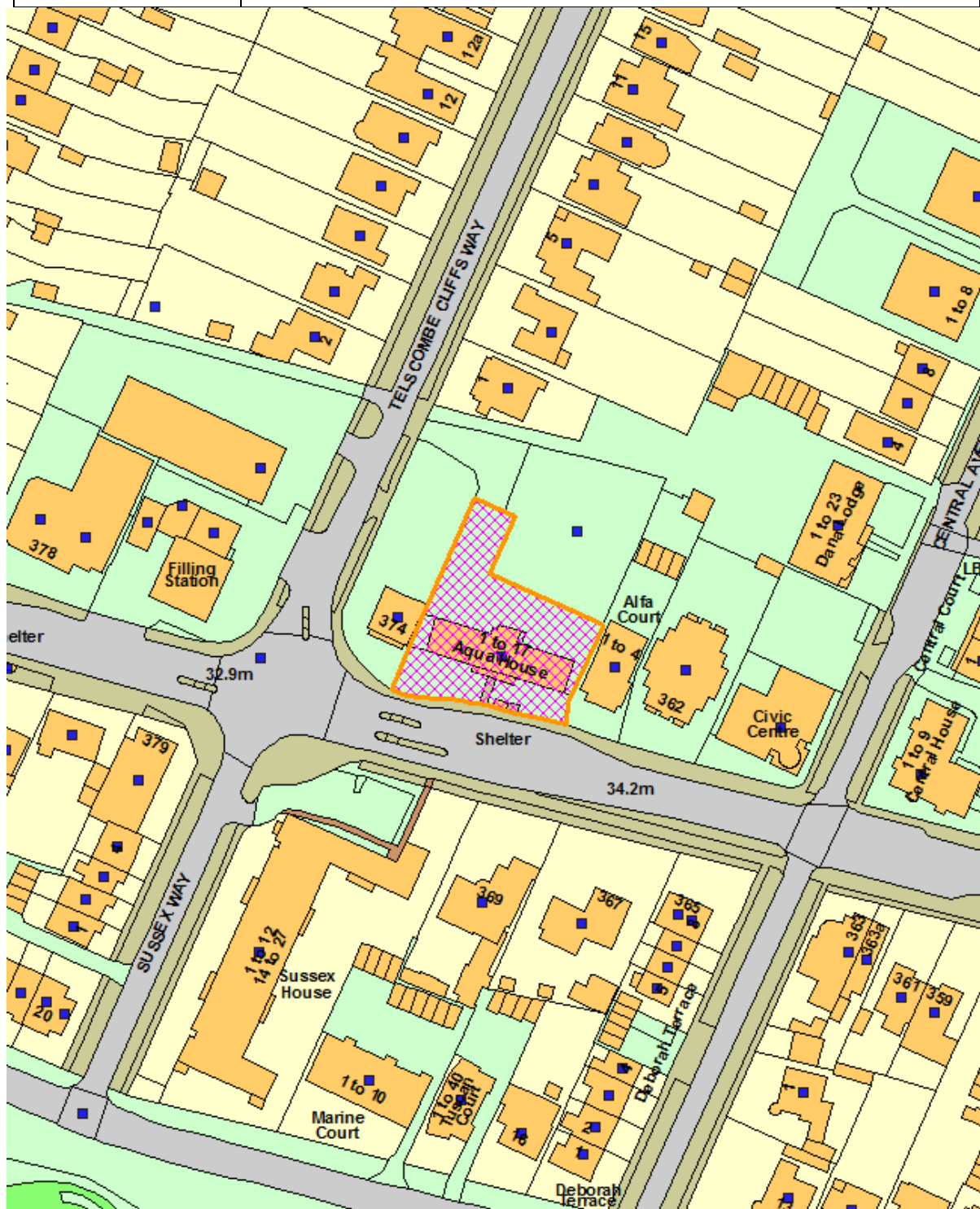


<b>APPLICATION NUMBER:</b>	LW/19/0088		
<b>APPLICANTS NAME(S):</b>	Morten Investments	<b>PARISH / WARD:</b>	Telscombe / East Saltdean & Telscombe Cliffs
<b>PROPOSAL:</b>	Planning application for proposed extension of existing building to create 2 no. studios on the ground floor.		
<b>SITE ADDRESS:</b>	Aqua House 370 South Coast Road Telscombe Cliffs East Sussex		
<b>GRID REF:</b>			



## 1. SITE DESCRIPTION / PROPOSAL

1.1 The site is located on the northern side of South Coast Road and is adjacent to a caravan sales business. The site is currently a building site, currently being developed to provide residential properties approved under previous applications. There are currently 28 units approved for the site, 8 one bed flats and 20 studio units, all of which are rented to a neighbouring authority and used as temporary housing accommodation.

1.2 The current proposal is seeking planning permission to create two new one person studio flats on the ground floor to the rear of the approved building. The studio flats would sit either side of an existing projecting rear element. These proposed studios would be stepped in from the existing side elevations of the main building and would have flat roofs. The proposal also includes the removal of parking spaces to provide for cycle storage, bin storage and an outside amenity space.

## 2. RELEVANT POLICIES

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

**LDLP: – RES13 – All extensions**

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

## 3. PLANNING HISTORY

**E/49/0011** - Addition to Workshop. - **Approved**

**LW/15/0018** - Creation of additional storey on top of existing three storey residential block, providing four new dwellings and partial re-clad of existing facade - **Refused**

**LW/15/0773** - Top floor extension of existing three storey residential block to create four new dwellings and partial re-cladding of existing facade - **Approved**

**LW/16/1009** - Erection of a rear extension to form six new studio flats - **Approved**

**LW/17/0329/CD** - Discharge of condition 2 relating to planning approval LW/16/1009 - **Approved**

**LW/17/0330/CD** - Discharge of condition 1 relating to planning approval LW/15/0773 - **Approved**

**LW/85/1872** - Erection of internally illuminated projecting sign. - **Approved**

**LW/87/1876** - Internally illuminated free-standing sign. - **Approved**

**LW/76/1220** - 33' x 1' illuminated fascia box sign to existing canopy. - **Refused**

**E/68/0209** - Planning and Building Regulations Application for Public Bus Shelter. Building Regulations Approved. Completed. - **Approved**

**E/68/0032** - Bus Shelter to be erected in front of 370 - **Not Proceeded With**

**EV/67/0029** - Illuminated signs in windows. - **Not Proceeded With**

**LW/74/2221** - Outline application for re-development including flats and builders yard and offices - **Refused**

**E/62/0062** - Planning and Building Regulations Applications for public omnibus shelter. Building Regulations Approved. - **Approved**

**LW/86/0814** - Change of Use from residential to office at 2 Aqua House - **Approved**

**E/67/0987** - Planning and Building Regulations application for canopy over entrance to offices and flats at 370 South Coast Road. Building Regs Approved. Completed. - **Approved**

**E/60/0387** - Planning and Building Regulations applications for lavatory block at no. 370 South Coast Road. Building Regs approved. - **Approved**

**EV/57/0001** - Proposed retention of trade sign and illuminated name board. - **Approved**

**E/49/0454** - Planning and Building Regulations Applications for proposed temporary workshop, store and office. Building Regulations Approved. Completed. Restrictive Planning Condition No.1. Temporary Permission Expires 19/05/1958. - **Approved**

**E/49/0155** - Application for consent in principle to the erection of shops and flats. - **Refused**

**E/55/0251** - Planning and Building Regulations Application for proposed addition to builders premises. Building Regs Approved - **Approved**

**E/55/0368** - Planning and Building Regulations Applications for proposed showroom, office and flats. Building Regulations Approved. - **Approved**

**LW/01/0278** - Replace windows to three offices, with minor change of style to UPVC frames - **Approved**

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

**ESCC Highways** – concerned about the fact that, although the site is currently in use as short term / temporary accommodation and leased by Lewes District Council, there is potential for use as private housing in the future without a requirement to alter the planning consents. Should this be the case, the parking demand of the existing number of units would increase to 14 spaces, whilst the proposed number of units would require 15 spaces which could not be accommodated within the site and would add to the pressures on the surrounding roads.

**District Services** – Waste services have no issue with the above proposal , as the refuse from the block of flats is made from the communal rear area the provisions for the refuse from the additional studios will be collected from there also .

**Environmental Health** – No comments received

**Main Town Or Parish Council** – The committee recommend to OBJECT to the application due to the following reasons:

- i. Gross overdevelopment
- ii. No access for emergency and service vehicles
- iii. Restricted vehicle access
- iv. Large reduction of car parking spaces

- v. This development have failed to adhere to original conditions made on previous applications (e.g.height of building)
- vi. Major concerns on the safety of the building – there is no mention of fire safety or fire exits

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

Neighbours objections and comments have been received from 2 neighbours at Alfa Court and cover the following points:

- The communal garden is one meter away from the windows at Alfa Court and this will result in a loss of privacy
- The boundary fence has been damaged by the building contractor.
- The garden will result in noise and possible harassment
- The previous rear communal area was affected by rubbish and loud aggressive behaviour and this will get worse with more occupants.
- Hopes that there will sufficient bins provided.

## **6. PLANNING CONSIDERATIONS**

Principle of development:

6.1 There is a presumption in favour of sustainable development with no objection in principle to developing the site provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity and is in accordance with the Lewes District Local plan 2003, the Lewes District Joint core strategy and the National Planning Policy Framework 2019.

Amenity of future occupiers

6.2 The proposal would create two new one bedroom studio flats, single storey and flat roofed, to the rear of the main building. The proposal includes the creation of a new enclosed bin store on the northern boundary, enhancing the level of bin provision to meet the needs of the occupiers of the block. With the removal of the car parking spaces the level of cycle storage/parking provision will be increased, providing 15 spaces to the rear of the site (from the original previously approved 6 spaces). This provision (bins and cycle storage), is considered to meet the appropriate levels of provision required for the development as a whole.

6.3 The proposed studio units would be 43 and 37sq.m in area, both meeting the Nationally Described Space Standards sets out that a 1 person 1 bed properties and would provide adequate residential amenity for future occupiers.

Impact on residential amenity

6.4 Objections have been raised on the basis that the garden area would result in overlooking. It is considered that a landscaped garden would result in users spending more time in the communal area, However this area was already allocated as an communal area. Landscaping and improving the appearance of the area is not considered to be a significant additional impact of overlooking.

6.5 Due to the proposed extensions being single storey and set away (8.3m) from the boundary it is considered that they would not cause a significant adverse impact of overshadowing to neighbouring properties. The proposed windows on the side elevation facing Aqua House are considered to cause minimal overlooking on the basis of the

distance and the fact that they are single storey and that there are existing windows on the side elevation of the main building 3.8m away from Alfa Court. It is therefore considered that the one new window proposed on the side elevation would not result in additional overlooking and would not be detrimental to residential amenity.

#### Visual amenity/design

6.6 The proposal is only for single storey extensions that are located to the rear of the building and therefore would not be easily visible from the street scene. The proposal is not considered to large or bulky in relation to the site or the existing three storey building. It is therefore concluded that the proposed works would not create a significant adverse impact to the visual amenity of the neighbouring properties on the basis that it is undertaken in matching materials as conditioned and as such would be in accordance with policies ST3 and CP11 of the Lewes Local plan.

6.7 The proposed plans for the bin store and the cycle storage do not provide elevation plans or details of materials and as such it is recommended that a condition is imposed to ensure that the design of these are appropriate.

6.8 The plans include a communal garden and planting bed to the rear of the property however specific details of the landscaping has not been provided as such it is recommended that a condition is imposed that details of the landscaping need to be approved by the local planning authority.

#### Highway and road safety implications

6.9 The Highway Authority has raised concerns about the fact that, although the site is currently in use as short term / temporary accommodation and leased by Lewes District Council, there is potential for use as private housing in the future without a requirement to alter the planning consents.

6.10 In response to this the agents have confirmed that since October 2017 refuse lorries have accessed the site from the front of the site and this arrangement would continue. The site is used for the purpose of emergency accommodation for homeless people, the highways guidance only sets out the need for parking for dwellings and not for emergency accommodation. It is considered on balance that on the basis of the previous highways response on the previous permissions that 70% of people living in studio flats do not own vehicles and that on previous surveys of the site only 3 cars were using the site and that it is unlikely that there would be the need for parking provisions in this location for the proposed future occupiers. In addition the site is nearby to a bus stop which is served by 7 different bus routes. The proposal would result in the loss of 5 parking spaces but would result in 15 cycle storage spaces to be provided.

6.11 Objections have also been raised on the basis that the block could revert to standard accommodation and this potential use would not have enough parking provision. ESCC highways have requested a survey of the use of the parking however this would have little benefit as the building is currently under construction and unoccupied. It is not possible to take into account in planning applications 'potential use' only what has been proposed and submitted to the local planning authority. The proposed flats would have limited permitted development rights but a further condition will be added to the decision that the use of the building cannot be changed without planning permission.

#### Other matters

6.12 The town council have objected on the grounds of gross overdevelopment. The proposal is for the addition of 81 square meters of extension. The main building is 273m

squared and as such the proposal is considered small in comparison to the footprint and the height of the three storey dwelling. The two unit fit comfortably on the site without detriment to the amenity of adjacent occupiers.

6.13 The town council have also objected on the basis of no access for emergency and service vehicles. There is direct access to the front of the building from South Cliff Road, there is also access available from the rear of the site. As such it is considered that there is adequate access for emergency vehicles. They have also raised concerns on the basis of restricted vehicle access. The proposal along with the previously approved applications provides for studio flats, based on previous studies of the vehicle parking in the area undertaken by ESCC highway there is limited need for parking for studio flats, in addition emergency accommodation is not provided for in the ESCC highways guidance as requiring parking provision. Emergency access is available from the front of the building.

6.14 Objections have been raised by the Town Council on the basis that the development is in breach of the original planning approval only listing the height as one example of this breach but not given specifics in order that this can be investigated, there has also been no other reports of breaches in planning made to the council.

6.15 Telscombe town council also object on the basis that there is no mention of fire safety of fire exits; this is not a planning concern and would be addressed under separate building control legislation.

6.16 Comments have been received from neighbours that the boundary fence has been damaged and removed as part of the existing works, this is not a planning concern that can be taken into account when deciding this application. Also that the previous occupants caused the rear area to be messy and rubbish being left in the gardens along with the previous occupants being aggressive and future occupants are likely to also do the same. The personality and behaviour of future occupants is not a material planning consideration that can be taken into account when deciding planning applications.

## **7. RECOMMENDATION**

7.1 It is considered that the proposed development would not result in a significant adverse impact to visual or residential amenity and as such is in accordance with local and national planning policy and should be approved conditionally.

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

1. This planning decision relates solely to the following plan(s):
2. The roof area of the extensions hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific approval in writing from the Local Planning Authority.

Reason: In the interest of residential amenity having regard to ST3 Design form and setting of development of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

3. Notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no change of use, under Schedule 2, other than hereby permitted as temporary housing accommodation, 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 ST3 Design form and setting of development; of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

4. The development hereby approved shall not be occupied until the elevations and materials relating to the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with Policies ST3 and CP11 of the Lewes District Local Plan.

5. The development hereby permitted shall not be commenced until details of secure cycle parking facilities, hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy ST3 and CP11 of the Lewes District Local Plan

6. No development to the communal garden and planting bed shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason; To enhance the general appearance of the development having regard to ST3 and CP11 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

7. The development hereby approved shall be finished in external materials to match those used in the existing building.

Reason: To ensure a satisfactory development in keeping with the locality having regard to ST3 Design Form and Setting of Development of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Floor Plan(s)	1 April 2019	YO133-120 Rev A
Existing Floor Plan(s)	4 February 2019	YO133-051
Existing Floor Plan(s)	4 February 2019	YO133-052
Existing Floor Plan(s)	4 February 2019	YO133-053
Existing Roof Plan	4 February 2019	YO133-054
Existing Elevation(s)	4 February 2019	YO133-060
Existing Elevation(s)	4 February 2019	YO133-061

Existing Elevation(s)	4 February 2019	YO133-062
Existing Elevation(s)	4 February 2019	YO133-063
Existing Section(s)	4 February 2019	YO133-070
Proposed Floor Plan(s)	4 February 2019	YO133-121
Proposed Floor Plan(s)	4 February 2019	YO133-122
Proposed Floor Plan(s)	4 February 2019	YO133-123
Proposed Roof Plan	4 February 2019	YO133-124
Proposed Elevation(s)	4 February 2019	YO133-200
Proposed Elevation(s)	4 February 2019	YO133-201
Existing Elevation(s)	4 February 2019	YO133-202
Existing Elevation(s)	4 February 2019	YO133-203
Proposed Section(s)	4 February 2019	YO133-300
Design & Access Statement	4 February 2019	
Planning Statement/Brief	4 February 2019	
Existing Floor Plan(s)	4 February 2019	YO133A-A04
Existing Floor Plan(s)	4 February 2019	YO133A-A05
Existing Roof Plan	4 February 2019	YO133A-A05
Location Plan	4 February 2019	YO133-001
Existing Block Plan	4 February 2019	YO133-001
Proposed Block Plan	4 February 2019	YO133-001
Location Plan	4 February 2019	YO133-002
Other Plan(s)	4 February 2019	YO133-011
Existing Floor Plan(s)	4 February 2019	YO133-050