DESIGN

6.6 The comments of the Town Council in respect of the two storey height of the dwellings are noted. However, the neighbouring property of 72 The Promenade is also two storeys in height. The height of the proposed dwellings will not be significantly different to the overall heights of the pitched roofs to the bungalows within the locality, and the ground floor height will be similar to bungalow eaves height. The new dwellings will be 500mm higher than the bungalow to be demolished and this is considered to be acceptable in view of the unique position of the site next to two storey buildings in The Promenade. In addition, the wide and low-profile windows to the principal elevations will add to the low

profile and horizontal emphasis of the new dwellings. The Town Council also raises objection based on the incongruous appearance of the proposed dwellings. However, as a pair of contemporary dwellings towards the end of the street, the proposed design is considered to be acceptable, particularly as the adjoining site, 72 The Promenade has also been re-modelled in a contemporary style. The result is that the three properties will form a neat group of modern properties of an appropriate scale, positioned at the end of Capel Avenue, which is otherwise of a more traditional appearance, at the corner with the clifftop walk. It is not considered that the visual impact of the proposals will be unacceptable or harmful to the street scene.

AMENITY

6.7 The application site is a wide plot within a built-up residential area. In terms of noise and disturbance, the intensification of the use of the land and the amount of domestic activities and comings and goings associated with the net increase of one single household is not likely to have a significantly adverse impact on the living conditions of neighbouring residents. Indeed there are examples nearby, for example 70 The Promenade, which comprise flats, and there are also 5 terraced houses in close proximity in nearby Aquarius Close.

6.8 The neighbour objection citing loss of privacy is acknowledged. The rear balconies to the two dwellings do have the potential to give rise to overlooking, particularly to the rear elevations of the flats within 70 The Promenade but in order to mitigate this issue the applicant is proposing obscure glazed privacy screens on the edge of the balconies. These screens will prevent the direct overlooking of neighbouring properties. A condition can be imposed to ensure that the screens are retained in the interests of safeguarding neighbour privacy.

6.9 Further comments include disruption and noise during construction and the impact of building works' vehicles. The period of construction is temporary and the impact of the works during construction can be controlled by imposing a condition requiring details of a Construction Environment Management Plan. This will include the locations for the parking of contractors' plant and vehicles, the locations of storage of materials, methods for dust suppression during demolition, site security fencing, and lighting among others.

6.10 The comments in respect of danger to adjoining properties due to chalk cliff face.

ACCESSIBILITY AND SUSTAINABLE TRANSPORT

6.11 The application site is a short walk from the A259 South Coast Road through Peacehaven and along this road there are many shops and facilities including a Post Office, convenience store and food outlets. There are also frequent bus services along the A259 to Brighton and Eastbourne, with quick journeys to Newhaven where there is also a mainline railway station. This is considered acceptable and the application site is in a satisfactory sustainable location whereby future residents and visitors would not need to be solely reliant on private car use for their travel needs.

6.12 The comments from the Town Council in respect of an absence of adequate car parking facilities or provision for pedestrians, wheelchairs and prams are acknowledged.

6.13 The proposed development also includes 2 off-street car parking spaces for each of the new dwellings and this is considered acceptable. There is no defensible reason to consider that the proposed development will significantly increase congestion or result in unacceptable pressure for on-street car parking.

6.14 The application site is adjacent to the public footway along Capel Avenue, which has safe pedestrian links up to the A259 South Coast Road and to nearby streets. There is no defensible reason to consider that the development should be refused on the grounds of pedestrian access, wheelchair or pram access.

OTHER MATTERS

6.15 Concerns have been expressed that the application site is near to the cliff edge and that this is susceptible to erosion which could be exacerbated by the proposed development. The matter of coastal management and cliff erosion is taken very seriously. However, the existing bungalow is set back farther from the cliff edge than other neighbouring properties and it is noted that there is a defence at the bottom of the cliff face in the form of a concrete walkway. This protects the bottom of the cliff face from erosion by the sea, but it does need maintenance in the long term.

6.16 The development of the site by way of two new dwellings would not put future residents or neighbouring residents at any greater risk of property damage by cliff erosion than they already are. For this reason it is not considered to be a sufficient planning reason to refuse the proposed development.

7. RECOMMENDATION

In view of the above approval is recommended.

The application is subject to the following conditions:

1. No development shall take place details and samples of all external materials including the fenestration; hard surfaces; roof materials and external finishes and cladding to the walls, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples and retained as such thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policy ST3 of the Lewes District Local Plan, policy CP11 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

2. The overall maximum height of the main roofs of the two new dwellings hereby permitted (e.g. the top edge of the parapet upstands around the edges of the roof) shall not exceed 350mm above the main ridge height of 1A Capel Avenue, or be less than 360mm below the highest part of the main pitched roof to 72 The Esplanade, in accordance with approved drawing no. 1726.PL05, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and the appearance of the street scene, 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.

3. Notwithstanding drawing no. 1726.PL02 hereby approved, no development, excluding demolition of the existing bungalow, shall take place until there has been submitted to and approved in writing by the Local Planning Authority a drawing/plan indicating the design, materials and height above ground level of the wall enclosures, fences and other boundary treatments within and around the perimeter of the application site. The boundary treatments shall be completed in accordance with the approved details prior to the first residential occupation of the development hereby permitted and retained as such thereafter.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 of the Lewes District Local Plan, 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.

4. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the first occupation of either new dwelling hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance the general appearance of the development 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.

5. Construction work and deliveries in association with the development hereby permitted shall be restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays. No works in association with the development hereby permitted shall be carried out at any time on Sundays or on Bank/Statutory Holidays.

Reason: In the interests of the residential amenities of the neighbours 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.

6. No development, including demolition of the existing bungalow, shall be carried out until a Construction Environment Management Plan has been submitted to and approved by the Local Planning Authority. This shall include the arrangements and mitigation measures for all environmental effects of the development during the construction period including traffic (deliveries, contractor's vehicles and parking clear of the public highway); temporary site security fencing; the timing of deliveries for plant, materials and removal of waste; storage areas for plant and materials; artificial illumination; noise; vibration; dust; air pollution; and odour, including those effects from the decontamination of the land.

Reason: In the interests of highway safety and the amenity of neighbouring residents, having regard to retained policy ST3 and Core Policies 11 and 13 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.

7. Notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development as described in Schedule 2, Part 1, Classes A (with the exception of replacement of existing windows/doors) B, D and E, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing in an application on that behalf.

Reason: Further extensions, alterations and a more intensive development of the site would be likely to adversely affect the appearance and character of the development, the area and neighbour amenity, having regard to retained policies ST3 and RES13 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.

8. The dwellings hereby approved shall not be occupied until the cycle parking facilities have been provided in accordance with the approved drawing no. 17052/10.001F and the facilities shall thereafter be retained for that use and shall not be used other than for the parking of cycles used by occupants of and visitors to the development hereby permitted.

Reason: In the interests of amenity and to provide for alternative methods of transport to the private car in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

9. Prior to the first residential occupation of either of the two new dwellings hereby permitted the car parking facilities shall be provided in accordance with the approved drawings and retained as such thereafter only for the parking of vehicles associated with the residents and visitors to the approved development.

Reason: In the interests of amenity and to provide for alternative methods of transport to the private car in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

10. Prior to the first residential occupation of either of the two new dwellings hereby permitted the cycle parking facilities shown on the approved drawings (2 sheltered cycle parking spaces within the back garden of each property) shall be provided on site. The cycle parking facilities shall thereafter be retained for that use and shall not be used other than for the parking of cycles used by occupants of and visitors to the development hereby permitted.

Reason: In the interests of amenity and to provide for alternative methods of transport to the private car in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

11. All hard surfaces incorporated into the development hereby approved shall be constructed from porous or permeable materials or designed to direct surface run-off to soakaways within the application site.

Reason: In order to drain surface run-off water naturally in the interests of sustainability and reducing the risk of flooding, in accordance with Core Policies 11 and 12 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to National Planning Guidance contained in the National Planning Policy Framework 2012.

12. 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 and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance the general appearance of the development having regard to policy ST3 of the Lewes District Local Plan, policy CP11 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

13. Prior to the first residential occupation of the development hereby permitted the privacy screens to the side edges of the first floor level rear balconies/terraces to each dwelling, as shown on approved drawing no. 1726.PL06, shall be installed such that clear views into neighbouring properties cannot be achieved, and retained as such thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and to safeguard the privacy of adjoining residents in accordance with retained policy ST3 and Core Policy 11 of 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.

4. The applicant is hereby reminded of the Control of Asbestos Regulations 2012 (as amended) when carrying out demolition and construction works.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Design & Access Statement	19 June 2017	
Location Plan	19 June 2017	1726.LP01
Proposed Block Plan	19 June 2017	1726.LP01
Proposed Layout Plan	19 June 2017	1726.PL01
Proposed Floor Plan(s)	19 June 2017	1726.PL02
Proposed Floor Plan(s)	19 June 2017	1726.PL03
Proposed Roof Plan	19 June 2017	1726.PL04
Street Scene	19 June 2017	1726.PL05
Proposed Elevation(s)	19 June 2017	1726.PL05
Proposed Elevation(s)	19 June 2017	1726.PL06
Proposed Elevation(s)	19 June 2017	1726.PL07
Proposed Section(s)	19 June 2017	1726.PL08
Existing Floor Plan(s)	19 June 2017	1726.S01
Existing Floor Plan(s)	19 June 2017	1726.S02

Existing Roof Plan	19 June 2017	1726.S03
Street Scene	19 June 2017	1726.S04
Existing Elevation(s)	19 June 2017	1726.S04
Existing Elevation(s)	19 June 2017	1726.S05
Existing Elevation(s)	19 June 2017	1726.S06