

App.No: 130776 (PPP)	Decision Due Date: 18 December 2013	Ward: Old Town
Officer: Richard Elder	Site visit date: 4 February 2014	Type: Planning Permission
Site Notice(s) Expiry date:		
Neighbour Con Expiry: 14 January 2014		
Weekly list Expiry:		
Press Notice(s):		
Over 8/13 week reason:		
Location: 26 Summerdown Road, Eastbourne		
Proposal: RE-CONSULTATION FOR: Erection of a two storey, two-bedroom single private dwelling, including off-street parking and formation of vehicular crossover to serve the existing house. REVISIONS INCLUDE: Change to the proposed property (new plans received), and changes to the site boundary (as shown on the revised Site Location Plan).		
Applicant: Mr & Mrs J. Washbourn		
Recommendation: Approved subject to conditions and unilateral undertaking.		

Executive Summary

This application is reported to planning committee following two rounds of consultation as a result of the initial scheme being redesigned.

The design, siting and layout of the proposed house are appropriate for the area on a site which is modest in size retaining a relatively large rear garden for the existing house. Separating distances of approximately 17.5 metres from the existing house retaining a sufficient gap at the corner maintaining views and outlook towards Pashley Road from no.28 Summerdown Road.

It is considered that subject to conditions, the proposed house would not result in any overlooking or loss of privacy to surrounding properties and due to its siting and orientation, would not result in any loss of sunlight or daylight to surrounding properties. As such, it is considered that the proposal would not adversely harm surrounding residential amenity.

Planning Status:

Predominantly residential area.

Constraints:**Convenants**

Trustees of The Chatsworth Settlement

Source Protection Zones

3

Relevant Planning PoliciesEastbourne Core Strategy Local Plan 2006-2027

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

D1: Sustainable Development

D5: Housing

C10: Summerdown & Saffrons Neighbourhood Policy

D5: Housing High Value Neighbourhoods

Affordable Housing Implementation Technical Note

Eastbourne Borough Plan 2001-2011

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

HO1: Residential Development Within the Existing Built-up Area

HO6: Infill Development

HO20: Residential Amenity

TR11: Car Parking

HO2: Predominantly Residential Areas

NE14: Source Protection Zone

Supplementary Planning Document

Sustainable Building Design SPD 2013

National Planning Policy

National Planning Policy Framework

Site Description:

The application site is located at the end of the rear garden of a 2 storey detached house located on the south west corner of Summerdown Road and south east corner of Pashley Road. A 2 storey house at 2a Pashley Road was built at the end of the original rear garden in the late 1960's. Access to the existing house is via a gate from Pashley Road and vehicular access to the end of the garden providing access to a garage. There are several trees within the rear garden and areas of shrubs and plants.

The area is characterised by mainly 2 storey detached houses with brick and flint walls to the boundaries and relatively large long gardens.

Relevant Planning History:

EB/1968/0335

DET HOUSE LINKED TO EXISTING GARAGE & ERECTION DBL GARAGE FOR NO.26
(WITHIN CURTILAGE 26 & 28 SUMMERDOWN ROAD)

Approved Conditional

1968-07-11

EB/1967/0527

DET HOUSE OUTLINE WITHIN CURTILAGE 26 & 28 SUMMERDOWN RD.

Approved Conditional

1967-11-16

Other Relevant History:

EB/2006/0658

Rear of 54 Summerdown Road

Erection of a detached house within the rear garden

Approved Conditional

2 December 2008

EB/2010/0026

Rear of 54 Summerdown Road

Erection of a detached house within the rear garden

Approved Conditional

19 March 2010

Proposed development:

The proposal seeks the demolition of the existing garage to the side of the existing house and erection of a 2 storey detached house with private rear garden and off street parking within the front garden area with manoeuvring space.

The proposal has since been revised to reduce the size of the proposed house from a 3 bedroom house to a 2 bedroom house by removing the ground floor side addition to the north east side facing the rear of no.26 Summerdown Road. The plot size has been reduced by approximately 4.5 metres in width accordingly. In addition, the vehicular access entrance to the proposed house has been moved approximately 2.7 metres to the east and a vehicular access and crossover to facilitate off street parking would be provided for the existing house. Gates would be provided between new brick piers to each vehicular entrance and the existing flint wall made good.

The proposed house would be of standard construction incorporating a pitched roof, hipped at each end with a floating central square bay section to the front serving the staircase incorporating a tall glazed window section.

The proposed house would be sited in line with the existing building line of the existing house and houses along the South side of Pashley Road. It would measure 10.2 metres wide, 6.75 metres deep, 4.95 metres to the eaves and 7.9 metres to the roof ridge. Casement windows are proposed to the front elevation and a timber front entrance door with narrow side lights. The rear elevation incorporates French doors to the ground floor rear and obscure glazed casement windows to the first floor rear.

Two off street parking spaces would be provided for the new house via a new vehicular crossover and a pair of gates to the entrance and 1 off street parking space would be provided for the existing house via a new vehicular crossover and a pair of gates to the entrance.

Consultations:

Internal:

Lee Michael – No objection to the revised layout subject to conditions.

Planning Policy Manager – No objection subject to unilateral undertaking requiring an affordable housing contribution of £15372.04.

Housing Services Manager – No objection subject to payment of commuted affordable housing payment.

External:

Highways Dept. – No objection to the revised layout subject to conditions.

Environment Agency – No response.

Neighbour Representations:

11 objections from 4 addresses were received during the first consultation. The reconsultation exercise on the revised proposal has generated 8 objections from 5 addresses and all representations cover the following points:

- Beach tree at 2a Pashley Road will need to be pruned or cut down.
- Overlooking and loss of privacy to neighbours. Will windows at rear be openable?
- Additional parking caused by visitors and highway safety concerns of cars pulling out onto the road due to lack of visibility. Loss of 2 on street parking spaces due to 2 new crossovers.
- Additional parking on road would add to congestion, additional parking and parking on the corner which would be dangerous.
- Removal of trees will affect neighbouring privacy and visual amenity.
- A house has already been built in the garden of no.26 Summerdown Road and another will be detrimental to amenity in every way. Overdevelopment of the site and overcrowding resulting in loss of good green garden space.
- Loss of view of the Downs.
- Existing house will lose its parking and garage.
- Affordable housing contribution to the Council could influence approval.
- Increase air pollution through increased traffic.
- Site is higher than houses and gardens to the south.
- House disproportionately large for the size of the plot when compared with neighbouring houses in the surrounding area.
- Revised plans insufficient to address concerns. They create more potential hazards with regard to highway safety than the initial plans.
- Turning space for off street parking is insufficient. Two cars parked would need to reverse out which would be dangerous.

Appraisal:

Principle of Development

Paragraph 17 of The National Planning Policy Framework 2012 states that Local Planning Authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. Paragraph 53 goes on to say that inappropriate development of residential gardens should be resisted where development would cause harm to the local area.

The application site is a residential garden and is considered a greenfield site as such. The NPPF seeks to resist development such as this unless it would not cause harm to the local area. A similar proposal for a detached house was approved in 2010 within the rear garden of no.54 Summerdown Road on a corner site with similar characteristics as the current application. Therefore, it is considered that the principle of the proposal has been established and is appropriate in this location. As such, it is considered that the main considerations in the determination of this proposal relate to whether the development is sympathetic to the character and appearance of the surrounding residential area, its impact on residential amenity and its acceptability on highway grounds with regard to sufficient provision of off street parking spaces and additional crossover serving the existing house.

Design, Siting and Layout

Policy UHT1 of the Eastbourne Local Plan states that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials (preferably locally sourced), setting, alignment and layout. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy H06 states that within primarily residential areas planning permission will be granted for infill residential development, where it can be satisfactorily demonstrated that the development of other adjacent sites would not be unreasonably prejudiced subject to appropriate siting, scale and materials which reflects the local townscape.

Policy B1 of the Eastbourne Core Strategy states that spatial development strategy will deliver at least 5,022 dwellings by 2027 within the built up area boundary, in accordance with the principles of sustainable development. It will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land. Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character.

The revised proposal involves the construction of a modestly sized 2 bedroom house on a modestly sized plot. The proposed house and plot size have been reduced to leave a relatively large garden for the existing house measuring approximately 16.35 metres long and 20.8 metres deep resulting in an area of approximately 340 square metres which is considered sufficient for the size of house and not totally out of keeping with the surrounding area. This area does not include the side and front garden area which also remain albeit a section of the side garden for off street parking and associated turning space. The distance between the south west side of the existing house and north east side of the proposed house is approximately 17.5 metres which is appropriate in this

instance and also leaves a sufficient gap at the corner maintaining views and outlook towards Pashley Road from no.28 Summerdown Road.

The rear garden for the proposed house would be relatively small but of sufficient size for a 2 bedroom house measuring approximately 58 square metres in area. The shallow rear garden enables the building line to the front to be maintained in line with the existing house and no.2a Pashley Road. A further section of garden is also shown at the front next to the boundary with no.2a Pashley Road. As such, it is considered that the garden and plot size is acceptable and would adequately serve the proposed house and would not be detrimental to the pattern of development.

The design of the house is a simple traditional style incorporating a pitched tiled roof hipped at each end with casement windows and would be constructed of materials in keeping with the character and appearance of the surrounding area and the existing house and would be conditioned as such. The floating bay with large glazed window to the front serving the internal staircase adds a modern feature to the design and added interest to the front elevation. The flint boundary wall would remain in place albeit the provision of vehicular access to both sites with gates to the entrance, details of which would be required by condition. As such, it is considered that the layout, siting and design is acceptable and would not cause harm to the local area, surrounding pattern of development in accordance with Policies UHT1 of the Eastbourne Local Plan and B2 of the Eastbourne Core Strategy.

Residential Amenity

Policies HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy B2 of the Eastbourne Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

Several objections from local residents have been received concerning overlooking and loss of privacy from the proposed house and the removal of trees within the rear garden which provide privacy and screening. With regard to the removal of the trees, the Council's arboricultural officer considers that the trees to be removed to facilitate the construction of the proposed house do not provide any significant landscape value and have limited conservation or cultural benefits. As the site is not located in a conservation area and do not benefit from a Tree Preservation Order, the trees could be removed without planning consent in any event. However, a **condition** is recommended that a scheme of replacement trees be submitted to the Council for approval prior to the occupation of the development to offset the loss of the existing trees.

With regards the proposed house, the front windows at first floor level serving the bedrooms face out towards the street over the front garden. Objection has been received concerning overlooking and loss of privacy across the street and into the rear garden of no.1 Pashley Road. As the proposed house is located on the other side of the street to this property and set back from the road, in line with the existing building line, this siting would not constitute overlooking or loss of privacy to surrounding houses on the opposite side of a public road as this is a normal housing street pattern layout.

With regards overlooking and loss of privacy to the rear of houses along Summerdown Road and rear gardens thereof, the first floor rear windows, which serve a bathroom and en-suite, would be obscure glazed. A condition is recommended that these windows be obscure glazed and non-openable to prevent any overlooking to these houses. Ground floor windows and doors facing neighbouring properties do not usually result in overlooking due to their low level and usually screened by fences, trees or hedges. As such, a condition is recommended that details of boundary treatment be submitted to the Council for prior approval.

Due to the siting of the proposed house on the south east side of the street, it is considered that the proposed house would not cause any loss of sunlight or daylight to surrounding houses throughout the year due to the orientation of the site north of the Summerdown Road rear gardens and in line with the nos. 26 Summerdown Road and no.2a Pashley Road.

As such, it is considered that subject to conditions, the proposal would not significantly impact adversely on surrounding residential amenity in accordance with Policies HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Access, Car Parking and Highway Considerations

Policy TR1 states that major development proposals should be located on sites within the town centre or edge of town centre and accessible by a variety of means of transport.

Policy TR11 of the Eastbourne Local plan states that new development must comply with approved maximum car parking standards as set out in the East Sussex County Council Highways SPG parking standards.

The revised proposal involves the provision of 2 off street parking spaces for the proposed house and 2 off street spaces for the existing house via new vehicular crossovers on Pashley Road. The crossover to the existing house has been moved to the east to avoid the root area of the tree to the boundary of no.2a Pashley Road in order that any excavation work would not undermine the root system of this tree. The driveway and turning space allow cars to drive out in a forward gear and it is considered that the proposed vehicular accesses would not adversely affect highway safety.

Objections have been received from residents concerning the current on-street parking stress in the area and the proposal will exacerbate this situation with the loss of a further on street space with the introduction of a new crossover to the existing house and highway safety issues relating to cars pulling out onto the street close to a corner.

East Sussex Highways have been consulted on the revised proposal and raise no objections to the proposal subject to conditions. A condition is recommended that the vehicular crossovers and parking areas for each house is provided prior to occupation of the proposed house. Therefore, it is considered that the proposal accords with Policy TR11 of the Eastbourne Local Plan and Policy C6 of the Eastbourne Core Strategy.

Sustainable Development

Policy D1 requires all new development to be sustainable and be well designed and constructed and demonstrate that it has taken account of the principles of sustainable

development. All new residential developments should demonstrate that they meet the minimum requirement of Code Level 4 for all new homes from April 2013.

The design and access statement confirms that the proposed house would meet Code Level 4 of the Code for Sustainable Homes. As such, it is considered the proposal would accord with Policy D1 of the Eastbourne Core Strategy and the Sustainable Building Design Supplementary Planning Document.

Affordable Housing

Policy D5 seeks to deliver housing within the sustainable centres and sustainable neighbourhoods and must take appropriate account of the need identified in the most up-to-date strategic housing market assessment with particular regard to size, type and tenure of dwellings. All development will be required to contribute towards affordable housing where there is a resultant net gain of 1 or more residential units (C3 Use Class).

The proposal would involve a net gain of 1 residential unit within a high value neighbourhood which would trigger a requirement of a commuted financial contribution towards affordable housing of £15,372.04. The applicants have agreed to the payment of this and will be secured via a unilateral undertaking. As such, the proposal would meet the requirements of Policy D5 of the Eastbourne Core Strategy and associated Affordable Housing Implementation Technical Note.

Human Rights Implications:

It is considered that the proposal would not have any adverse impact on the amenities of nearby residents, nor have any negative impact on human rights, equality and diversity.

Conclusion:

It is considered that the principle of the proposal has been accepted by a grant of planning application for a similar house in the rear garden of no.54 Summerdown Road in 2010. The design, siting and layout of the proposed house are appropriate for the area on a site which is modest in size retaining a relatively large rear garden for the existing house. Separating distances of approximately 17.5 metres from the existing house retaining a sufficient gap at the corner maintaining views and outlook towards Pashley Road from no.28 Summerdown Road.

It is considered that subject to conditions, the proposed house would not result in any overlooking or loss of privacy to surrounding properties and due to its siting and orientation, would not result in any loss of sunlight or daylight to surrounding properties. As such, it is considered that the proposal would not adversely harm surrounding residential amenity.

The applicants have confirmed that the proposed houses would meet code level 4 and have submitted an affordable housing statement agreeing to pay an affordable housing contribution. East Sussex Highways raise no objections to the proposal on Highway grounds subject to conditions.

As such, it is considered that subject to conditions, the proposed development would not cause harm to the local area and would accord with local and national planning policy.

Recommendation: Approved subject to conditions and unilateral undertaking relating to affordable housing commuted sum.

Conditions:

1. Time limit - BAA

2. The proposed development shall be carried out in strict accordance with the following plans and documents:

220900-01 rev b – Site location plan and block plan.

220900-02 rev a – Existing plans and elevations.

220900-03 rev f – Proposed site layout and street elevations.

220900-04 rev b – Proposed plans and elevations.

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

3. No development shall commence until samples or precise manufacturers details of all the materials to be used on the external surfaces of the development hereby permitted 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 shall be retained as such thereafter.

Reason: To secure a satisfactory standard of development.

4. No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme as submitted shall be in accordance with British Standard 5837 (2005) The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

5. No development shall commence until details of the design of building foundations, positions, dimensions and levels of service trenches, ditches, drains and other excavations on site, insofar as they may affect trees and hedgerows on or adjoining the site, shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.

6. Notwithstanding the approved details, the development shall not be occupied until full details of both hard and soft landscape works have been submitted to and approved by the Local Planning Authority. These shall include details and locations of replacement trees and planting plans, species specification and samples of hard landscaping materials.

Reason: In the interests of visual appearance and integrating the development into its surroundings.

7. The development shall not be occupied until the parking spaces and turning areas for each house 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.

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

8. The finished surface to the driveways, hardstandings and paths shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the cartilage of the property. No loose surface material shall be used within 2 metres of the edge of the public highway.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development.

9. Prior to occupation of the proposed house hereby permitted, the first floor rear windows to the rear elevation serving the bathroom and en-suite shall be obscure glazed and non-opening and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining properties.

10. Prior to occupation of the development, full details of the boundary treatment including the brick piers and gates to the front of each vehicular entrance shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details.

Reason: In the interests of visual appearance and integrating the development into its surroundings.

11. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site to prevent contamination and damage to the adjacent roads.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large

12. Prior to the occupation of the development the applicant shall reinstate the redundant vehicle crossover back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.

Reason: In the interests of highway safety.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), gate, fence, walls or any other means of enclosure than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties, and the character of the area and for this reason would wish to control any future development.

16. No material shall be deposited at the site other than clean, uncontaminated naturally occurring excavated material, brick and concrete rubble.

Reason: To prevent pollution of the water environment.

17. No bonfires or burning of waste materials shall take place anywhere on the site at any time.

Reason: In the interest of maintaining the character and amenity of the area.

18. That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority.

Reason In the interest of maintaining the amenities of nearby residents/occupiers and also in the interest of maintaining the character of the wider area.

Informative

Appeal: Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**