

Planning Applications Committee 31 March 2021



Working in Partnership



Time: 4.00pm

PLEASE NOTE: This will be a 'virtual meeting', held remotely in accordance with section 78 of the Coronavirus Act 2020 and section 13 of the related regulations.

Members of the press and public can view or listen to proceedings by clicking on the link provided on the agenda page on the Council's website.

Instructions for members of the Committee and Officers to join the meeting have been circulated separately.

Membership:

Councillor Sharon Davy (Chair); Councillor Steve Saunders (Vice-Chair); Councillors Graham Amy, Lynda Duhigg, Tom Jones, Christoph von Kurthy, Sylvia Lord, Imogen Makepeace, Milly Manley, Laurence O'Connor and Nicola Papanicolaou

Quorum: 5

Published: Monday, 15 March 2021

Agenda

1 Introductions

2 Apologies for absence/Declaration of substitute members

3 Declarations of interest

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.

4 Minutes (Pages 5 - 8)

To confirm and sign the minutes of the previous meeting held on 10 March 2021 (attached herewith).

5 Urgent items

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972. A supplementary report will be posted on the Council's website prior to the start of the meeting to update the main reports with any late information.

6 Petitions

To receive petitions from councillors or members of the public in accordance with Council Procedure Rule 13 (Page D9 of the Constitution).

7 Written questions from councillors

To deal with written questions from members pursuant to Council Procedure Rule 12.3 (page D8 of the Constitution).

Planning applications outside the South Downs National Park

8 LW/20/0795 - Land rear of Westbourne, Lewes Road, Ringmer, East Sussex, BN8 5ES (Pages 9 - 32)

9 LW/20/0565 - 3 Chyngton Way, Seaford, BN25 4JA (Pages 33 - 44)

10 LW/20/0895 - 37 Capel Avenue, Peacehaven, East Sussex, BN10 8HB (Pages 45 - 58)

11 LW/20/0770 - 2 Lucinda Way, Seaford, BN25 3JD (Pages 59 - 66)

Non-planning application related items

12 Exclusion of the public and press

To consider, under Section 100(A) of the Local Government Act 1972 (as amended), excluding the public and press from the meeting during the discussion of Item 13 on this agenda as there are likely to be disclosures of exempt information as defined in paragraphs 1, 2, 3, 6a and 6b of Part 1 of Schedule 12A of the Act.

13 Dangerous structure (to follow)

Report of Director of Planning and Regeneration

14 Date of next meeting

To note that the next meeting of the Planning Applications Committee which is scheduled to commence at 4:00pm on Wednesday, 21 April 2021, will take place in a virtual capacity, via Microsoft Teams, and in accordance with section 78 of the Coronavirus Act 2020 and section 13 of the related regulations.

General information

Planning Applications outside the South Downs National Park:

Section 2 of each report identifies policies which have a particular relevance to the application in question. Other more general policies may be of equal or greater importance. In order to avoid unnecessary duplication general policies are not specifically identified in Section 2. The fact that a policy is not specifically referred to in this section does not mean that it has not been taken into consideration or that it is of less weight than the policies which are referred to.

Planning Applications within the South Downs National Park:

The two statutory purposes of the South Downs National Park designations are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas; and
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes. Government policy relating to national parks set out in National Planning Policy Framework and Circular 20/10 is that they have the highest status of protection in relation to natural beauty, wildlife and cultural heritage and their conservation and enhancement must, therefore, be given great weight in development control decisions.

Information for the public

Accessibility:

This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

Public participation:

Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to submit a speech on a matter which is listed on the agenda if applicable. Where speeches are normally allowed at a Committee, live public speaking has temporarily been suspended for remote meetings. However, it remains possible to submit speeches which will be read out to the committee by an Officer.

Information for Councillors

Disclosure of interests:

Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the meeting while the matter is being considered (unless he/she has obtained a dispensation).

Councillor right of address:

A member of the Council may submit a question to ask the Chair of the Committee on any matter in relation to which the Council has powers or duties or which affect the District and which falls within the terms of reference of the Committee.

A member must give notice of the question to the Committee and Civic Services Manager in writing or by electronic mail no later than close of business on the fourth working day before the meeting at which the question is to be asked.

Other participation:

Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

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Working in Partnership



Planning Applications Committee

Minutes of the meeting held remotely (via Microsoft Teams) on 10 March 2021 at 4.00pm

Present:

Councillor Sharon Davy (Chair)

Councillors Steve Saunders (Vice-Chair), Graham Amy, Lynda Duhigg, Tom Jones (Minute No 104 to 108), Christoph von Kurthy (Minute No 98 to 109), Sylvia Lord, Imogen Makepeace, Milly Manley, Laurence O'Connor and Nicola Papanicolaou

Officers in attendance:

Andrew Hill (Senior Specialist Advisor, Planning)

Jennifer Norman (Committee Officer, Democratic Services)

Leigh Palmer (Head of Planning)

Joanne Stone (Solicitor, Planning)

98 Introductions

The Chair introduced members of the Committee via a roll call, and those officers present during the remote meeting.

99 Apologies for absence/Declaration of substitute members

There were none.

100 Declarations of interest

There were none.

101 Minutes

The minutes of the meeting held on 17 February 2021 were submitted and approved, and the Chair was authorised to sign them as a correct record.

102 Petitions

There were none.

103 Written questions from councillors

There were none.

104 LW/20/0659 - Land to the rear of 6-12 Tarring Close, South Heighton, East Sussex

Written representations against the proposal were read aloud by the Committee Officer on behalf of Karen Pettitt (Neighbour) and John Brookbanks (Neighbour). Written representations for the proposal were read aloud by the Committee Officer on behalf of Jennifer Foreman (Agent) and Mr and Mrs Penaluna (Applicants). A written representation was read aloud by the Committee Officer on behalf of Councillor Sean MacLeod in his capacity as the Lewes District Ward Councillor.

Resolved:

That planning application LW/20/0659 for the demolition of existing double garage and erection of 1x two-bedroom dwelling with associated landscaping, off road car parking and cycle parking be refused for the following reason:

1. It is considered that the proposed development by virtue of its scale, dominance and overdevelopment of the site, would result in a loss of daylight and sunlight to the adjacent residential gardens to the north; detrimentally impacting on the occupiers' amenity, contrary to Policies DM25 and DM30 of the Lewes District Plan Part 2.

(Councillor Jones was not present for the full duration of this item. He therefore did not take part in the consideration, discussion or voting thereon.)

105 LW/20/0166 - Area of Seafront Promenade opposite Hardwicke House, West View and Sunken Gardens, Esplanade, Seaford

A written representation received from Geoff Johnson on behalf of Seaford Town Council was read aloud by the Committee Officer. Written representations against the proposal were read aloud by the Committee Officer on behalf of Marie Hart (on behalf of residents of Hardwicke House), Roger Murphy (on behalf of local residents) and Lorraine Barrett (Neighbour). A written representation for the proposal was read aloud by the Committee Officer on behalf of Keith Blackburn (Chairman of the Seaford Community Partnership).

Resolved:

That planning application LW/20/0166 (part-retrospective application) for the erection of 8 non-habitable beach huts and 3 toilets (in situ April-September inclusive); and the retention of 4 concession huts (1 permanent, 3 in situ April - September inclusive at the Esplanade, Seaford be approved, subject to the conditions set out in the report and supplementary report, and the amendment of condition 1 to restrict times of use to 08.00 to 22.00.

106 LW/20/0880 - Garage Site, Mill Road, Ringmer, BN8 5JA

A written representation for the proposal was read aloud by the Committee Officer on behalf of Leighton Rowe of Lewes District Council (Applicant).

Resolved:

That planning application LW/20/0880 for demolition of existing vacant garages and construction of one wheelchair accessible, five-bedroom bungalow with associated hardstanding and soft landscaping be approved, subject to the conditions set out in the report.

107 LW/20/0417 - Brickyard Farm, Town Littleworth Road, Barcombe, East Sussex, BN8 4TD

Written representations for the proposal were read aloud by the Committee Officer on behalf of Hannah McLaughlin (Agent) and Tim Bullen (Applicant).

Resolved:

That planning application LW/20/0417 for Variation of condition 1 (Landscaping), 4 (Number of Pitches), 5 (Car Parking) and 7 (Approved Plans) as attached to planning permission LW/11/1500 (incorporating subsequent amendments approved under LW/12/0917 and LW/13/0636) to allow for increase in number of pitches to 21 (including an additional 3 camping pods), additional car parking and landscaping/ecological enhancements be approved, subject to the conditions set out in the report.

108 LW/20/0494 - 40 Horsham Avenue, Peacehaven, BN10 8HX**Resolved:**

That planning application LW/20/0494 for demolition of existing dwelling and replacement with 2 no. semi-detached dwellings be approved, subject to the conditions set out in the report.

109 Planning Enforcement Policy

The Committee received a report which presented the details of the proposed Planning Enforcement Policy as set out in Appendix 1.

The Head of Planning presented the report. He explained that the purpose of the proposed Planning Enforcement Policy was to ensure that Councillors, Officers, external agencies and members of the public were aware of the Council's proactive approach to its planning enforcement responsibilities.

The Committee queried whether the words 'protected species' could be added to paragraph 6.3 of the proposed policy, as set out in Appendix 1.

The Council's Solicitor explained the amendment to include the words 'protected species', could be referenced within the proposed Planning Enforcement Policy, but that as protected species were protected by other legislation, she advised that action may involve appropriate referrals being made to bodies such as the police, rather than action being taken by the Council itself.

The Committee expressed its gratitude to the new Specialist Advisor (Planning Enforcement) and the Planning department for all of their hard work in respect of planning enforcement issues.

Resolved:

1. That the contents of the report be noted; and
2. That Cabinet be recommended to approve the new Planning Enforcement Policy as set out in Appendix 1, subject to the addition of the words 'protected species' to paragraph 6.3 of the new policy.

110 Date of next meeting

Resolved:

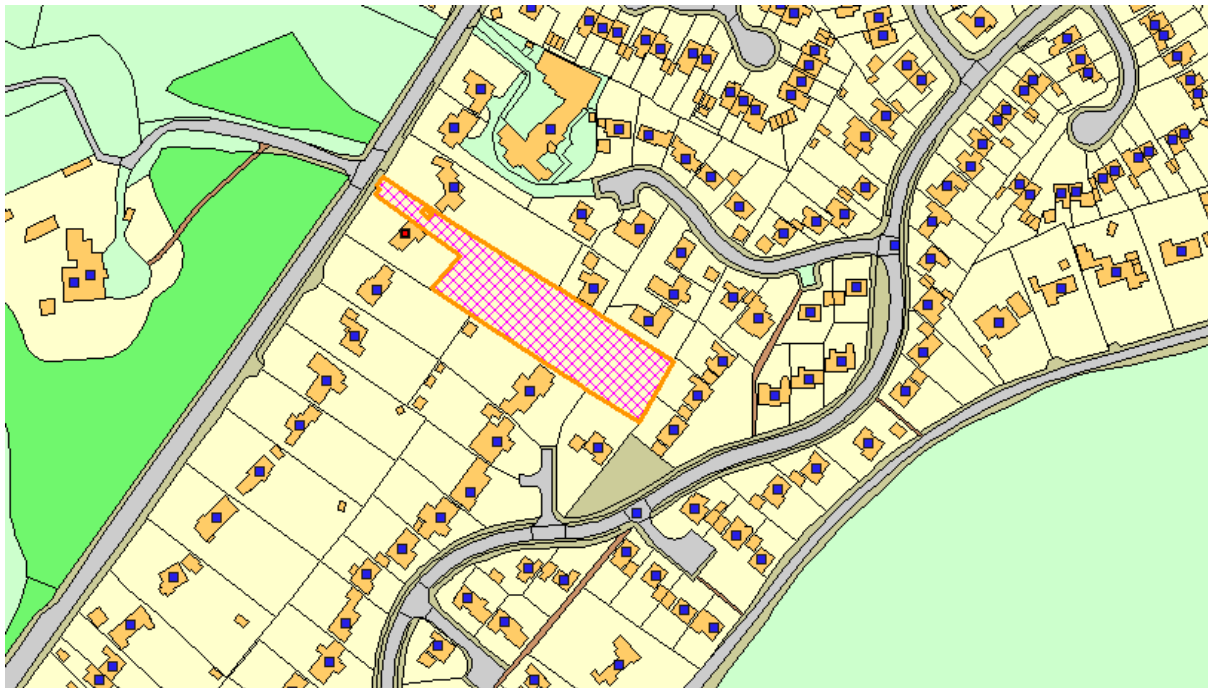
That it be noted that the next meeting of the Planning Applications Committee is scheduled to commence at 4:00pm on Wednesday, 31 March 2021, in a virtual capacity, via Microsoft Teams, and in accordance with section 78 of the Coronavirus Act 2020 and section 13 of the related regulations.

The meeting ended at 7.11pm.

Councillor Sharon Davy (Chair)

Report to: Planning Applications Committee
Date: 31 March 2021
Application No: LW/20/0795
Location: Land rear of Westbourne, Lewes Road, Ringmer, East Sussex, BN8 5ES
Proposal: Erection of six semi-detached single storey residential dwellings.
Ward: Ouse Valley and Ringmer
Applicant: TSA Brighton Ltd.
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** James Smith
E-mail: james.smith@lewes-eastbourne.gov.uk

Map Location:



1. Executive Summary

- 1.1 The proposed development is considered to represent sustainable development. It would provide environmental gains by way of introducing new habitat as part of the site landscaping scheme and reducing pressure to develop surrounding greenfield sites. It would provide social gains by facilitating a net gain of 6 residential units that would be of good quality and in an accessible and sustainable location. It would provide economic benefits by generating additional custom for nearby shops and services.
- 1.2 The proposed dwellings are considered to be of a suitable design and compatible with the wider surrounding area whilst also maintaining a suitable degree of their own character. The development is considered

to represent an appropriate efficient reuse of this site which falls within the settlement boundary and is allocated for residential development in the Ringmer Neighbourhood Plan.

- 1.3 It is therefore recommended that the application is approved subject to relevant conditions.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework 2019

2. Achieving sustainable development
4. Decision making
8. Promoting healthy and safe communities
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

2.2 Lewes District Local Plan (Parts 1 and 2)

- LDLP: – CP2 – Housing Type, Mix and Density;
- LDLP: – CP10 – Natural Environment and Landscape;
- LDLP: – CP11 – Built and Historic Environment & Design
- LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage
- LDLP: – CP13 – Sustainable Travel
- LDLP: – CP14 – Renewable and Low Carbon Energy
- LDLP: – DM1 – Planning Boundary
- LDLP: – DM20 – Pollution Management
- LDLP: – DM23 – Noise
- LDLP: – DM25 – Design
- LDLP: – DM27 – Landscape Design
- LDLP: – DM30 – Backland Development

2.3 Ringmer Neighbourhood Plan

- RNP: – RES1 – Westbourne, Lewes Road
- RNP: – 4.10 – Retaining and Enhancing Biodiversity
- RNP: – 4.11 – Avoidance of Light Pollution
- RNP: – 6.1 – Total New Housing Numbers in Ringmer to 2030
- RNP: – 6.3 – Scale of New Residential Development
- RNP: – 8.3 – Provision of Adequate Off-Road Parking
- RNP: – 8.5 – Road Safety
- RNP: – 8.11 – Drainage and Sewerage
- RNP: – 9.1 – Design, Massing and Height of Buildings

RNP: – 9.2 – Making Good use of Available Land

RNP: – 9.3 – Materials

RNP: – 9.4 – Housing Space Standards

RNP: – 9.6 – Hard and Soft Landscaping

3. Site Description

- 3.1 The site has been annexed from the rear garden of Westbourne, a two-storey detached dwelling on the eastern side of Lewes Road that is set back from the highway and forms part of a linear development of dwellings of similar scale and orientation. The site has been cleared and is currently secured by heras fencing. Excavation works have been carried out to the east and west of the site and a garage that previously served Westbourne has been removed. A new walled rear garden has been formed at Westbourne.
- 3.2 The northern boundary of the site is flanked by residential development on Greenacres Drive whilst to the eastern and southern boundaries are flanked by dwellings on Sadlers Way. Older, lower density development in the form of large detached two-storey dwellings of various designs flank Lewes Road. Plots flanking Lewes Road generally have fairly large rear gardens although the garden of Westbourne is notable larger than those of neighbouring properties. The row of dwellings to the south of the site form an Area of Established Character.
- 3.3 The northern, eastern and southern site boundaries are marked by a mix of timber close boarded fencing and various forms of hedging, including a section of beech hedge on the northern boundary, leylandii hedging on the southern boundary and varied hedging (predominantly coniferous) in the eastern boundary.
- 3.4 The site is located approx. 700 metres from the centre of Ringmer. The edge of the South Downs National Park is approx. 130 metres to the east, and 410 metres to the south of the application site. The western part of the site falls within an Archaeological Notification Area. The site is identified, along with neighbouring sites as Shepherds Mead and Penn House, as being suitable for residential development to provide 12 new dwellings. There are no other specific planning designations or constraints attached to the site.

4. Proposed Development

- 4.1 The proposed development involves the erection of 6 x semi-detached 3-bedroom bungalow dwellings on the site. The dwellings would be accessed via a spinal road which would flank the northern boundary of the site and open out onto Lewes Road to the west utilising the existing dropped kerb access which would be widened to allow improved visibility and two way vehicular movements. A turning head would be provided at the end of the spinal road, towards the eastern end of the

site. Each dwelling would have access to 2 x on-site car parking bays with an additional 2 bays provided for visitors. A raised kerb footpath would run alongside the spinal road, connecting with the footpath flanking Lewes Road.

- 4.2 The proposed dwellings would match each other in terms of design and scale. Plots 1-4 would be orientated in a north/south arrangement with the building frontage facing onto the spinal road to the north. Plots 5 and 6 would be orientated east/west and would be positioned towards the eastern end of the site, with the western elevation facing towards the turning head at the end of the access road.
- 4.3 Each dwelling would have a main gable roof element measuring approx. 7.5 metres in width by 13.35 metres in depth. The gable roof would have an eaves height of approx. 3.15 metres above main site level with the ridge at approx. 4.8 metres. A secondary flat roof element would be provided to the side of each dwelling. This feature would measure approx. 4.4 metres in width by 9.5 metres in depth with the roof parapet height matching the eaves height of the main gable roof. The flat roof top would be provided as a green roof.
- 4.4 The site topography would not be substantially altered, the fall from west to east being maintained although the rear garden areas behind the gable roof part of the building would be levelled on plots 1-4 with a raised terrace provided behind the flat roof element at plots 2 and 4 where the ground level falls to the rear.

5. Relevant Planning History

- 5.1 **LW/16/0152** - Proposed demolition of garage and extensions to Westbourne, and the erection of 4 dwellings on land to the rear – Refused 21st July 2016
- 5.2 **LW/16/0703** - Proposed demolition of garage and extensions to Westbourne and the erection of 4 dwellings on land to the rear – Approved Conditionally 13th October 2016
- 5.3 **LW/19/0602** - Variation of condition 1 (plans) in relation to planning approval LW/16/0703 (removal of garages, reduce excavation, amendments to roof design) – Approved Conditionally 1st November 2019
- 5.4 Various applications to approve details reserved by conditions attached to LW/16/0703 (as amended by LW/19/0602) have been approved.

6. Consultations

6.1 External Consultations:

ESCC Archaeology

The application site has previously been subject to archaeological trial - trench evaluation, with no significant archaeological remains being discovered. There is no requirement for any further archaeological work to place in association with this application.

Southern Water

Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

ESCC Highways

This section of Lewes Road [C41] is subject to a 30mph local speed limit with a 40mph commencing on the south western boundary of the site.

The applicant has proposed improvements to the existing access onto Lewes Road to be utilised for this development of 6 dwellings. The amended plans indicate that the access would be 5.6 metres in width at 5 metres back narrowing to 4.8 metres further into the site. A 1.2 metres wide footway is shown to be provided around the bellmouth of the access and along the length of the internal access road to connect the residents to the footway on Lewes Road, bus stops and local facilities in the village. The applicant has also shown sufficient on-site parking and turning areas with vehicle tracking being provided to demonstrate that the largest refuse vehicle of 12 metres in length could turn on site.

I am satisfied that the access width/layout meets the minimum requirements.

The Design Manual for Roads and Bridges recommends appropriate visibility splays for an access serving this type of development dependent on traffic speeds on the major road. In this instance the recommended visibility splays are 2.4 metres by 120 metres in each direction within a 40mph and 90 metres within a 30mph, the major road “y” distance measured to the nearside vehicle path.

Whilst the visibility splays of 90 metres to the north east and 120 metres to the south west have been annotated on the amended plan they have not been shown in their entirety. Therefore I would wish to see further details of these splays to ensure they are correctly provided. However, this can be dealt with by condition.

The dwellings should be provided with covered, secure storage for at least 2 cycles, details of which can be dealt with by condition.

Ringmer Parish Council

No objections.

7. Neighbour Representations

7.1 A letter of objection has been received from the Westbourne Action Group (WAG). A summary of material planning issues raised is summarised below:-

- The height of the dwellings is more appropriate than that of the dwellings approved under LW/16/0703;
- Development is too dense and the density of 15 dwellings per hectare is misleading as the area it is based on includes the access road. The net density would be 24 dwellings per hectare. This exceeds the design brief threshold and would be out of keeping with surrounding area ;
- Plot sizes are smaller than the average on Greenacres Drive;

- The methodology used by the applicant to calculate density is spurious;
- Since LW/16/0703 was approved the site area has been reduced due to sale of Westbourne;
- There should be a maximum of 4 dwellings provided;
- The approved drainage scheme for the previous permission has run into trouble and so details should be agreed prior to any permission being granted rather than conditioned;
- Insufficient parking will result in parking on road and impede access for service and emergency vehicles;
- Ownership Certificate on application form is incorrect;
- There are a number of inaccuracies on the application form and in the Design and Access, Ambition and Planning Statements;
- Semi-detached dwellings are out of keeping with surrounding development of detached dwellings with garages;
- The presentation of neighbour engagement is incorrect;
- CIL form is missing information;
- Hard and soft landscaping materials not acceptable;
- Site area is 0.32 hectares not 0.39;

7.2 Officer Response to WAG comments:

The majority of comments are addressed in the main body of this report. The ownership certificate is completed correctly. The agent has confirmed that the applicant owns the entire site other than the area where the site access is being widened. This is on ESCC Highway land and the certificate confirms that ESCC Highways have been notified of the application. Although a box has been left unticked on the CIL form the table of details to which it relates has been completed; measurements of the submitted site plan confirm that the overall site area is 0.39 hectares; Submitted statements cover many areas that are subjective and open to disagreement. The officer assessment of the application is based on planning policies, the submitted plans (which are accurately drawn) and planning history.

7.3 A total of 16 letters of objection have been received, material planning objections contained therein are summarised below:-

- Does not accord with the development brief for the site as does not respect character of existing neighbouring development;
- Not enough visitor parking provided;
- Development is too dense;
- Security risk to gardens on Greenacres Drive;
- The proposed drainage arrangements would prove costly and may not be feasible;

- Road would be too close to neighbouring properties;
- Drainage connection would need to cross our land;
- Would negatively impact on neighbour amenity and mental health;
- Would compromise tranquillity of neighbour gardens;
- Plot sizes far smaller than neighbouring properties;
- A previous scheme for 4 bungalows on the site was refused as overdevelopment;
- Should not be compared with higher density development at The Forges as this is an infill site on garden land;
- Density figures quoted in submitted documents are misleading;
- Concern over drainage infrastructure as there has already been localised flooding on Greenacres Drive;
- Sloping nature of the site direct surface water to Greenacres Drive and Sadlers Way;
- Will result in additional noise, light and air pollution.

7.4 One letter of support received from a member of the public, the content of which is summarised below:-

- Reduction in height is compatible with properties in surrounding area;
- Scheme is a good compromise;
- In discussions with developer as to how noise and disturbance would be controlled and how development would be maintained.

8. **Appraisal**

8.1 Key Considerations

8.1.1 The main considerations relate to the principle of the development; the impact upon the character and appearance of the area and neighbour amenities, impacts upon highway/pedestrian safety and flood risk and the overall merits of the scheme in terms of the balance of economic, environmental and social objectives that comprise sustainable development.

8.2 Principle

8.2.1 The site falls within the boundary where the general principle of residential development is acceptable as per policy DM1 of the Lewes District Local Plan part two. Policy SP1 of the Lewes District Local Plan part one makes a commitment for a minimum of 6,900 net additional dwellings to be provided in the plan area. Since 2016, the figure for the South Downs National Park has been disaggregated and a revised figure of 5,494 net additional dwellings (equivalent to 274.7 dwelling per annum) is applied for land outside of the SDNP.

- 8.2.2 Para. 8 of the Revised National Planning Policy Framework (NPPF) defines sustainable development as comprising three overarching objectives, these being to respond positively to economic, environmental and social needs. Para. 10 goes on to state that there should be a presumption in favour of sustainable development.
- 8.2.3 Para. 11 of the NPPF states that decision taking should be based on the approval of development proposals that accord with an up-to-date development plan without delay. The Lewes Development Plan is currently up to date, with a 5-year housing land supply identified as required by para. 73 of the NPPF, and, therefore, all relevant policies, as well as other applicable criteria set out in the NPPF, will be applied in the assessment of this application.
- 8.2.4 Policies CP2 of the Lewes District Local Plan part one provides a list of objectives to be applied to new housing development within the district. This includes a requirement for housing development that meets the needs of the district to be accommodated in a sustainable way, to conserve and enhance the character of the area in which it will be located and to maximise opportunities for re-using suitable previously developed land and to plan for new development in the highly sustainable locations. Development should incorporate a suitable mix of accommodation and be socially inclusive. This is echoed in para. 118 of the NPPF which maintains that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. Development of under-utilised land and buildings should be promoted and supported, especially where this would help to meet identified needs for housing.
- 8.2.5 From a housing delivery perspective, para. 68 of the NPPF acknowledges the important contribution that small and medium sized sites, such as the application site, can make towards meeting the housing, particularly as development on such sites is often built out relatively quickly.
- 8.2.6 The use of site allocations in neighbourhood plans is recognised in the LDC Housing Delivery Test Action Plan (2019) as a means to bring forward development sites whilst also empowering the local community to identify how and where housing will be delivered within their area. The site, as well as parts of the neighbouring plots to the north and south, is allocated for residential development in the Ringmer Neighbourhood Plan under policy RES1, with the objective of yielding a total of 12 dwellings. The site is identified as a 'phase one' site in that it is expected to make a contribution to housing supply by 2024.
- 8.2.7 Notwithstanding the above, the principle of residential development of the site was established in the approval of application LW/16/0703. It should be noted that this is an extant permission as a technical start on the development has been made in the form of site clearance.
- 8.2.8 The proposed development is therefore considered to be acceptable in principle and will therefore be assessed on the balance of its

economic, social and environmental merits in full accordance with the principle of supporting sustainable development as set out in paras 8, 11 and 12 of the Revised National Planning Policy Framework as well as development plan policies relating to design, carbon reduction, landscaping, pollution control and ecological enhancements.

8.3 Design and Impact upon Character of Surrounding Area

- 8.3.1 Ensuring new development makes an efficient use of land is a key component of sustainable development, as per para. 122 of the NPPF. The efficient development of development within settlement boundaries helps alleviate pressure on surrounding greenfield sites and ensure new development can be targeted in more sustainable locations.
- 8.3.2 Policy CP2 of the Lewes District Local Plan part one sets general parameters for density of new development in villages of between 20 and 30 dwellings per hectare. This is echoed in policy 9.2 of the Ringmer Neighbourhood Plan which also recommends a density of 20 to 30 dwellings per hectare for new development. However, it is noted that the development brief for the site contained within appendix 6 of the Neighbourhood Plan states that density of development on the site should not exceed 20 dwellings per hectare.
- 8.3.3 Although it has now been replaced by the National Planning Policy Framework (which encourages the increasing of residential densities) Planning Policy Statement 3 (Housing) defines net dwelling density as being 'calculated by including only those site areas which will be developed for housing and directly associated uses, including access roads within the site, private garden space, car parking areas, incidental open space and landscaping and children's play areas, where these are provided. The developable part of the site has an area of approx. 3900 m² and, therefore, the overall net dwelling density of the development therefore equates to approx. 15 dwelling per hectare.'
- 8.3.4 It is important to note that, for the overall RES1 site to deliver 12 dwellings, as stipulated by the Neighbourhood Plan, the overall density of the development would need to be 14.3 dwellings per hectare (on the assumption that the existing dwellings at Westbourne, Penn House and Shepherds Mead were to be demolished), rising to 18 dwellings per hectare to provide a net gain of 12 dwellings as required by RES1 and policy 6.1 of the Neighbourhood Plan. If this required density was calculated on a net density rather than gross density basis then it is likely to exceed the 20 dwellings per hectare threshold, given the space required for roads and other infrastructure. This is considered to provide further justification for the use of a gross density figure. It is noted that Ringmer Parish Council have not objected to the approved scheme.
- 8.3.5 It is also noted that the 20 dwellings per hectare figure was driven by a need to keep the density of development low on western parts of the site that would be viewed in context with the lower density development that comprises the Area of Established Character to the

south of the site. This would imply higher density development be concentrated towards the rear of the site. The need to maintain a low density in line with the Area of Established Character is not relevant to the proposed development due to its 'backland' location.

- 8.3.6 The development would nestle amongst existing development on Greenacres Drive and Sadlers Way where densities are similar to the proposed scheme. For example, the density of the cluster of 6 bungalow dwellings immediately to the north of the site comprising numbers 10-20 Greenacres Drive (including the area for the access road) is approx. 16.5 dwellings per hectare.
- 8.3.7 Plot sizes within the proposed development range from 357 m² (plot 1) to 490 m² (plot 5) with the average plot size being approx. 418 m². These plot sizes are considered to be broadly consistent with surrounding plot sizes where, although there are a number of plots over 500 m² in area there are also a number of plots ranging from approx. 375 m² (no. 3 Greenacres Drive). It should also be noted that a number of the larger plots nearby have long front garden spaces and the back-garden areas are of similar size to those of the proposed scheme.
- 8.3.8 It is therefore considered that the density of the development, which is marginally below overall suggested density for village development, is acceptable and represents a suitably efficient use of the site that will assist in meeting the need for ongoing housing supply in Ringmer.
- 8.3.9 The proposed development would be set back behind the existing dwelling at Westbourne on land that was formally part of the rear garden although this has now been annexed with a new smaller walled garden formed to the rear of Westbourne. As such, the proposed scheme is an example of 'back land' development as well as development of garden land. Para. 122 (d) of the Revised National Planning Policy Framework (NPPF) states that 'planning policies and decisions should support development that makes efficient use of land, taking into account.... the desirability of maintaining an area's prevailing character and setting (including residential gardens).' Para. 70 of the NPPF suggests development plans include policies to resist inappropriate development of garden land. Policy DM30 of the Lewes District Local Plan part two fulfils this purpose by stating that development in rear domestic gardens within the settlement boundary should be allowed where:-
- 8.3.10 **1.** It includes the provision of safe and convenient vehicular access and parking which does not have an unacceptable adverse impact on the amenities of neighbouring properties in terms of noise, light or other disturbance;
- 8.3.11 **2.** The mass and scale of development will not have an overbearing impact on, or result in the loss of privacy to, existing homes and gardens; and

- 8.3.12 **3.**The development does not cause the loss of trees, shrubs or other landscape features which make an important contribution to the character and appearance of the locality or its biodiversity.
- 8.3.13 Impacts upon highway safety and neighbour amenity will be assessed in detail later in this report. With regards to the character of the site, although ornamental planting and lawn areas have been removed in site clearance, the existing boundary hedging will be maintained and supplemented through additional tree and hedge and tree planting that would augment to maintain a verdant character to the site and provide sympathetic green screening, particularly when viewed from neighbouring properties. All new dwelling would also have rear garden lawns that would contribute to preserving the general setting of the site as would the large areas of green roofing provided over the flat roof elements of each new dwelling.
- 8.3.14 Given the number of dwellings within the development, as well as the level of surveillance over the site from neighbouring properties it is not considered that the development would present an unacceptably secluded or isolated environment for future occupants. The development would nestle in with other development behind Lewes Road on Greenacres Drive and Sadlers Way and it is therefore considered that it would integrate well with the existing community.
- 8.3.15 The development incorporates a contemporary design that does not directly replicate development within the immediate surrounding area but does respect it in terms of scale and general design characteristics such as strong gable roof elements and single-storey height. Given the relatively self-contained nature of the site it is considered that the more contemporary aspects of the design can be accommodated without appearing disruptive to surrounding street scenes and the prevailing character of the surrounding area. It is considered that this approach is consistent with policy 9.1 of the Ringmer Neighbourhood Plan which states that ‘a degree of design variety within a development is essential but it must take into account the design and detailing of adjacent buildings and the spatial, visual and historical context in which it resides.’
- 8.3.16 It is considered that the layout of the development would allow for the extension of the access road into Shepherds Mead in order to enable development of this part of the RES1 site. Access to Penn House would be more problematic but there is existing access from Lewes Road if this part of the site came forward for development in the future. It is noted that, unless Penn House is demolished, the rear of the site is only likely to have the capacity to provide one or two dwellings.
- 8.3.17 As the scheme would nestle in with existing development it is not considered that it would appear disruptive in views towards or from the nearby South Downs National Park. It is also considered that the two small roof lights would not allow for a level of light spillage that would negatively impact upon the surrounding dark sky environment.

8.4 Impact upon Amenities of Neighbouring Residents:

- 8.4.1 The site is surrounded by neighbouring residential plots, with the side boundaries of Shepherds Mead and 14 and 16 Greenacres Drive flanking the northern edge of the site, rear gardens of properties on Sadlers Way backing onto the eastern edge of the site, the side boundaries of properties on Sadlers Way and at Penn House flanking the southern edge of the site and the rear garden of Westbourne backing onto the majority of the western edge of the site.
- 8.4.2 The proposed development would be served by a spinal access road that would flank the northern site boundary. A landscaped buffer including hedge and tree planting would be maintained along the entire site boundary to provide a screen to the access, preventing car headlights shining directly towards neighbouring property and helping to soften noise emissions. Given the modest scale of the development it is not considered that the access road would be intensively used. It is therefore considered the activities associated with the access road not have an unacceptable impact upon the amenities of neighbouring residents due to the relatively low intensity of activity and the mitigation provided by the landscaped buffer. It should also be noted that the proposed access road follows a similar route to the road approved under LW/16/0703.
- 8.4.3 The proposed dwellings would all be single-storey in height. The front and rear elevations of each dwelling would be stepped a minimum of approx. 7.5 metres away from site boundaries (rear of plot 4). The distances maintained are similar to those of the previously approved scheme LW/16/0703, where the proposed scheme was for two-storey dwellings. The closest part of any building to neighbouring sites is the flat roof element of plots 5 and 6, which are approx. 3 metres from the side boundaries shared with 14 Greenacres Drive and 41 Sadlers Way respectively. The parts of the flat roof elevation facing towards the neighbouring sites would be windowless and, at approx. 3 metres height, the visual impact would be similar to that of an outbuilding of similar height that could be positioned within 2 metres of any site boundary under householder permitted development rights.
- 8.4.4 A good degree of separation is provided between proposed dwellings and neighbouring dwellings, particularly between front and rear aspects. It is considered the distances maintained between neighbouring properties and buildings combined with the modest height of the proposed bungalow dwellings would ensure that they do not appear overbearing towards neighbouring residents or generate undue levels of overshadowing.
- 8.4.5 The side elevations of each dwelling, which are free from windows and openings save for a small secondary window serving the kitchen/dining area and roof lights which would be angled upwards and well above the finished floor level of the kitchen and hallway areas that they would serve. Direct views between primary habitable room windows within the development and primary habitable room windows at neighbouring properties would be at distances of approx.

24 metres (rear of plots 5 and 6 to rear 37 and 39 Sadlers Way) All over views between primary habitable room windows and neighbouring primary habitable room windows would be at a considerable angle and with a good degree of distance maintained. In any case, all windows within the development would be at ground floor level and any intrusive views towards neighbouring properties would be sufficiently screened by site boundary fencing and landscaping.

- 8.4.6 The activities associated with the proposed dwelling, including use of gardens would be consistent with the previous residential use of the site and, as stated earlier in the report, the intensity of the development is comparable with that of the surrounding residential area. It is therefore considered that the level and nature of activity generated by the proposed development would be in keeping with surrounding uses and would not be unacceptably disruptive.
- 8.4.7 It is therefore considered that the proposed development could be accommodated within the site without any unacceptable impact upon the amenities of neighbouring residents.

8.5 Living Conditions for Future Occupants

- 8.5.1 Para. 126 of the National Design Guide (2019), which is a companion to the Revised National Planning Policy Framework, states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.' This is echoed in policy CP11 of the Lewes District Joint Core Strategy.
- 8.5.2 All habitable rooms are served by clear glazed openings allowing for a good level of natural sunlight permeation. The large open plan kitchen/living/dining areas are also served by a roof light. There is a good distribution of windows over two aspects of each building and it is considered that this would help enhance access to natural light and would also provide effective natural ventilation to each building. The layout of each dwelling is considered to be clear, with hallway lengths kept to a minimum and awkwardly sized and shaped rooms being avoided, thereby enhancing functionality, accessibility and adaptability.
- 8.5.3 The Department for Communities and Local Government has produced the Technical housing standards - nationally described space standard. This document sets out minimum recommended Gross Internal Area (GIA) for new residential units, based upon number of bedrooms provided, number of storeys and number of occupants. Each of the proposed dwellings would have a GIA of 122.7 m² This exceeds the minimum 95 m² specified for a 3-bedroom bungalow dwelling configured with 6 double bedrooms (as the proposed dwellings are).
- 8.5.4 Para. 10 (b) of the space standards instructs that a dwelling with two or more bedspaces has at least one double (or twin) bedroom whilst para. 10 (d) stipulates that a double room must have a minimum floor

area of 11.5 m². All bedrooms within the proposed dwelling fulfil this criteria.

- 8.5.5 Each dwelling would have access to a private outdoor amenity area. Garden sizes would range from 158 m² (plot 1) to 275 m² (plot 2), with an average size of approx. 206 m². Plans show that rear garden areas on the sloping parts of the site (west to east) would be levelled and it is considered that this would maximise usability. It is considered that the gardens are of a reasonable size to serve the needs of the occupants of each dwelling.

8.6 Parking Demand and Highway Impact

- 8.6.1 The development would be accessed via Lewes Road by way of utilising the existing dropped kerb access with widening works being carried out on order to allow it to support two-way vehicular movements. The access arrangements remain as per those approved, and endorsed by ESCC Highways, under application LW/16/0703. Critically the recommended visibility splays of 2.4m by 90m to the north (where there is a 30mph speed limit on the road) and 120m to the south (where the speed limit increases to 40 mph) can be achieved and a condition will be used to ensure that they are kept free of obstructions.
- 8.6.2 The width of the access and spinal road also remain as per the previously approved scheme. The access itself would be 5.65 metres wide, the access road would then widen to 6.736 metres before narrowing to 4.8 metres in width to the rear of Westbourne (other than at one 'pinch point' where it is reduced to 4.65 metres for a very short segment. As such, the access width exceeds the minimum 4.5 metres required for two-way vehicular movements as per ESCC standing advice. A raised kerb footway would be provided from Lewes Road to the rear of the site.
- 8.6.3 A turning head is provided to allow for vehicles, including service vehicles, to turn on site and, therefore, the proposed development would not lead to vehicles reversing out of the site onto Lewes Road, which would present a significant highway/pedestrian hazard. Refuse stores would be provided to the front or side of each dwelling and would be fully accessible to bin crews. As such, there would not be a need for bins to be placed on the footway where they may cause an obstruction.
- 8.6.4 Each dwelling would be provided with two car parking spaces in the form of bays to the sides of units 1-4 and to the front of units 5 and 6. Two additional parking bays would be provided for visitors. The total quantum of 14 spaces is consistent with predictions based on the interrogation of the ESCC Car Ownership Parking Demand Tool which suggests the development would generate demand for 13.65 spaces (assuming each dwelling has 2 allocated spaces). The existing dwelling at Westbourne will retain its parking facilities to the front of the dwelling. Although 4 of the parking spaces are provided in

a tandem arrangement, this is considered to be acceptable in this instance as repositioning of cars would not result in any activity on the main road and all tandem spaces would be under the control of a single household.

- 8.6.5 The site is considered to be in a sustainable location where there is good access to public transport with bus stops on the 28/29 Brighton to Tunbridge Wells route being nearby. The centre of Ringmer, where there are shops and other services available, is approx. 700 metres walking distance from the site, with a footway running the entire distance. Each dwelling would be provided with a shed that would allow for secure and covered bicycle storage. It is considered that the sustainable location of the site and provision of cycle storage facilities would encourage uptake in use of alternative modes of transport to the private car.

8.7 Flooding and Drainage

- 8.7.1 The site is located in Flood Zone 1 and, as such, is at low risk from tidal and fluvial flooding. There are no records of any significant issues with surface water drainage on the site or the wider surrounding area. The footprint of the proposed dwellings increases from approx. 685 m² as approved under LW/16/0703 (later reduced following omission of garages from scheme) to approx. 870 m². The amount of other hard surfacing (roads, pavement, driveways, patios) would remain relatively similar to that approved under LW/16/0703. As with the previous scheme, flat roof elements of the buildings would have a green roof which would have the capacity to absorb surface water. Permeable hard surfacing will also be used where possible. A significant area of the site would remain surfaced in grass and additional tree and hedge planting would provide natural drainage.
- 8.7.2 A drainage plan for the previously approved scheme (LW/16/0703) was submitted as required to conditions 16 and 20 as attached to that permission. The scheme involved connection with the existing public surface water and foul sewer and a connection agreement was made with Southern Water. The drainage scheme incorporated permeable hard surfaces and attenuation measures to control flow rate. Given the connection agreement with Southern Water, it is considered that this drainage scheme could be easily adapted to serve the proposed development. Full details of a revised drainage scheme would be secured by condition and approved in consultation with Southern Water and the Lead Local Flood Authority. A maintenance plan would also be required to ensure that the drainage infrastructure is kept in a fully functioning condition. Any increase in flow rates would need to be agreed with Southern Water, who have not objected to the development.
- 8.7.3 It is noted that connection to the public surface water and foul sewer would require the crossing of third-party land. This can be achieved either through agreement between the developer or the landowner

or, if no agreement is reached, can be carried out by Southern Water under the under Section 98 (requisition) of the Water industry Act. An agreement for connection relating to the previous scheme is already in place.

8.8 Landscape, Ecology & Sustainability

- 8.8.1 The site has been largely cleared, excavations for foundations associated with LW/16/0703 have been carried out to the east and west of the site. The site is currently covered with fairly short grass and occasional very young self-seeded tree/hedge saplings. There is a beech hedge along part of the northern site boundary and coniferous hedging in place on the northern and southern boundaries. As such, no significant landscape features would be lost as a result of the proposal. It is not considered that the site is ecologically sensitive and no objections were raised against the previous application in this regard. It is important to note that the site has not been cleared deliberately for the purpose of the current application but as a result of the technical start made on the previously approved scheme LW/16/0703.
- 8.8.2 A framework landscaping plans has been submitted which shows the beech hedge on the northern boundary being extended along the full length of the site, a soft verge being put in place and various hedge and tree planting being carried out to strengthen existing hedging, increasing habitat connectivity, and, therefore, a biodiversity enhancement. Further enhancement would be achieved by the planting of fruit trees within the development and on-site boundaries as these trees would provide habitat as well as a food source. The green roofing, if planted with appropriate species, would also provide a raised habitat area.
- 8.8.3 Further details of enhancements and mitigation can be secured through the use of a landscaping condition. This could include, but not be limited to, provision of bat and bird boxes in appropriate locations, full details of all species to be planted (including on the green roofing) and assurance that boundary fencing would incorporate mammal gates to ensure foraging mammals such as hedgehogs would continue to be able to pass through the site and into neighbouring areas.
- 8.8.4 There are no existing buildings on the site, a garage to the side of Westbourne having been removed earlier as part of the implementation of permission LW/16/0703. As such, there are no building materials that could be recycled during site clearance although it is expected that all groundworks and landscaping are carried out using soil already on site where feasible. Full details of the use of soils would be secured as part of a Construction and Environmental Management Plan to be secured by condition.
- 8.8.5 It is therefore considered that the proposed development would incorporate some biodiversity net as stipulated in table 1 of the Biodiversity Net Gain Technical Advice Note (TAN). The minimal amount of profiling works on the site and the potential for reuse of existing materials to carry out this work is considered to be consistent

with the aims and objectives of the Circular Economy TAN as is the use of locally sourced building materials as set out in the Design and Access Statement.

- 8.8.6 A condition will be used to ensure that each dwelling is provided with at least one charging point for an electric vehicle as required by the Electric Vehicle Charging Point TAN and the Sustainability in Development TAN. The use of green roofing is considered to support habitat and water retention. The thickness of the walls of each dwelling would be greater than required by Building Regulations so as to increase thermal efficiency of the buildings. The Design & Access Statement also lists potential for rainwater harvesting, ground/air source heat pumps and solar thermal/pv panels to be installed the provide further carbon saving/energy efficiency measures. Full details of all measures to be incorporated can be secured by condition as can confirmation that water consumption will not exceed 110 litres per person per day. It is therefore considered that the proposed development would fulfil the aims and objectives of the Sustainability in Development TAN.

9. Human Rights Implications

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10. Recommendation

- 10.1 It is recommended that permission is granted subject to the conditions listed below.

10.2 Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved drawings:

PLAN TYPE	DATE RECEIVED	REFERENCE
Location Plan	23 rd November 2020	6257(A) 001
Proposed Site Plan	2 nd March 2021	6257(A) 003 Rev C
Proposed Site Sections	23 rd November 2020	6257(A) 004 Rev A
Proposed Site Plan	23 rd November 2020	6257(A) 005 Rev B
Vehicle Tracking Plan	12 th March 2021	WR/SR/1001 Rev A
Vehicle Tracking Plan	12 th March 2021	WR/SR/1002 Rev A
Proposed Landscaping	23 rd November	6257(A) 006 Rev B

PLAN TYPE	DATE RECEIVED	REFERENCE
Site Plan	2020	
Proposed Floor Plans Plots 1-2	23rd November 2020	6257(A) 010 Rev A
Proposed Elevations Plots 1-2	23rd November 2020	6257(A) 011
Proposed Floor Plans Plots 3-4	23rd November 2020	6257(A) 012 Rev A
Proposed Elevations Plots 3-4	23rd November 2020	6257(A) 013
Proposed Floor Plans Plots 5-6	23rd November 2020	6257(A) 014 Rev A
Proposed Elevations Plots 5-6	23rd November 2020	6257(A) 015
Proposed Coloured Elevations	23rd November 2020	6257(A) 016
Proposed Section	23rd November 2020	6257(A) 017 Rev A
Proposed Roof Plan	23rd November 2020	6257(A) 018
Proposed Refuse Storage	23rd November 2020	6257(A) 019
Design & Access Statement	23rd November 2020	
Planning Statement	23rd November 2020	

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area in accordance with policy CP11 of the Lewes District Local Plan Part 1 and policies DM25 and DM30 of the Lewes District Local Plan Part 2 and policy 9.1 of the Ringmer Neighbourhood Plan.

3. No development shall take place until details of the layout of the new/reconstructed access [which shall be in the position shown on plan number. 003 Revision C] and the specification for the construction of the access, which shall include details of the proposed levels and surface water drainage, have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the development hereby permitted shall not be occupied until the construction of the access has been completed in accordance with the specification set out on Form HT407 which is attached to and forms part of this permission. The completed access shall have maximum gradients of 2.5% (1 in 40) from the channel line and 11% (1 in 9) thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

4. No part of the development shall be first occupied until visibility splays of 2.4 metres by 120 metres to the south west and 90 metres to the north east have been provided at the proposed site vehicular access onto Lewes Road [B2192] in accordance details to be submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

5. No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Lewes Road [B2192] and shall thereafter be kept free of all obstructions over a height of 600mm.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

6. Development shall not commence until a drainage strategy detailing the means of foul and surface water disposal and an implementation timetable has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and timetable and before any of the dwellings are occupied.

Reason: In order to control surface water generated by the development is controlled within and does not result in run off onto neighbouring land or the public highway in the interest of the amenities of the occupants of the development as well as its neighbours and road safety in accordance with policy CP12 of the Lewes District Local Plan, policy 8.11 of the Ringmer Neighbourhood Plan and para. 163 of the NPPF.

7. No development shall take place, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
 - the anticipated number, frequency and types of vehicles used during construction,
 - means of reusing any existing materials present on site for construction works,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,

- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- address noise impacts arising out of the construction;
- demonstrate that best practicable means have been adopted to mitigate the impact of noise and vibration from construction activities;
- include details of the use of protective fences, exclusion barriers and warning signs;
- provide details of the location and appearance of the site offices and storage area for materials, including a bunded area with solid base for the storage of liquids, oils and fuel;
- details of any external lighting.

Reason: In order to safeguard environmental and residential amenity and in the interests of highway safety and the wider amenities of the area having regard to Policy CP11 of the Lewes District Local Plan part one, policies DM20 and DM23 of the Lewes District Local Plan part 2 and the Circular Economy Technical Advice Note.

8. If, during development, contamination not previously known is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with.

Reason : To ensure that risks from any 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 para. 178 of the NPPF.

9. No external lighting or floodlighting shall be installed on the buildings or the road and parking areas hereby permitted without the prior written approval of the local planning authority.

Reason: To protect the amenity and character of the surrounding countryside having regard to Policy CP10 of the Lewes District Local Plan part one, policy DM20 of the Lewes District Local Plan part two, policy 4.11 of the Ringmer Neighbourhood Plan and para. 180 of the NPPF.

10. The development shall not be occupied until all parking and turning areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles. The proposed parking spaces shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls).

Reason: In the interests of highway safety and for the benefit and convenience of the public at large having regard to Policy CP13, of the Lewes District Local Plan part one, and Policy DM25 and DM30 of the Lewes District Local Plan part two, policies 8.3 and 8.5 of the Ringmer Neighbourhood Plan and para. 110 of the NPPF.

11. Prior to the first occupation of any part of the development hereby permitted, an electric vehicle shall be provided for each car parking bay and shall be maintained in an operable condition thereafter for the lifetime of the development.

Reason: To encourage alternative, more sustainable modes of transport and to reduce local contributing causes of climate change in accordance with Policies CP13 and CP14 of Lewes District Local Plan, para. 110 of the Revised National Planning Policy Framework, the LDC Electric Vehicle Charging Points Technical Guidance Note. And the LDC Sustainability in Development Technical Advice Note.

12. Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- Details of all hard surfacing;
- Details of all boundary treatments (including provision of mammal gates to allow for foraging animals to cross the site);
- Details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees;
- Details of green roof planting;
- Ecological enhancements;

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the development incorporates sympathetic landscaping that amalgamates with surrounding landscaping, is appropriately and sympathetically screened and provides a secure and safe environment for future occupants in accordance with section 12 of the revised NPPF, policies CP10 and CP11 of the Lewes District Local Plan part one and policies DM25 and DM27 of the Lewes District Local Plan part two, policy 4.10 of the Ringmer Neighbourhood Plan and the Biodiversity Net Gain Technical Advice Note (TAN).

13. Prior to the first occupation of any part of the development hereby approved, the bin and cycle storage facilities shown on the approved plans

shall be installed in accordance with those details and maintained in place thereafter throughout the lifetime of the development.

Reason: In the interest of environmental amenity and in order to encourage the use of sustainable modes of transport in accordance with policies CP11 and CP13 of the Lewes District Local Plan Part 1, policies DM25 and DM30 of the Lewes District Local Plan Part 2 and para. 104 of the Revised National Planning Policy Framework.

14. The proposed development shall not be occupied until full details of all renewable/carbon saving/energy and water efficiency measures to be incorporated into the scheme have been submitted to and approved by the Local Planning Authority. All measures approved shall thereafter be provided prior to the occupation of any dwelling and maintained in place thereafter throughout the lifetime of the development.

Reason: In order to ensure suitable sustainability measures are incorporated into the development and maintained in accordance with section 14 of the Revised National Planning Policy Framework, policies CP13 and CP14 of the Lewes District Core Strategy and LDC Sustainability in Development Technical Advice Note.

15. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works (including the formation of new windows) as defined within Part 1 of Schedule 2, classes A-F inclusive of that Order, shall be erected or undertaken on the site unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land in the interest of visual and residential amenity in accordance with policy CP11 of the Lewes District Local Plan Part 1 and policies DM25 and DM30 of the Lewes District Local Plan Part 2.

16. None of the flats roofs to the dwellings hereby approved shall be used as roof terraces, no railings shall be installed around them, and no openings shall be made in the dwellings which would facilitate access to the roof from within the dwellings. The roofs shall only be access for routine maintenance.

Reason: To protect the privacy and residential amenity of neighbours having regard to policy CP11 of the Lewes District Local Plan part one, policies DM25 and DM30 of the Lewes District Local Plan part one and policy 9.1 of the Ringmer Neighbourhood Plan.

Informatives

1. The Local Planning Authority has acted positively and proactively in determining this application by engaging with stakeholders, visiting an existing business site to get a better understanding of the operation, identifying matters of concern and negotiating acceptable amendments. 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.

11. **Background Papers**

11.1 None.

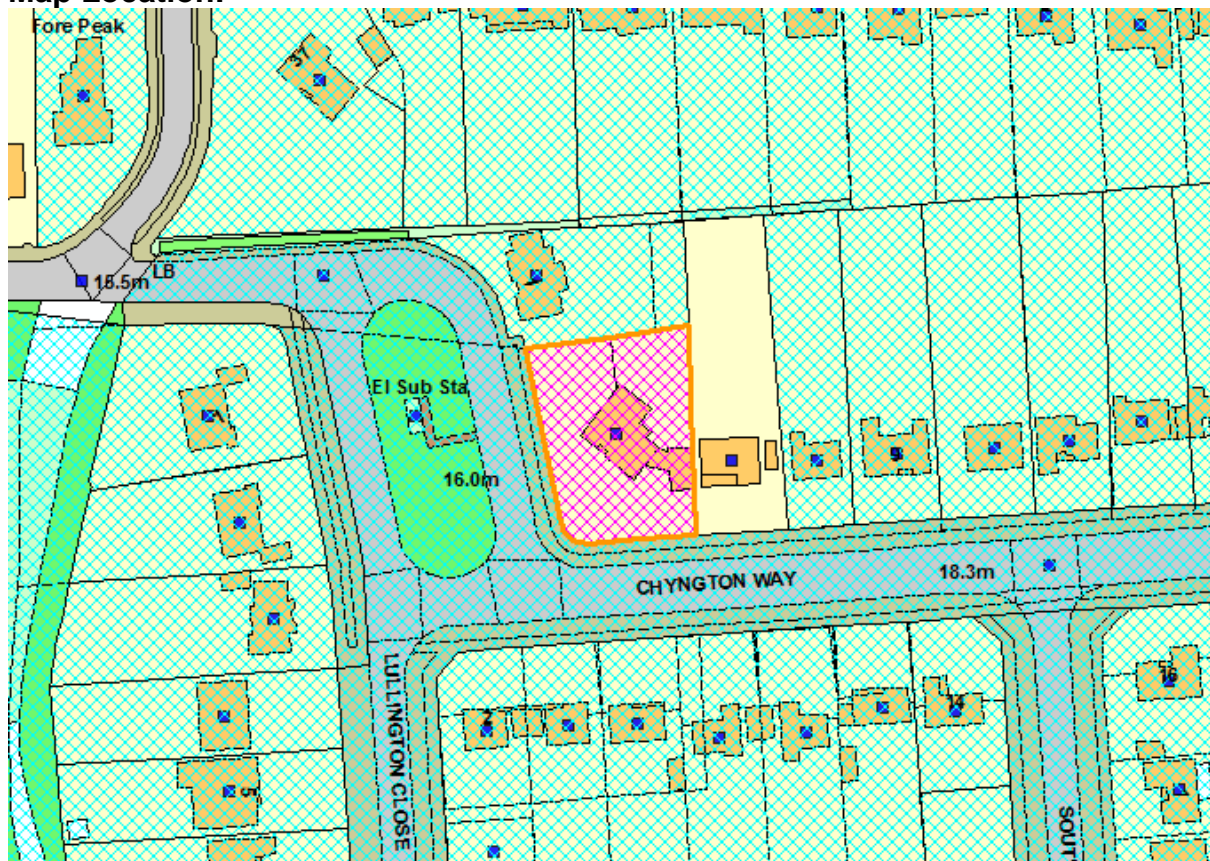
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Agenda Item 9

Report to: Planning Applications Committee
Date: 31 March 2021
Application No: LW/20/0565
Location: 3 Chyngton Way, Seaford, BN25 4JA
Proposal: Demolition of existing property and erection of 2 x 4-bedroom detached houses.
Applicant: Mr C Bryans
Ward: Seaford East
Recommendation: Grant planning permission subject to conditions.
Contact Officer: **Name:** Julie Cattell
E-mail: julie.cattell@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.

Map Location:



1. **Executive Summary**

1.1 The scheme is well designed and will fit in with the existing land pattern and street scene. It meets all relevant planning policies.

1.2 Approval is recommended, subject to conditions.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework

2:- Achieving sustainable development

5:-Delivering a sufficient supply of homes

11:-Making effective use of land

12:-Achieving well designed places

2.2 Lewes District Local Plan

LDLP: – SP2 – Distribution of Housing [Indent 1 style]

LDLP: – CP2 – Housing Type, Mix and Density

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP13 – Sustainable Travel

LDLP: – CP14 – Renewable and Low Carbon

LDLP: – DM1 – Planning Boundary

LDLP: – DM25 – Design

LDLP: - DM27 – Landscape Design

LDLP:- DM34 - Areas of Established Character

2.3 Seaford Neighbourhood Plan

SNP:- SEA2 – Design

SNP:- SEA5 – Areas of Established Character

SNP:- SEA17 – Brownfield Development

3. **Site Description**

3.1 The site is within the Seaford Planning Boundary and located on the north side of Chyngton Way, on the corner as the road turns to the north to meet Chyngton Road. It is rectangular in shape and covers 0.1054ha. On site at present is a large bungalow with integral garage, dating from the late 1950s, set at an angle to the adjoining houses and faces the south west corner of the site. The current residential density of the site is 9dph.

3.2 There is a close boarded timber fence on brick wall running 17m along the western boundary of the site. There is an existing dropped kerb and access off Chyngton Way.

3.3 The site falls within the Chyngton Way Area of Special Character. The property is not listed, nor is it noted as a building of local interest.

- 3.4 The north side of Chyngton Way is characterised by large detached two storey houses in generous plots with mainly open frontages, although some properties have low walls, fences or planting to define the front boundary. Plot widths are generally consistent, between 15 and 17m, and building lines are strongly defined at the front and rear. Rear gardens vary from 30 to 40m in depth. The house types are varied and no one architectural style is dominant; some have pitched roofs, others have hipped and pitched roofs or feature gables to the front elevation. Materials are a mix of red and yellow brickwork with red plain tiled roofs, some houses have hanging tiles to the first floor. Almost all have off-street parking and garages, with dropped kerbs. The south side of the road is dominated by bungalows, again detached but with a more consistent typology. All frontages are open.
- 3.5 The key feature of Chyngton Way is its open character, with grass verges between the road and the footpath, punctuated by mature trees at regular intervals.

4. Proposed Development

- 4.1 Planning permission is sought for the demolition of the existing bungalow and redevelopment of the site to provide 2 x 2 storey 4-bedroom detached houses.
- 4.2 Each house has at ground floor a living room, kitchen diner opening onto a patio and rear garden, study, utility room and 2 W.C.s. Plot 1 also has an integral garage. At first floor, each house has one double bedroom with en-suite bathroom, three single bedrooms and a separate bathroom. Each house has two parking spaces to the front. The existing access will be adapted and utilised for plot 1 and a new access created along the western boundary for plot 2.
- 4.3 House 1, at 153m² and house 2 at 140m², exceed the Nationally Described Space Standard. All bedroom sizes are compliant with the Standard.
- 4.4 The design of the houses is traditional, taking design cues from the houses in the rest of the street, plain tiles to the pitched roofs, brickwork to the walls and hanging tiles to the first-floor front elevation.
- 4.5 Both houses have single storey elements to the side, with single pitched roofs over.
- 4.6 This proposal is an amendment to the previously withdrawn application ref. LW/20/0071. The key changes are: reduction in depth of footprints so that rear building line is retained; bulk reduced by introduction of single storey elements to the side of each house; increase in distance between the two new houses.

5. Relevant Planning History

- 5.1 This proposal is an amendment to the previously withdrawn application ref. LW/20/0071. The key changes are: reduction in depth of footprints so that rear building line is retained; bulk reduced by introduction of single storey elements to the side of each house; increase in distance between the two new houses.

6. Consultations

6.1 Environmental Health

6.1.1 No response.

6.2 ESCC Highways

6.2.1 Although the new access leads onto the roundabout, visibility splays extends to the bend. Considering the alignment of the road it is likely that speeds will be lower than 30mph restriction as such I don't have any significant concerns. Turning has been indicated which will ensure that vehicles will be able to enter and leave in a forward gear; this will also prevent unnecessary manoeuvres on the highway.

6.2.2 Turning should be conditioned for the new access. The position of the highway tree does not appear to be shown correctly, although it is unlikely to have a significant impact on the visibility splays it should be shown correctly to ensure splays can be conditioned.

6.2.3 The existing access does not benefit from turning; given the proximity to the junction, the access and parking area should be increased in width to ensure that both vehicles can enter and leave independently.

6.2.4 The visibility splays should be maximised within the frontage with a condition included for these to be maintained below 600mm given the proximity to the junction and footway along the boundary.

6.2.5 Both accesses will need to a licence for the construction.

6.3 County Archaeologist

6.3.1 Although this application is situated within an Archaeological Notification Area, based on the information supplied I do not believe that any significant archaeological remains are likely to be affected by these proposals. For this reason I have no archaeological recommendations to make in this instance.

6.4 Southern Water

6.4.1 Please see the attached extract from Southern Water records showing the approximate position of our existing sewer in the immediate vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water.

6.4.2 The public foul sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

6.4.3 No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.

6.4.4 All existing infrastructure should be protected during the course of construction works. Please refer to:
southernwater.co.uk/media/default/PDFs/stand-off-distances.pdf

6.4.5 We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" (southernwater.co.uk/media/1642/ds-tree-planting-guide.pdf) and the Sewerage Sector Guidance (water.org.uk/sewerage-sector-guidance-approved-documents/) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water.

6.5 Seaford Town Council

6.5.1 It was noted that this application was an amended version of the scheme proposed under LW/20/0071. The Committee had objected to the earlier application at the meeting on 12th March 2020 and the application had later been withdrawn prior to determination.

6.5.2 The amendments had been given careful consideration by the Committee but it was considered that the previous strong objections still applied:-

- Notwithstanding the alignment of the rear building line with the adjacent properties in Chyngton Way and the modification of the design to reduce the bulk of the dwellings at first floor level the provision of two dwellings on the site of the existing bungalow was still considered to be over-development.
- The plot sizes were significantly below the standard plot sizes of adjacent and nearby properties in Chyngton Way. This would lead to a cramped development compared to the rest of Chyngton Way which is within an area designated in the Lewes Local Plan Part 2 and the Seaford Neighbourhood Plan as an Area of Established Character. The area is characterised by detached dwellings on large plots with spacious front and rear gardens. The two proposed dwellings taking up a prominent corner plot currently accommodating a single house.
- The dwellings would detract from this special open character of the area and therefore be contrary to policies SEA5 of the Seaford Neighbourhood Plan and DM34 of the Lewes Local Plan Part 2.

6.5.3 The proposed access to the island roundabout at the junction of Chyngton Way and Chyngton Road was still considered to be a potential hazard to traffic due to limited visibility notwithstanding the amendment to provide a turning area within the site. It was therefore RESOLVED to OBJECT to the application on these grounds. It was also REQUESTED that should the officers be minded approve the application it should be referred up to the Council's Planning Applications Committee for determination due to the importance of the application and the high level of objections from residents in the area.

7. Neighbour Representations

7.1 A total of 35 representations have been received, 31 objecting and 4 in support.

7.2 The objections were on the following grounds:

Two houses on one plot out of character

Overbearing

Over development, cramped on the site

Materials not in keeping

Plot too small

Out of proportion

Not in keeping with building line

Existing house contributes to open character of Chyngton Way, is considered to be a Seaford landmark

Road is a route to a tourist beauty spot

Existing house set at an angle contributes to open character of the area

Adverse impact on Area of Established Character

Would set a precedent

Overlooking and loss of privacy to nearby properties

Loss of daylight

Loss of open space

Two houses would increase noise disturbance

Access dangerous on bend

Road safety hazard for walkers and cyclists

Already a possible accident area

Adverse impact on sightlines

Applicant parks his vehicles on the dangerous bend

Not enough parking or space for deliveries

Current application is little different from previous withdrawn one

Contrary to local and neighbourhood plan policies

Concern that revised plans are not correct and do not address objections

7.3 The following comments were made in support of the application:

- Current property does not make good use of the site
- Plot is big enough for 2 houses and would give an opportunity for new families to move into the area
- Proposal for 2 purpose-built houses would be preferable to extension or adaptation of existing bungalow.

8. Appraisal

8.1 Principle

- 8.1.1 As the site falls within the planning boundary, the principle of development is acceptable in terms of policy DM1, subject to other relevant planning considerations. Policy SEA18 supports development on brownfield sites subject to respecting local character, residential amenity and highway safety.
- 8.1.2 Policy CP2 requires developments to provide a range of dwelling types and sizes to meet identified local need, including smaller units. However, account will also need to be given to the existing character and housing mix of the vicinity of the site. The prevailing house type in the area is of large, detached properties with 4/5 bedrooms, set in generous plots; the proposed houses are consistent with this and as such is compatible with policy CP2.

8.2 Design

- 8.2.1 The Chyngton Way Area of Established Character is described in the Seaford Neighbourhood Plan is described as:

'..an extension of Chyngton Road to the east linking through to Chyngton Lane Conservation Area and the track to South Hill Barn. The area reflects a much later stage of development than Chyngton Road and Cuckmere Road with a much higher density of development, smaller houses on the north side and bungalows on the south, comprehensively laid out with a definite building line in an open plan estate. Nevertheless, the area has a spacious character by virtue of a tree-lined wide grass verges between the highway and the pavements and "open plan" front gardens. The spacious character is accentuated by the proximity of open downland to the south'

- 8.2.2 The houses have been designed to reflect the key characteristics of the properties in the street, using a similar materials palette and follow the predominant front and rear building lines. The plot widths – at 13m – are comparable with others in the street. The depth of the plots (varying from 14 to 21m) is shorter than most others on this side of the street. However, this is not evident from the public realm and is not noted in the Seaford Neighbourhood Plan as a specific characteristic of the Chyngton Way Area of Established Character. Crucially, the openness of the street will not be compromised by the proposed development.
- 8.2.3 It is considered that the design aspects of policies and CP11, DM25, DM34, SEA2 and SEA5 have been fully complied with and that the Chyngton Way Area of Established Character will be maintained.

8.3 Amenity

- 8.3.1 The houses have been designed to avoid any direct overlooking to existing properties. There are two windows in the side elevation of number 5 at first floor level; these are understood to be secondary

bedroom windows. Some overshadowing may result, but not to the extent that would support a reason for refusal on this ground alone.

8.3.2 The new houses meet the Nationally Described Space Standard in term of overall floor space and bedroom sizes.

8.4 Transport and parking

8.4.1 The ESCC parking calculator indicates that the need for 4.6 parking spaces would be generated by the proposal. Plot 1 has a garage and space for cars to be parked off street, plot 2 has 2 off-street spaces, thus meeting the required level of parking.

8.4.2 ESCC has raised no in principle objection to the proposed access points. The applicant has amended the site plan in response to the requested changes to the parking and access layout.

8.4.3 Cycle storage details will be required by condition.

8.4.4 The relevant aspects of policy CP13 have been met.

8.5 Sustainability

8.5.1 Conditions will be attached seeking submission of sustainability measures and electric car charge points in compliance with policies SP13 and SP14.

9. **Human Rights Implications**

9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10. **Recommendation**

10.1 The proposed development meets all relevant national and local policies and approval is recommended subject to conditions.

10.2 Conditions

1. No development shall take place until details/samples of all external materials including the fenestration; hard surfaces; roof materials and external finishes 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.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policies CP11 and DM25 of the Lewes District Local Plan and having regard to the National Planning Policy Framework.

2. No development shall commence, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and egress and routing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- details of the precautions and facilities put in place to guard against the deposit of mud and substances from the application site on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed in order to be free of mud and similar substances prior to entering the public highway; and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- details of public engagement both prior to and during construction works;
- measures to control the emission of dust, dirt, air pollution and odour during demolition and construction;
- temporary lighting for construction and security;
- public engagement both prior to and during construction works;
- means of safeguarding public rights of way or providing temporary diversions;
- details outlining the proposed range of dust and dirt control measures and noise mitigation measures during the course of construction of the development, having regard to Section 61 consent under the Control of Pollution Act 1974;
- details of off-site monitoring of the CEMP; and
- assurance that the construction will be undertaken in accordance with the Considerate Constructor's Scheme

The approved CEMP shall thereafter be implemented and adhered to throughout the entire site preparation and construction period.

Reason: In the interests of highway safety and the environmental amenities of the area, having regard to guidance within the National Planning Policy Framework.

3. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of how the development will incorporate measures to reduce carbon energy use, facilitate renewable energy installations, and lower household water consumption, have been submitted to and approved in writing by the local planning authority. The approved measures shall be put in place prior to the occupation of the new house, and shall be retained as such thereafter.

Reason: In order to reduce locally contributing causes of climate change in accordance with policy CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and the National Planning Policy Framework.

4. No part of the development shall be occupied/brought into use until details for the provision of electric car charging points, both in the dwellings and for visitors, have been submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with that approval prior to occupation.

Reason: To promote sustainable ways of transport in accordance with policies CP13 and CP14 of the Lewes District Joint Core Strategy National Policy Guidance contained in the National Planning Policy Framework.

5. No part of the development shall be occupied/brought into use until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with that approval prior to occupation.

Reason: To promote sustainable ways of transport in accordance with policies CP13 and CP14 of the Lewes District Joint Core Strategy National Policy Guidance contained in the National Planning Policy Framework.

6. No part of the development shall be occupied/brought into use until details of the facilities for the storage and removal of refuse from the premises have been submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that approval.

Reason: To secure a proper standard of development having regard to policy DM26 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

7. 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 and Part 2 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 policies CP11, DM25 and DM34 of the Lewes District Local

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

8. The development hereby permitted shall be carried out in accordance with the following approved drawings:

PLAN TYPE	DATE RECEIVED	REFERENCE
Design & Access Statement	26 August 2020	Design & Access Statement
Planning Statement/Brief	26 August 2020	Planning Statement
Justification / Heritage Statement	14 October 2020	Heritage Statement
Justification / Heritage Statement	14 October 2020	Heritage Statement Appendix
Location Plan	26 August 2020	Location Plan
Proposed Layout Plan	22 February 2021	CB/CW/05 Site Plan
Proposed Floor Plan(s)	22 February 2021	CW/CB/02 House 1
Proposed Elevation(s)	22 February 2021	CW/CB/02 House 1
Proposed Floor Plan(s)	22 February 2021	CW/FB/04 House 2
Proposed Elevation(s)	22 February 2021	CW/FB/04 House 2
Street Scene	26 August 2020	Street Scene and materials

Reason: For the avoidance of doubt and in the interests of proper planning.

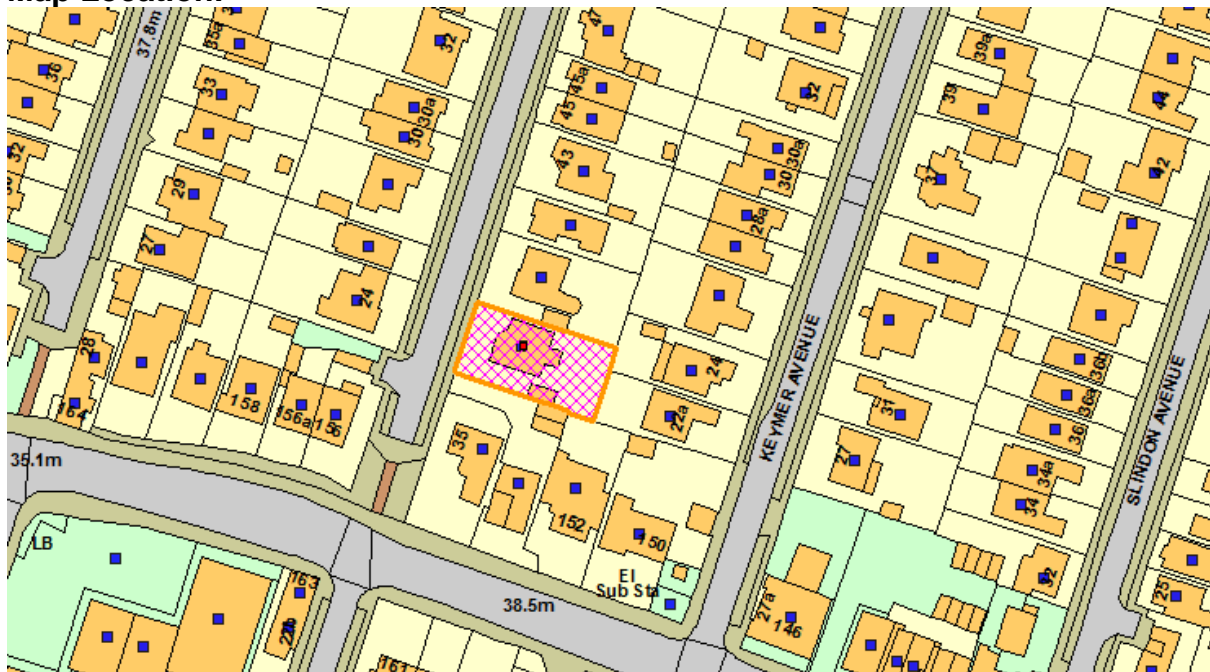
11. **Background Papers**

11.1 None.

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Report to: Planning Applications Committee
Date: 31 March 2021
Application No: LW/20/0895
Location: 37 Capel Avenue, Peacehaven, East Sussex, BN10 8HB
Proposal: Demolition of existing bungalow, erection of 2 no. 3x bedroom semi-detached houses.
Ward: Peacehaven East
Applicant: P L Projects Ltd
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** James Smith
E-mail: james.smith@lewes-eastbourne.gov.uk

Map Location:



1. Executive Summary

- 1.1 It is considered that the proposed development represents a sustainable densification of an existing residential site that would preserve existing environmental, residential and visual amenities, would not negatively impact upon highway safety and would provide suitable living conditions for future occupants.
- 1.2 It is therefore recommended that the application is approved subject to the conditions listed at the end of this report.

2. Relevant Planning Policies

2.1 National Planning Policy Framework 2019

NPPF: - 2 – Achieving sustainable development;

- NPPF: - 4 – Decision-making;
- NPPF: - 6 – Building a strong, competitive economy;
- NPPF: - 8 – Promoting healthy and safe communities;
- NPPF: - 12 – Achieving well-designed places;
- NPPF: - 14 – Meeting the challenge of climate change, flooding and coastal change;
- NPPF: - 15 – Conserving and enhancing the natural environment;

2.2 Lewes District Local Plan (Parts 1 and 2)

- LDLP: – CP2 – Housing Type, Mix and Density)
- LDLP: – CP10 – Natural Environment and Landscape
- LDLP: – CP11 – Built and Historic Environment & Design
- LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage
- LDLP: – CP13 – Sustainable Travel
- LDLP: – CP14 – Renewable and Low Carbon Energy
- LDLP: – DM1 – Planning Boundary
- LDLP: – DM20: Pollution Management
- LDLP: – DM23 – Noise
- LDLP: – DM25 – Design

3. **Site Description**

- 3.1 The site is occupied by a detached bungalow dwelling that is set back from the highway, with a low walled garden to the front. There is dropped kerb vehicular access from Capel Avenue and this leads to a detached flat roof garage which is set back from the dwelling frontage.
- 3.2 Capel Avenue is a residential no through road that is flanked by dwellings, the majority of which are bungalows although there are also chalet style dwellings with roof dormers, including opposite the site at No. 24 where works to enlarge the roof (including provision of front and rear dormers) are currently underway. There is a mix of detached and semi-detached dwellings, with a number of the semi-detached properties occupying subdivided plots that had originally accommodated a single dwelling. Relatively small gaps are maintained to the sides of each building, all of which are set slightly back from the highway.
- 3.3 To the south of the site is South Coast Road (A259) which is lined by a mix of bungalow, chalet style and two-storey properties. The site backs onto the rear gardens of properties on Keymer Avenue, as is the case with all properties on the eastern side of Capel Avenue.
- 3.4 There are no specific planning designations or constraints attached to the site.

4. **Proposed Development**

- 4.1 The proposed development involves the demolition of the existing bungalow dwelling and garage and replace it with a pair of semi-detached two-storey dwellings, three-bedroom dwellings. The dwellings would mirror each other in design and would be of equal size, each measuring 6.44 metres in width (combined width of 12.88 metres) by 15.15 metres in depth (approx. 1.7 metres of which would be at a stepped down height to the front of the dwelling). The roof would have a barn hip design with main eaves at approx. 4.4 metres and the ridge line at 7.356 metres. Due to the eaves height being relatively low, front and rear facing first floor windows would be accommodated within dormers.
- 4.2 The combined footprint of the proposed dwellings would be approx. 195 m². The existing bungalow and garage have a footprint of approx. 122 m². The overall plot area is approx. 450 m² and it would be subdivided so the area is shared equally between each of the new plots formed.
- 4.3 Each dwelling would be served by 2 x off streetcar parking bays to the front of the property. Access to this parking would be achieved by widening the existing dropped kerb and removing the majority of the existing low wall along the front boundary. One car parking space at each property would be equipped with electric vehicle charging apparatus. A bin store would be provided to the front of each dwellings and cycle storage would be provided within the garden areas to the rear.

5. **Relevant Planning History**

There is no relevant planning history attached to the site but the following list shows recent approvals of roof extensions and residential intensification in the immediate surrounding area:-

- 5.1 **LW/01/0993 (53 Capel Avenue)** - First floor dormer – Appeal Allowed 13th December 2001
- LW/05/2453 (45 Capel Avenue)** - Demolition of bungalow and erection of two semi-detached bungalows – Approved 16th February 2006
- LW/08/0244 (30 Keymer Avenue)** - Demolition of existing bungalow and erection of two semi-detached four bed chalet bungalows – Approved 16th June 2008
- LW/09/0690 (28 Keymer Avenue)** - Demolition of existing bungalow and erection of two x two bed semi-detached bungalows – Approved 25th August 2009
- LW/18/0218 (32 Capel Avenue)** - Side extension and loft conversion – Approved 1st May 2018
- LW/18/0793 (24 Capel Avenue)** - Enlargement and development of roof space including hip to gable of north and south elevations, formation of dormers to east and west elevations and single storey side extension to north elevation – Approved 20th December 2018

6. Consultations

6.1 **Peacehaven Town Council** – It was resolved to recommend refusal for the following reasons:-

The proposed development is overbearing and out of keeping with street scene – these units are fundamentally different to the in terms of design, density, massing and materials and will have a detrimental effect on local character. They do not respond sympathetically to local surroundings.

The proposed units are considered to be over-development of the plot in terms of bulk, form, height, massing and proportions. They are out of scale and keeping with the local context in terms of adjacent properties and the architectural rhythm of Capel Avenue

The proposed units would alter the character and appearance of the street scene, affecting visual amenity for all

There will be loss of privacy and adverse impacts for immediate neighbours in respect of outlook and daylight – proposals will result in unacceptable over-looking and are too close to neighbouring boundaries

There will be loss of light resulting from the proposals being so close to neighbouring properties

The proposals will result have a detrimental effect on parking highway safety in the immediate vicinity of the site

Overall - Bungalows are in short supply and we would advocate the retention of this type of property as they fulfil a valuable need for the elderly and disabled, in accordance with the Equalities Act 2010.

Capel Avenue is distinctive in that is entirely bungalows. The proposed dwellings will be out of keeping and would potentially start a precedent affecting the entire street scene.

Capel Avenue is a no through road. We are concerned in terms of construction vehicles. Should permission be granted we would ask that consideration is given to construction management and highway safety in particular.

Policy – We do not consider that the proposed development accords with development plan policies, particularly CP2 (Housing Type, Mix & Density), CP11 (Built Environment) and DM25 (Design)

6.2 **Southern Water**– Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

7. Neighbour Representations

7.1 Three letters of objection have been received, the contents of which are summarised below:-

- Will overshadow windows and gardens;
- Will overlook neighbouring property;
- An overdevelopment of the site;
- Would not be in keeping with surrounding development;

- Extended crossover would present a hazard to pedestrians;
- Would result in loss of on-street parking;
- Construction works would cause noise and disruption;

7.2 Officer Response to public representations:

7.2.1 The objections raised are all material planning considerations and will be assessed in the main body of this report.

8. **Appraisal**

8.1 Key Considerations

8.1.1 The main considerations relate to the principle of the development; the impact upon the character and appearance of the area and neighbour amenities, impacts upon highway/pedestrian safety and flood risk and the overall merits of the scheme in terms of the balance of economic, environmental and social objectives that comprise sustainable development.

8.2 Principle

8.2.1 The site is located within the planning boundary where the principle of new development is accepted provided it complies with relevant policies within the development plan as per policy DM1 of the Lewes District Local Plan Part 2. The central considerations, in this instance, are set out in policy DM25 of the Lewes District Local Plan Part 2, these are that new development meets the following criteria:-

8.2.2 Its siting, layout, density, orientation and landscape treatment respond sympathetically to the characteristics of the development site, its relationship with its immediate surroundings and, where appropriate, views into, over or out of the site;

8.2.3 Its scale, form, height, massing, and proportions are compatible with existing buildings, building lines, roofscapes and skylines;

8.2.4 It incorporates high quality, durable and sustainable materials of an appropriate texture, colour, pattern and appearance that will contribute positively to the character of the area;

8.2.5 Existing individual trees or tree groups that contribute positively to the area are retained;

8.2.6 Adequate consideration has been given to the spaces between and around buildings to ensure that they are appropriate to their function, character, capacity and local climatic conditions;

8.2.7 Any car parking or other servicing areas are appropriate to the context and sensitively located and designed so as not to dominate the public realm;

8.2.8 There will be no unacceptable adverse impact on the amenities of neighbouring properties in terms of privacy, outlook, daylight, sunlight, noise, odour, light intrusion, or activity levels;

- 8.2.9 The development involves a net increase of one dwelling on the plot. It is noted that paras. 122 and 123 of the Revised National Planning Policy Framework encourage the more efficient use of land where this can be achieved in a responsible way.
- 8.2.10 The recent legislation to encourage responsible upward extension of residential dwellings under householder permitted development class AA, subject to prior approval, should also be noted as should para. 118 (e) of the Revised National Planning Policy Framework which states that planning decisions 'should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene.'
- 8.2.11 The development will be assessed on this basis within the main body of the report.
- 8.3 Impact upon the Character and Appearance of the Surrounding Area
- 8.3.1 The proposed development would subdivide the plot. It is noted that the width and the depth of each of the new plots formed would be consistent with plot sizes of other semi-detached properties on Capel Avenue such as numbers 30 and 30a and numbers 40 and 45a as well as plot sizes on neighbouring streets such as Keymer Avenue, Slindon Avenue and Bolney Avenue. The overall density of development equates to approx. 44 dwellings per hectare. This density is marginally below the target density of 47 to 5 dwellings per hectare for residential development in towns as prescribed in policy CP2 of the Lewes District Local Plan part 2. The subdivision of the plot to accommodate two dwellings is therefore considered consistent with surrounding development and the densification of the development is considered to be supported by policy CP2 of the Lewes District Local Plan part two as well as paras. 122 and 123 of the Revised National Planning Policy Framework.
- 8.3.2 The building footprint would occupy the majority of the width of the plot. Whilst the current dwelling does not have as wide a frontage, there is a general trend on the street for dwellings to occupy the bulk of their respective plots. The dwelling frontage would be set back from the road by a similar distance to the existing building, which is aligned with the general building line on Capel Avenue. The rear portion of the site would remain in garden use. It is therefore considered that the proposed development would not be disruptive to the spatial characteristics of the street or the wider surrounding area.
- 8.3.3 The proposed development would replace the existing bungalow with a two-storey building. It is noted that the majority of dwellings on Capel Avenue are bungalows but there is also an established presence of chalet type dwellings (with front and rear roof dormers) on Capel Avenue as well as on surrounding roads, including Keymer Avenue where a pair of purpose built chalet style dwellings have been constructed under planning permission LW/08/0244, replacing the bungalow that originally occupied the site. It is considered that the proposed dwellings, seen in context with these dwellings as well

2-storey dwellings further to the north on Capel Avenue and nearby 2 and 3 storey buildings on South Coast Road would not appear out of character given the mix of buildings in the immediate surrounding area.

- 8.3.4 The proposed dwellings incorporate design features to minimise their overall height. The lowering of the eaves allows for the roof ridge line to be kept relatively low and, at 7.356 metres, they would not be significantly greater in height than neighbouring bungalows such as No. 24 (opposite the site) which is approx. 6.45 metres in height. Whilst the eaves would be raised, the impact would be softened on the dwelling frontage by a step down to single-storey height with a separate pitched roof with reduce height eaves, consistent in height with those on neighbouring bungalows, extending along the full frontage of the building. The eaves main eaves height would also be kept lower than is typical for a two-storey dwelling, with front and rear windows being provided in roof dormers, in a similar format to a number of neighbouring dwellings.
- 8.3.5 It is therefore considered that the proposed building would not appear unacceptably disruptive within the street scene and would visually assimilate with chalet and two-storey buildings in the wider surrounding area. It should also be recognised that the existing dwelling could have its roof converted from hip to gable and rear roof dormers installed under householder permitted development rights.
- 8.3.6 The proposed parking arrangements would require the removal of the majority of the existing front boundary wall and the hard surfacing of the bulk of the site frontage. Hard surfaced car parking is a common feature on Capel Avenue and this form of work can be carried out without the need for planning permission provided a permeable surface is used (or on site soakaway drainage installed) and the necessary licence for widening of the dropped kerb is granted by ESCC Highways. It is noted that a small landscaped area would be retained to the front of each dwelling. It is therefore not considered that the proposed hard surfaced parking would compromise the prevailing character and appearance of the street scene.

8.4 Neighbour Amenity:

- 8.4.1 The site is located in an area where development is fairly dense and, due to its location towards the point where Capel Avenue meets South Coast Road, it borders neighbouring property to the side as well as to the rear. The northern flank elevation of the building would not extend any closer towards the nearest neighbouring property, No. 39 Capel Avenue, than the existing dwelling although the height of the wall would increase it is noted this could be done under a permitted development hip to gable conversion.
- 8.4.2 Notwithstanding the above, the flank wall would project further to the front of the site (as the frontage is currently recessed towards the north of the site) and would also extend approx. 4.15 metres further to the rear than the main rear elevation of the existing dwelling. There are two side facing windows on the neighbouring property that

would face directly towards the northern elevation of the proposed building. The first of these is a window for a living room that is also served by a front facing window (which would be unaffected by the proposed development). The second serves a dining room which currently faces towards the side elevation and roof of the existing building and experiences a certain level of overshadowing although this would increase to a degree due to the height and depth of the flank elevation wall being extended. Behind the dining room is a kitchen that opens out to a conservatory extension. The rear portion of the flank elevation would run parallel to the side elevation of this conservatory, which currently faces towards the approx. 1.8 metre high boundary fence and part of a flat roof garage structure. This conservatory has additional windows and openings on the northern and eastern elevations and it is therefore considered that it would continue to have access to natural light. Overall, it is not considered that any primary habitable rooms at No. 39 would be subjected to unacceptable levels of overshadowing.

- 8.4.3 The footprint of the proposed building would extend closer to the southern site boundary, which is flanked by an access drive serving 154 South Coast Road, which accommodates a retail unit at ground floor level with a residential flat above. On the other side of the access drive is the northern boundary of 35 Capel Avenue beyond which is an area of garden (although the main garden area is to the south of the dwelling) and the northern elevation of the dwelling which contains a secondary living room window/door as well as kitchen and dining room windows. Given the distance of approx. 10.5 metres maintained between the flank elevation of the proposed building and the side elevation of 35 Capel Avenue, the positioning of the proposed building to the north of the neighbouring property and the multi-aspect window arrangement at 35 Capel Avenue, it is not considered that this property would be subjected to undue levels of overshadowing.
- 8.4.4 Although the proposed building would be marginally greater in height than the existing building, and greater in mass, it is not considered that it would appear overbearing towards neighbouring properties. This is due to the increase in height being relatively modest, the degree of separation maintained between the proposed building and neighbouring dwellings, approx. 5 metres and 10.5 metres to the north and south respectively, and the fact that the building would not project a significant distance forward or behind the existing building footprint.
- 8.4.5 All side facing windows within the proposed building would serve secondary rooms (bathrooms, utility rooms, hallway/landing) with the exception of one which would be a secondary living room window. All are to be obscure glazed and this is considered an acceptable measure to prevent direct overlooking of the nearest neighbouring properties to the north and south. Due to the functions the windows perform it is not considered the use of obscure glazing would detract from the amenities of future occupants as it would not restrict access to natural light in primary habitable rooms. Views from first floor

windows facing to the front and rear would be similar to views offered by first floor windows on neighbouring properties. Whilst this would allow partial overlooking of neighbouring rear gardens this is a common and acceptable relationship in an urban environment and, as mentioned above, is already an established relationship within the surrounding area. Window to window views would be at a distance of approx. 18 metres and at an angle from first floor level to ground floor level. Partial screening would be offered by existing site boundary treatment and it is also emphasised that first floor windows could be installed within the rear roof slope of the existing building without any need for planning permission. It is therefore considered that the proposed development would not allow for unacceptable invasive views towards neighbouring properties.

8.5 Living Conditions for Future Occupants

- 8.5.1 Para. 126 of the National Design Guide (2019), which is a companion to the Revised National Planning Policy Framework, states that 'well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation.' This is echoed in policy CP11 of the Lewes District Joint Core Strategy.
- 8.5.2 All habitable rooms within each dwelling are served by clear glazed openings allowing for a good level of natural sunlight permeation. There are clear glazed windows or rooflights on three sides of the dwelling and the multiple aspect nature of the building would prolong the access to natural light throughout the day. These openings, along with obscure glazed openings on the eastern elevation, would also allow for effective natural ventilation.
- 8.5.3 The Department for Communities and Local Government has produced the Technical housing standards - nationally described space standard. This document sets out minimum recommended Gross Internal Area (GIA) for new residential units, based upon number of bedrooms provided, number of storeys and number of occupants. The proposed dwellings would each have a GIA of 162 m² which comfortably exceeds the minimum standards.
- 8.5.4 Para. 10 (b) of the space standards instructs that a dwelling with two or more bedspaces has at least one double (or twin) bedroom whilst para. 10 (d) stipulates that a double room must have a minimum floor area of 11.5 m². All bedrooms meet these standards.
- 8.5.5 The proposed dwellings would have access to private outdoor amenity areas which are considered to be of adequate size to serve the household size each dwelling would likely accommodate. It is also noted that a study for each dwelling and that this facility would support home working.

8.6 Highway Impact and Accessibility

- 8.6.1 The proposed dwellings would each be served by two hard surfaced car parking bays. These parking bays are a sufficient length to meet ESCC standards, which require a length of at least 5.5 metres for car

parking spaces that are adjacent to a wall. The quantum of parking is in compliance with the number of spaces recommended in ESCC Highways standing advice for a 3 bedroom dwelling. Whilst the extended dropped kerb would result in the loss of a single on-street car parking space it is noted that the majority of nearby dwellings have access to on-site parking bays and/or garages and, as such, there is not an over-reliance on the use of on street parking.

- 8.6.2 Appropriate sight lines would be maintained around the dropped kerb and a condition will be used to ensure visibility splays unobstructed by walls/fencing over 0.6 metres in height are maintained in order to ensure motorists have view of pedestrians on the footpath when leaving the site.
- 8.6.3 Each dwelling would have one parking bay provided with electric vehicle charging apparatus in accordance with policy CP14 of the Lewes District Joint Core Strategy and the Electric Vehicle Charging Points Technical Guidance Note.
- 8.6.4 Bin stores would be provided to the front of the dwellings, ensuring they are accessible by bin crews and that bins are stored within an enclosure to reduce impact upon visual and environmental amenity. Cycle storage facilities with direct access available to the highway would be provided to the rear of each dwelling, encouraging the use of this more sustainable mode of transport.
- 8.6.5 Each dwelling would incorporate measures to enhance accessibility. This includes level threshold entry point, parking immediately adjacent, manoeuvring space for wheelchairs within rooms and openings of a suitable width to maximise access to each room.

8.7 Sustainability/Circular Economy

- 8.7.1 A waste minimisation statement has been provided and this includes details of how waste and recycling generated by demolition and construction works will be managed. It also states construction materials will be locally sourced.
- 8.7.2 The Design and Access Statement accompanying the application includes a Sustainability Statement. This maintains that the buildings would be constructed in locally sourced, sustainable and low maintenance materials. Low energy electrical equipment would be utilised where practical. During excavations, topsoil would be stored for re-use during landscaping works. Permeable surfacing will be used for the driveway and other hard surface areas to assist with surface water drainage.
- 8.7.3 There is an existing drainage connection on site that would be utilised subject to agreement with Southern Water.

9. **Human Rights Implications**

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and

furthermore the proposals will not result in any breach of the Equalities Act 2010.

10. Recommendation

10.1 It is recommended that the application is approved subject to the conditions listed below.

10.2 Conditions

1. No part of the development shall be occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the site vehicular access onto Capel Avenue. These visibility splays shall thereafter be kept free of all obstructions over a height of 600mm.

Reason: In the interests of pedestrian safety in accordance with para. 110 of the Revised National Planning Policy Framework.

2. The external materials, finishes and surfaces of the development hereby approved shall accord with the schedule provided on approved plan 20086/10.001.

Reason: In the interest of visual integration in accordance with policy DM25 of the Lewes District Local Plan Part 2.

3. Prior to the first occupation of the development hereby approved the car parking bays to the front of the site shall be surfaced and marked out as shown on approved plan 20086/10.001 and shall be maintained in place thereafter with the land used for the parking of vehicles only.

Reason: In the interest of functionality and in order to prevent parking pressure on the surrounding highway network in accordance with policy CP13 of the Lewes District Local Plan part 1, policy DM25 of Lewes District Local Plan part 2 and para. 102 of the Revised National Planning Policy Framework.

4. Prior to the first occupation of the development all windows within the northern and southern (side) elevations shall be obscure glazed and fixed shut (other than where over 1.7 metres above the finished floor level of the rooms that they serve) and shall be maintained in this condition throughout the lifetime of the development.

Reason: In order to preserve the amenities of neighbouring residents by preventing intrusive level of overlooking in accordance with policy DM25 of the Lewes District Local Plan part two.

5. The electric vehicle charging points shall be installed in the positions shown on approved plans 20086/11.001 and 20086/11.002 in accordance with the specifications submitted with this application prior to the first occupation of each dwelling and shall be maintained in operational condition thereafter.

Reason: In order to encourage the uptake in ownership of electric vehicles in the interest of controlling emissions in accordance with policy CP14 of the Lewes District Joint Core Strategy, the Electric Vehicle Charging Points Technical Guidance Note and para. 110 of the Revised National Planning Policy Framework.

6. The cycle and bin storage facilities shown on approved plan 20086/10.001 shall be installed prior to the first occupation of the development hereby approved in accordance with the details submitted.

Reason: In the interest of visual and environmental amenity in accordance with policies DM20 and DM25 of the Lewes District Local Plan part two and to encourage the use of sustainable modes of transport in accordance with policy CP13 of the Lewes District Local Plan part one and para. 110 of the Revised National Planning Policy Framework.

7. All demolition and construction works shall be carried out in adherence with the submitted Waste Minimisation Statement.

Reason: In the interest of visual, residential and environmental amenity in accordance with policies DM20 and DM25 of the Lewes District Local Plan Part 2 and in the circular economy in accordance with the Circular Economy Planning Technical Advice Note.

8. The hard and soft landscaping shown on plan 20086/11.001 shall be implemented prior to the first occupation of the development hereby approved.

Reason: In the interest of sustainability, site drainage and visual amenity in accordance with policies CP11 and CP12 of the Lewes District Local Plan part one, policies DM25 and DM27 of the Lewes District Local Plan part two and para. 163 of the Revised National Planning Policy Framework.

9. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works as defined within Part 1 of Schedule 2, classes A-E; inclusive of that Order, shall be erected or undertaken on the site unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: To enable the Local Planning Authority to regulate and control the development of land in accordance with policy CP11 of the Lewes District Local Plan part one and policy DM25 of the Lewes District Local Plan part two.

Informatives

1. All waste material arising from any site clearance, demolition, preparation and construction activities should be stored, remove from the site and disposed of in an appropriate manner. It is offence to burn trade waste.
2. The Local Planning Authority has acted positively and proactively in determining this application by engaging with stakeholders, visiting the site and neighbouring properties to get a better understanding of the operation and issues, seeking further information to address 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.

3. The development hereby permitted shall be carried out in accordance with the following approved drawings:

PLAN TYPE	DATE RECEIVED	REFERENCE
Site Location Plan	23 December 2020	1:2500
Block Plan	23 December 2020	1:500
Site Plan	23 December 2020	20086/10.001
Street Elevation	23 December 2020	20086/10.002
Plot 1 – Ground Floor Plan	23 December 2020	20086/11.001
Plot 2 – Ground Floor Plan	23 December 2020	20086/11.002
Plot 1 – First Floor Plan	23 December 2020	20086/11.003
Plot 2 – First Floor Plan	23 December 2020	20086/11.004
Plot 1 – Roof Plan (Plot 2 handed)	23 December 2020	20086/11.005
Front Elevation	23 December 2020	20086/13.001
Rear Elevation	23 December 2020	20086/13.002
Plot 1 – Side Elevation (north)	23 December 2020	20086/13.003
Plot 2 – Side Elevation (south)	23 December 2020	20086/13.004
Design & Access Statement	23 December 2020	
Waste Minimisation Statement	23 December 2020	
Bike Store Elevations	23 December 2020	
Planning Statement	23 December 2020	
EV Charging Brochure	23 December 2020	Rolec EVWP 2020 HomeServ5

Reason: For the avoidance of doubt and in the interests of proper planning.

11. Background Papers

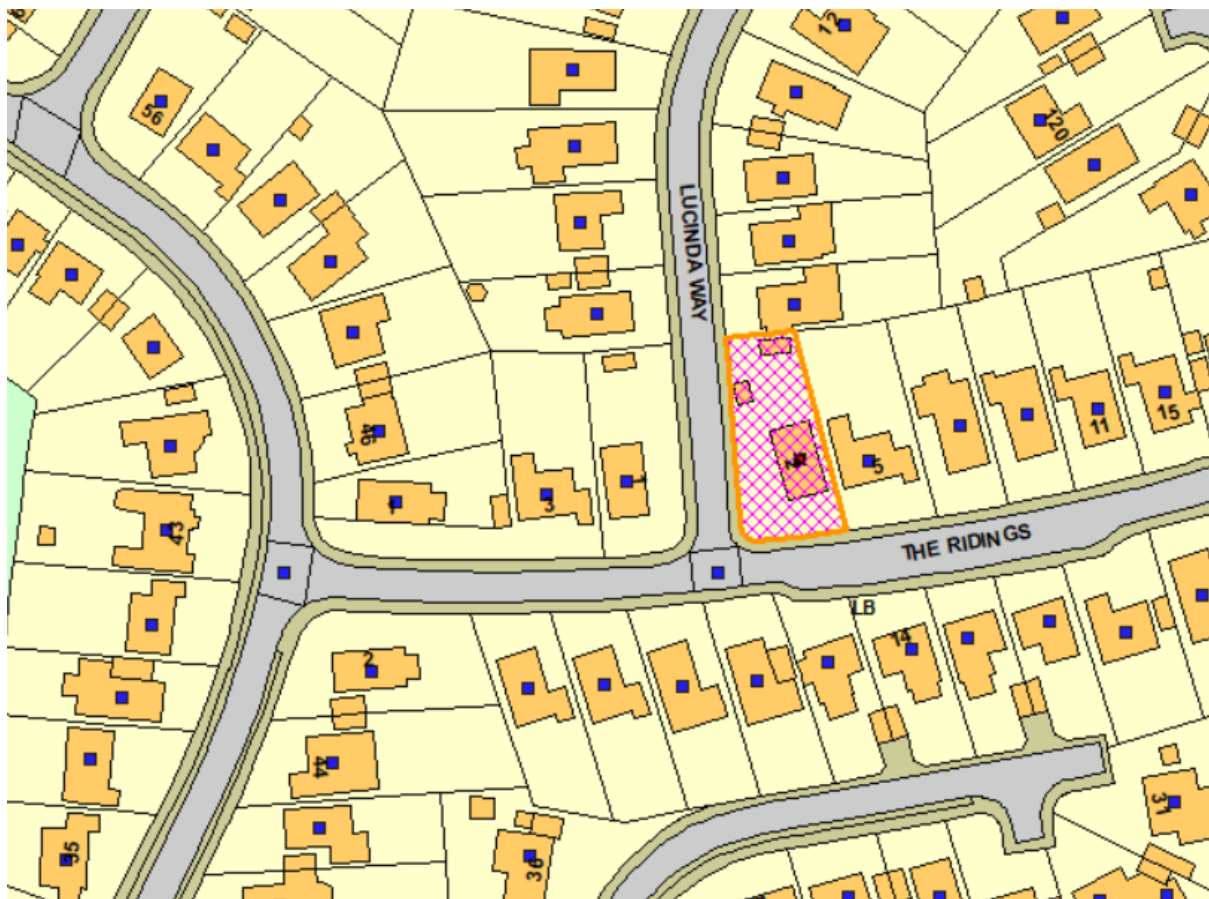
11.1 None.

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Report to: Planning Applications Committee
Date: 31 March 2021
Application No: LW/20/0770
Location: 2 Lucinda Way, Seaford, BN25 3JD
Proposal: Loft conversion to include raising the ridge height, installation of 3 dormers in the west facing elevation, 2 roof lights to the east facing elevation and a south facing Juliet balcony.
Applicant: Mr & Mrs Haycocks
Ward: Seaford North
Recommendation: Approval of planning permission, subject to planning conditions.
Contact Officer: **Name:** James Emery
E-mail: james.emery@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.

Map Location:



1. **Executive Summary**

1.1 It is considered the proposals have a minor impact on the character or appearance of the property, the street scene and the residential amenity of neighbouring properties. The proposed design is compliant with all relevant policies.

1.2 It is recommended that the application is approved.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework

- 2:- Achieving sustainable development
- 11:-Making effective use of land
- 12:-Achieving well designed places

2.2 Lewes District Local Plan

- LDLP: – CP11 – Built and Historic Environment & Design
- LDLP: – CP14 – Renewable and Low Carbon
- LDLP: – DM1 – Planning Boundary
- LDLP: – DM25 – Design
- LDLP: - DM28 – Residential Extensions

2.3 Seaford Neighbourhood Plan

- SNP:- SEA2 – Design

3. **Site Description**

3.1 The application property is a detached bungalow located on a corner plot to the east side of Lucinda Way at its junction with The Ridings, Seaford. It is not listed, nor is it in a conservation Area.

3.2 The area is characterised by residential bungalows with gable end roofs, front and rear gardens and driveways providing off-street parking.

4. **Proposed Development**

4.1 The proposal seeks householder permission for a loft conversion to include a raised ridge height, south facing Juliet balcony, 3 dormer windows in the west facing elevation and 2 roof light windows in east facing elevation.

4.2 The loft will be converted by increasing the central ridge height by approx. 1.2m. The 3.08m eaves height, and gable ended form of the roof are to be retained, albeit with a slightly steeper pitch.

4.3 The west facing roof slope is to feature 3 dormer windows with gable roofs. The central dormer is to measure 1.9m high, 2.5m deep and 2.45m wide. It is flanked on either side by dormer windows measuring 2.4m high, 2.5m deep and 3.0m wide.

- 4.4 The east facing roof slope is to feature 2 obscure glazed roof lights.
- 4.5 The south facing gable end is to feature a Juliet style balcony.
- 4.6 At ground floor level a south facing window is to be replaced with a set of white UPVC patio doors, with painted render applied to the south facing elevation. Two windows in the north facing elevation are to be replaced with UPVC patio doors. The main entrance door in the west facing elevation is to be relocated to a central location in the west facing elevation.

5. **Relevant Planning History**

There is no relevant history.

6. **Consultations**

6.1 Seaford Town Council

- 6.1.1 Seaford Town Council were consulted and resolved to object to the application, and in their detailed comment offered that the proposals involve a significant increase in the ridge height of the property.

The visual bulk of the roof extension would have an adverse impact on the character and appearance of Lucinda Way which is of modest bungalows with shallow pitch roofs. Also, the granting of consent could make it more difficult to resist similar proposals at other properties in the area and this would further erode the existing character of Lucinda Way.

- 6.1.2 The proposals should therefore be regarded as being contrary to the advice and guidelines in para GB04 of the Seaford Neighbourhood Plan Design Guide- 'Roof Extensions and Modifications'. It was therefore RESOLVED to OBJECT to the application on these grounds.

7. **Neighbour Representations**

- 7.1 Adjoining neighbours were consulted by letter and there were three representations. Two were objection comments and one was a support comment.
- 7.2 The objection comments were on the following grounds:
- The development would be out of character.
 - There is a concern that the raising of the roof line would reduce the amount of light coming in to a kitchen as increasing it by over one metre would mean that we would no longer be able to see the sky above the roof.
 - The proposed development would be out of character and could set a precedent for other developments, causing considerable change to the look and feel of the area.
 - The development would amount to overdevelopment of the plot.
- 7.3 The support comment offered that the development is acceptable, and that all efforts have been taken to reduce its impact upon neighbours.

8. Appraisal

8.1 Principle

- 8.1.1 Para. 11 of the revised NPPF (2019) states that decision taking should be based on the approval of development proposals that accord with an up-to-date development plan without delay. Underlining that there is to be a presumption in favour of sustainable development.
- 8.1.2 There is no objection in principle to extensions being made to the dwelling, providing they are designed to be appropriate in their scale, massing and materials and do not significantly impact on the amenities of the adjacent residential properties in accordance Local and national policies against which the development will be assessed in the main body of this report.

8.2 Design

The application property is not located within a designated conservation area, area of established character, nor is it a listed building. It is not subject to any site specific policies which would restrict development.

- 8.2.1 Policy SEA2 requires that development must be appraised with regard to the 'General Design Guidelines for Seaford' document. It is noted that provision is made under guideline GB04 that loft extensions may be permitted on detached properties where they respect the scale, continuity, roof line and general appearance of the street scene. The design guidance recommends that they are appraised on a case-by-case basis.
- 8.2.2 It is considered that the applicant has satisfied the requirements of Policies DM25 (Design) of the Lewes District Local Plan, and Policy SEA2 (Design) of the Seaford Neighbourhood Plan, in that the loft conversion and proposed dormers are to be finished in matching materials, with the dormers appearing designed to appear as subordinate additions to the roof, set appropriately in the roof space in relation to the sides, ridge and eaves of the roof, in accordance with GB04 of the Seaford design guidelines document.
- 8.2.3 There is a prevalence of gable ended properties in the immediate surrounding area of the application property. It is considered that as the design sympathetically retains a gable-end form for the converted roof and the dormer windows. The proposals would not appear substantially out of character with the surrounding area. The appropriate incorporation of matching materials is considered to lessen the impact of the proposed loft conversion and dormer windows, in accordance with Policies DM25 and DM28 of the Lewes District Local Plan and Policy SEA2 of the Seaford Neighbourhood Plan.
- 8.2.4 The proposed render to the south elevation is considered to be acceptable. It is noted that white vertical cladding is present on the gable ends of properties on The Ridings. As such, white painted

render is considered to be within the vernacular of local materials and the wider street scene.

- 8.2.5 Regarding roof heights, the roof extension will result in an increase in the ridge height of the application property. It is considered that the design achieves this in a manner which is not to the detriment of the character of the application property and the surrounding area with regard to policies DM25 (design), DM28 (extensions) and SEA2.
- 8.2.6 The increase in floor space of the property is considered to be in accordance with Policy DM28 as the property is within the defined planning boundary and not subject to any site specific limits. The retention of the existing eaves height and gable end roof form respects the bulk and massing of the application property and the wider street scene.

8.3 Impact on Neighbouring Residents

- 8.3.1 The west facing dormer windows and south facing Juliet balcony have been adequately sited in accordance with policies DM25, DM28 and SEA2, such as to minimise overlooking to the private amenity space of neighbouring properties as they look out onto the public domain.
- 8.3.2 The east facing roof lights are considered to be compliant with the above policies as they are to be obscure glazed. It is considered appropriate to secure a condition on any approval to ensure that they are to remain obscure glazed.
- 8.3.3 The proposed works responding sympathetically to the scale and massing of the host property and the surrounding area . The proposed extensions are not considered to be overbearing, nor harmful to the character of the application property or the wider street scene, in accordance with point (3) of Policy DM28 (Extensions) of the LDLP Pt II.
- 8.3.4 Loss of light was appraised, however, it is not considered that the proposed works would not result in the introduction of significant loss of light to principle habitable rooms of near neighbours over and above the existing situation between properties, in accordance with Policies DM25, DM28 and SEA2.

8.4 Objection Comments

- 8.4.1 **Overlooking.** The Proposed dormers are located to the west facing elevation which overlooks the public domain. The roof lights to the east facing elevation are to be obscure glazed - it is considered that this is sufficient to address overlooking concerns.
- 8.4.2 The front facing Juliet balcony is located on an elevation which overlooks the public domain. A condition will be applied requiring the obscure glazed windows and balustrade to be maintained as such.
- 8.4.3 **Loss of light.** The objection comment specifically relating to loss of light is not considered to be sufficient to warrant a refusal as the room affected is a kitchen, which is not a principle habitable room. There currently exists some overshadowing between properties. The

retention of the existing eaves height and gable end roof form with central ridge is considered to lessen the impact of the proposed new roof.

- 8.4.4 **Out of Character.** The application property is not listed nor is it within a conservation area or an area of established character. It is noted that there is a prevalence of gable ended properties in the immediate surrounding area of the application property. It is considered that as the design sympathetically retains the existing eaves height and a gable-end form for the converted roof and the dormer windows. The proposals would not appear substantially out of character with the surrounding area. The appropriate incorporation of matching materials is considered to lessen the impact of the proposed loft conversion and dormer windows. It is not considered that the rendering to the south elevation would substantially change the character of the property to the detriment of the surrounding area, in accordance with Policies DM25 and DM28 of the Lewes District Local Plan and Policy SEA2 of the Seaford Neighbourhood Plan.

9. **Human Rights Implications**

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10. **Recommendation**

- 10.1 It is considered the proposals have a minor impact on the character or appearance of the property, the street scene and the residential amenity of neighbouring properties. Its design is compliant with policy DM25 (Design) and SEA2 (Design). The resultant increase in floor space is considered to be acceptable increase under policy DM28 (Extensions) and Policy CP11 of the Lewes District Joint Core strategy.

- 10.2 It is recommended that the application is approved, subject to the following conditions.

10.3 Conditions

1. The east facing roof light windows shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies DM25.

2. The development hereby permitted shall be carried out in accordance with the following approved drawings:

PLAN TYPE	DATE RECEIVED	REFERENCE
Location Plan	17/12/2020	04 A
Proposed Floor Plans	17/12/2020	02 A
Proposed Elevations	17/12/2020	03 B
Proposed Block Plan	17/12/2020	04 A
Proposed Section	17/12/2020	02 A
Planning Statement	17/12/2020	

- **Reason:** For the avoidance of doubt and in the interests of proper planning.

11. **Background Papers**

11.1 None.

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