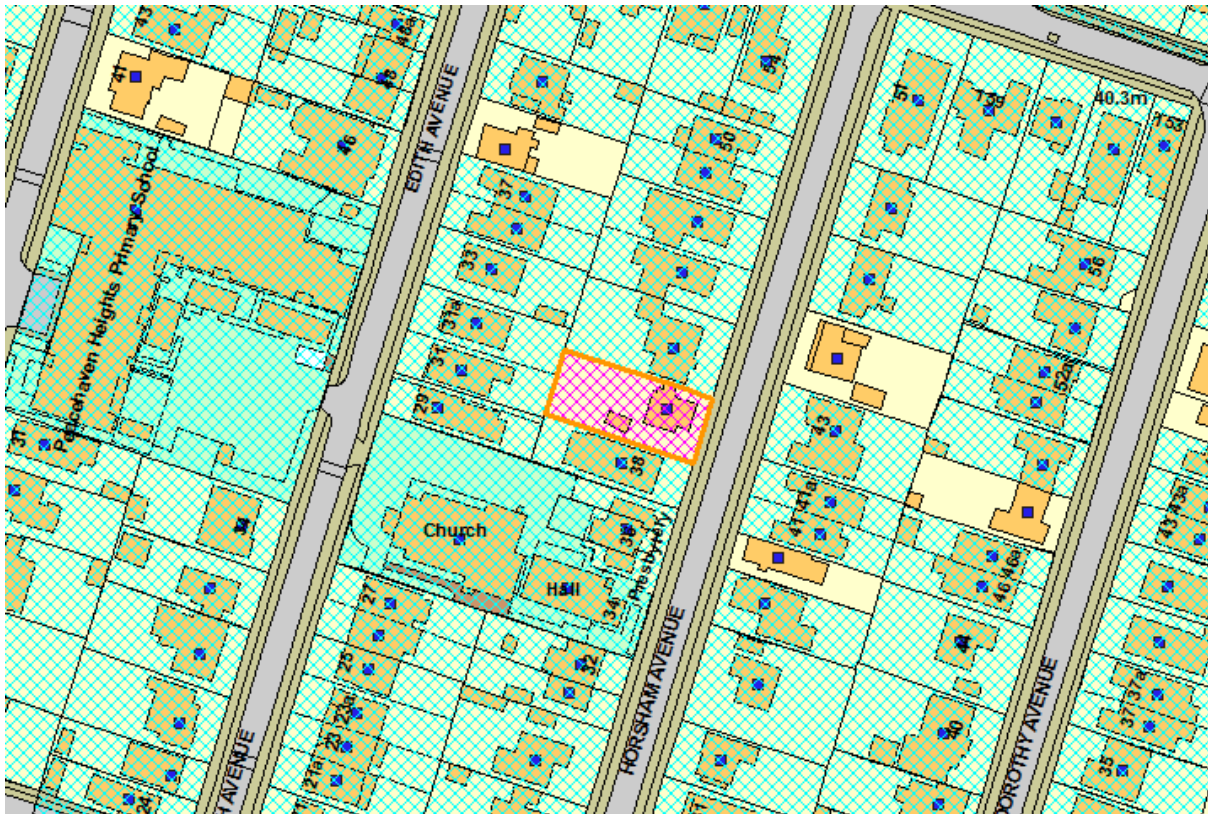


Report to: Planning Applications Committee
Date: 10 March 2021
Application No: LW/20/0494
Location: 40 Horsham Avenue, Peacehaven, BN10 8HX
Proposal: Demolition of existing dwelling and replacement with 2no. semi-detached dwellings.
Applicant: M. Anderson
Ward: Peacehaven West
Recommendation: Grant planning 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 proposed development is acceptable in principle and meets all relevant national and local planning policies.
- 1.2 Accordingly approval is recommended, subject to conditions.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework

2.2 Lewes District Local Plan

- LDLP: – SP2 – Distribution of Housing
- 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: – DM26 – Refuse and Recycling
- LDLP: – DM33 – Heritage Assets

3. **Site Description**

- 3.1 The application site is located within the planning boundary on the west side of Horsham Avenue, Peacehaven. The road runs in a north/south direction from Arundel Road to the north, crossing South Coast Road and meeting The Promenade to the south. The road is closed off at the junction with South Coast Road. The north section of Horsham Avenue does not have a wholly consistent built form, with a mix of detached and semi-detached bungalows, some of which have been extended into the roof space to become chalet bungalows, and a number of detached two storey houses.
- 3.2 On the site at present is a detached chalet bungalow, likely dating from the 1950s, set in a site covering approximately 364m² (0.0364 ha). It is set forward of the building line of two properties to each side (numbers 38 and 42). There is a detached garage set to the south side of the site, with an existing crossover onto the road. The rear garden is enclosed by a wall with a fence on top with a height of approximately 2m.
- 3.3 To the immediate north of the site is a detached chalet bungalow (number 42). To the south is a detached bungalow (number 38) with a conservatory close to the shared boundary. Beyond to the south of number 38 is a large detached two storey house, built within the last 10 years, which is the Presbytery attached to the adjacent church. The church and its car park are accessed from Edith Avenue, parallel to the site to the west. Finally, beyond the church is another two storey detached house
- 3.4 The application site backs onto numbers 31 and 31a Edith Avenue, both of which are bungalows. .

4. **Proposed Development**

- 4.1 Planning permission is sought to demolish the bungalow and the garage and to build a pair of 3 bedroom semi-detached houses on the site. The houses would be of traditional design, with hipped roofs, finished with interlocking tiles and painted render walls. At the front, the new houses would be set back, more or less in line with the properties either side. The rear building line would extend approximately 5m beyond the main rear wall of number 42.
- 4.2 In terms of layout, the kitchens are at the front, and the living rooms run across the width of the rear wall with sliding folding doors leading to the gardens. At first floor, there are one single and two double bedrooms and a separate bathroom. The largest bedroom would have an en-suite shower room.

5. **Relevant Planning History**

- 5.1 There is no relevant planning history relating to the site.

6. **Consultations**

6.1 ESCC Archaeologist – No comment

- 6.1.1 Although this application is located on the edge of 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. This planning application should be considered against the adopted 2016 Lewes District Local Part 1: Joint Core Strategy (LPP1) and 2020 Local Plan Part 2: Site Allocations and Development Management Policies (LPP2).

6.2 Planning Policy Team – No objection

- 6.2.1 This planning application should be considered against the adopted 2016 Lewes District Local Part 1: Joint Core Strategy (LPP1) and 2020 Local Plan Part 2: Site Allocations and Development Management Policies (LPP2). The proposal should also be considered against the National Planning Policy Framework (NPPF)
- 6.2.2 The site within the Peacehaven and Telscombe planning boundary and therefore in accordance with Policy DM1 of the LPP2, re-development of the site to create additional residential units is generally considered acceptable provided that the proposal is in accordance with other policies in the development plan which is for consideration by the Case Officer. Therefore Policy has no substantive comments to make on the application.

6.3 District Services – No response

6.4 Environmental Health – No response

6.5 Southern Water – No objection

6.5.1 Southern Water requires a formal application to the public sewer to be made by the applicant or developer.

6.5.2 Initial investigations indicate no public surface water sewers in the area to serve the development so alternative means of draining surface water required. Application form makes reference to use of Sustainable Urban Drainage Systems (SuDS), which in some cases can be adopted by Southern Water. Details of SuDS scheme to be submitted to the Local Planning Authority.

6.6 Peacehaven Town Council – Objection

6.6.1 It was resolved to recommend refusal for the following reasons

- The proposed development represents unacceptable density/over development.
- The area cannot accommodate additional parking of vehicles. No parking is allowed in the road due to the proximity to the School.
- Absence of adequate car parking facilities - provision for pedestrians, wheelchairs and prams.
- Exacerbate existing parking problems in the area.
- The Plans and other documents were not very professional. It is recommended that the Planning Officer conducts a site visit.

7. **Neighbour Representations**

7.1 Six representations, two from the same property, objecting to the proposal, were received from residents of properties surrounding the site. The objections raised are on the following grounds:

Overlooking and overshadowing to properties in Edith Avenue
Houses would be too high and overbearing, this is a bungalow community.

Two storey houses would be out of character and dwarf the properties either side.

Not enough parking

The houses would be hideous

Will set a precedent for developing similar sites

Description of development is misleading – it should say ‘houses’ not ‘dwellings’

8. Appraisal

8.1 Principle

- 8.1.1 The principle of development is acceptable as the site is within the planning boundary, in compliance with policy DM1.
- 8.1.2 Policy CP2 supports higher residential densities of up to 57dph in towns. The development would yield a density of 54dph.
- 8.1.3 Although CP2 favours smaller (1 and 2) bedroom properties, account will be taken of the existing character and housing mix in the vicinity of the area. Interrogation of house details in Horsham Avenue reveals a range of property sizes between 2 and 5 bedrooms. It is considered that the proposal meets the general thrust of policy CP2.

8.2 Design and Heritage

- 8.2.1 As noted above, there is no prevailing design typology in Horsham Avenue. The design of the proposed houses and the material palette would not be out of place in the street scene and is considered to be satisfactory.
- 8.2.2 The ridge as shown on the context elevations is at a similar height to the Presbytery to the south. Overall and given the range of house types in the area, it is considered that the proposal would not conflict with the design criteria of policies CP11 and DM25.
- 8.2.3 The County Archaeologist considered that no significant archaeological remains are likely to be affected by the proposal. There is therefore no conflict with policies CP11 and DM33.

8.3 Amenity

- 8.3.1 In terms of overlooking and overshadowing the properties to the rear in Edith Avenue, the back-to-back distance would be 21m, which is generally considered to be sufficient to mitigate mutual overlooking and overshadowing and is commensurate with existing back to back distances in the area. There are windows in the side elevation of number 42, however, these are at ground floor level and directly face the existing wall of number 40; both windows are obscure glazed and appear to be secondary.
- 8.3.2 Likewise, there are windows in the side of number 38, also secondary and which face the boundary wall/fence. The two windows in the side walls at ground floor level in the new houses would serve the downstairs W.C and as secondary light to the living room. These would be at the same level as the boundary wall and would not lead to loss of privacy. The first floor side windows serve the bathroom and shower room so would be obscure glazed.
- 8.3.3 In terms of overshadowing there would be an impact on the rear window of 42 which is closest to the boundary, understood to be a bedroom. However, daylight to this window is already compromised by the existing wall and fence, so the new houses would not make the situation worse. Any overshadowing due to new houses extending beyond the rear wall of 42 would be limited to a small area of the garden.

8.3.4 The overall unit size at 119m², exceeds the National Space Standard. The double bedrooms are 13 and 12m² and the single is 11m², again exceeding the National Space Standard. The houses would each have a 10m long garden. A space for refuse and recycling bins is shown in the front gardens.

8.3.5 It is considered that the proposal would broadly comply with the amenity criteria of polices CP11 and DM25, and policy DM26.

8.4 Transport

8.4.1 One car parking space per dwelling would be provided in the front garden with a new extended crossover. There are no parking restrictions in the road. Most of the properties have off-street parking and from the site visit, there appears to be sufficient capacity on-street capacity to accommodate a second car or visitor parking associated with the development. The site is located close to good public transport links, local amenities and shops.

8.4.2 A cycle store is indicated in the gardens, the details of which can be secured by condition, as can electric car charge points to the parking spaces. It is considered that the proposal complies with policy CP13.

8.5 Sustainability

The application was not accompanied by Sustainability or Energy Statement. However, this can be secured by condition to comply with policy CP14.

8.6 Response to comments and objections

8.6.1 Most of the issues have been addressed above. It should be noted that, contrary to the comment raised by the TC, the primary school is located in Edith Avenue, where there are parking restrictions.

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 In view of the above the proposed development is considered to be acceptable and approval is recommended subject to conditions

10.2 Conditions

1. No development shall commence until details of finished floor levels in relation to the existing ground levels have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with these details.

Reason: In the interest of residential amenity and the character of the locality having regard to policies CP11 and DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

2. No development shall commence until details of a suitable drainage strategy have been submitted to and approved by the Local Planning Authority prior to the installation of any drainage infrastructure.

Surface water runoff rates shall be limited to a minimum of existing rates for all rainfall events including those with an annual probability of occurrence of 1 in 100 (plus climate change). Evidence of this (in the form hydraulic calculations taking into account connectivity of features) shall be submitted with the detailed drainage drawings. Evidence that Southern Water is in agreement with the principle of the connection and proposed discharge rates shall be submitted at detailed design stage.

A management and maintenance plan for the entire drainage system clearly stating who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and evidence that the plan will remain in place throughout the lifetime of the development.

The development shall therefore be carried out in accordance with the approved details, which shall thereafter be adhered to throughout the lifetime of the development

Reason: In order to prevent unacceptable risk of surface water flooding towards future occupants, neighbouring residents/land uses and the public highway having regard to policy CP12 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

3. No development above ground floor slab level of any part of the development hereby permitted shall commence until a report has been submitted to, and approved in writing by, the Local Planning Authority, to include details and drawings to demonstrate how a minimum of 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage.

The report shall identify how renewable energy, passive energy and energy efficiency measures will be generated and utilised for each of the proposed buildings to collectively meet the requirement for the development. The approved details shall be implemented with the construction of each dwelling and thereafter retained.

Reason: To secure a proper standard of development having regard to policy CP14 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

4. No development above ground floor slab level of any part of the development hereby permitted shall take place until details for the provision of electric car charging points, have been submitted to and

approved in writing by the Local Planning Authority and shall be implemented in accordance with that approval prior to the first 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 until the cycle stores, parking spaces and electric car charge points have been laid out/provided as shown on the approved plans and documents.

Reason: To provide adequate space for the parking of vehicles, to promote sustainable ways of transport in accordance with policies CP13 and CP14 of the Lewes District Joint Core Strategy to comply with National Policy Guidance contained in the National Planning Policy Framework.

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

PLAN TYPE	DATE RECEIVED	REFERENCE
Location Plan	4 January 2021	HA-20-01
Proposed Floor Plans	4 January 2021	HA-20-01
Proposed Elevations	4 January 2021	HA-20-01
Proposed Block Plan	4 January 2021	HA-20-01
Street Scene	4 January 2021	HA-20-01
Design & Access Statement	31 July 2020	
Heritage Statement	31 July 2020	

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

11. **Background Papers**

- 11.1 None.