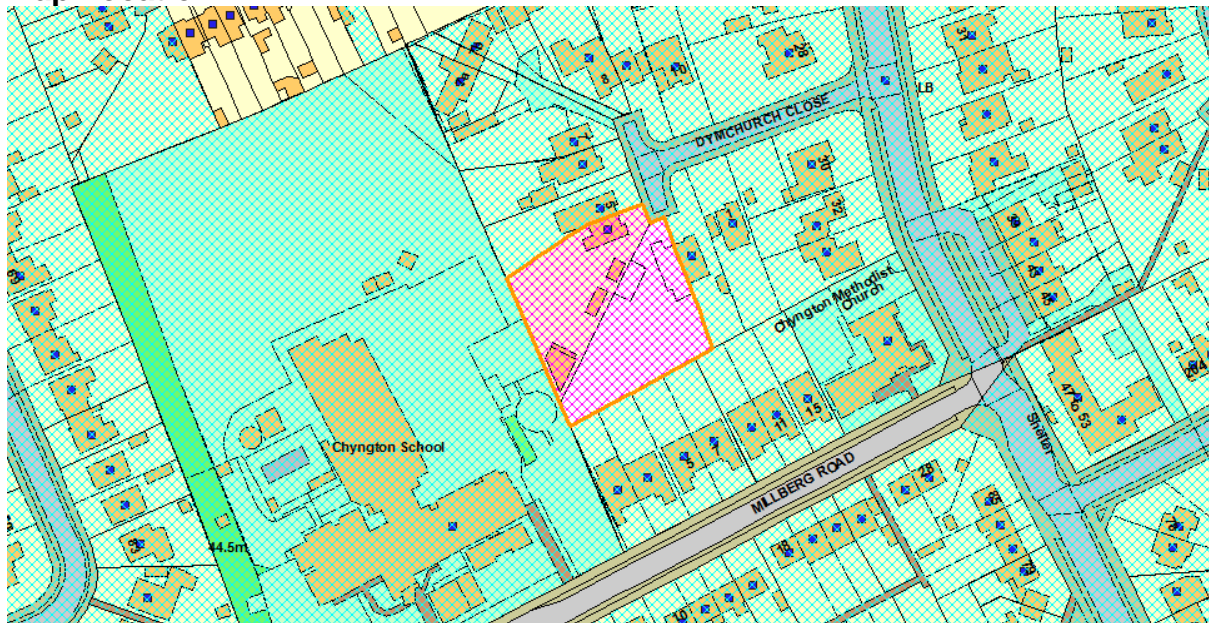


**Report to:** Planning Applications Committee  
**Date:** 21 April 2021  
**Application No:** LW/20/0690  
**Location:** Land behind 3 and 4 Dymchurch Close, Seaford, BN25 3JX  
**Proposal:** Planning application for construction of 3-no. detached three-bedroom houses with associated access and landscaping works.  
**Applicant:** LH Property Investments Limited  
**Ward:** Seaford East  
**Recommendation:** Grant planning permission.  
**Contact Officer:** **Name:** Julie Cattell  
**E-mail:** [julie.cattell@lewes-eastbourne.gov.uk](mailto:julie.cattell@lewes-eastbourne.gov.uk)

---

**IMPORTANT NOTE: This scheme is CIL Liable.**

**Map Location:**



## 1. **Executive Summary**

- 1.1 The proposed development meets all relevant national and local planning policies and is considered to be acceptable.
- 1.2 Approval is recommended, subject to conditions.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Promoting sustainable transport
- Making effective use of land
- Achieving well designed places

### 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: - DM21– Land contamination
- LDLP: – DM25 – Design
- LDLP: – DM26 – Refuse and recycling facilities
- LDLP: - DM27 – Landscape Design
- LDLP: - DM30 – Backland Development

### 2.3 Seaford Neighbourhood Plan

- SNP:- SEA2 – Design

## 3. **Site Description**

- 3.1 The application site comprises part of the rear gardens of numbers 3 and 4 Dymchurch Close, Seaford. These properties are located in the southern corner of Dymchurch Close and their associated gardens are larger than others in the Close. Both properties have detached garages which will be demolished to facilitate the development.
- 3.2 The development site is rectangular in shape and covers an area of 816m<sup>2</sup>/0.816ha, including the access road. There are a number of trees and hedges on the site, a number of which will be removed to facilitate the development.
- 3.3 Dymchurch Close is a small cul-de-sac within the Seaford planning boundary and comprises 12 dwellings, 2 of which (numbers 7a and 7b) were added in

the early 2000s, on a plot created from part of the gardens of numbers 7 and 8, located in the northern corner.

- 3.4 All of the original dwellings in the Close are bungalows arranged as pairs, some of which have front facing dormers. The newer dwellings comprise a pair of semi-detached chalet style bungalows with front facing dormers. All properties have off-street parking.

#### **4. Proposed Development**

- 4.1 The application seeks planning permission for the construction of three detached 3 bed/6 person dwellings set over two floors, arranged in a north/south axis, backing onto numbers 1, 3 and 5 Millberg Road to the south. The first floor will be within front and rear dormers in the roof space, giving the external appearance of chalet bungalow style rather than two storey houses. The materials will be facing brickwork and plain tiles, similar to other properties in the Close. Each house will have 2 off-street car parking spaces and a rear garden of 10m length.
- 4.2 At ground floor the layout proposes on entry a downstairs w.c. and double bedroom at the front, leading to a 40m<sup>2</sup> living area at the rear, with folding doors opening onto the rear garden. At first floor, there will be two double bedrooms, one with dressing room and en-suite shower room and a separate bathroom.
- 4.3 The new development will be accessed via the existing crossover, which will be upgraded, leading to a short access road between numbers 3 and 4. Two off-street car parking spaces will also be provided for numbers 3 and 4. The Highways' comment regarding the location of the space for number 4 has been addressed.

#### **5. Relevant Planning History**

- 5.1 LW/02/2064 - Erection of a pair of semi-detached chalet bungalows with detached garages (between numbers 7 and 8 Dymchurch Close) approved 11 December 2002.

#### **6. Consultations**

##### **6.1 Environmental Health**

If LPA is minded to grant a planning permission, then considering the sensitive uses of the site, I recommend conditions. (These are included at the end of the report).

##### **6.2 District Services**

No objections or comments for this planning application.

##### **6.3 Tree and Landscape Officer**

No material objections to the principle of development of this site.

In the event planning permission is granted conditions should be considered to protect existing and newly plants trees.

#### 6.4 ESCC Highways

The access is located off the turning head; however, this is unlikely to cause significant issue and will prevent residents parking within the turning head. The access is of suitable width to enable two cars to pass, subject to parking for number 4 being split as shown. The parking space for unit 4 to the rear of the property would have difficulty turning and as such would need to be revised.

Without a revision it is likely that the driver would be required to reverse the length if the access to exit or may prefer to park at the front of the property which would conflict with the access. A condition would also need to be added for construction with the new access licenced and demarcation/drainage included.

#### 6.5 Seaford Town Council

It was RESOLVED to OBJECT to the application on the following grounds:

The erection of three two-storey detached houses on this restricted plot would adversely affect the existing character of the Close and would be an over-development which would have a significant adverse impact on neighbouring properties and other properties in the Close due to general disturbance, overlooking and loss of privacy and congestion arising from overflow parking.

### 7. **Neighbour Representations**

#### 7.1 Representations have been received from eleven local residents objecting to the application for the following reasons:

- Design out of keeping with the area
- Will add to existing disrepair of pavements
- Overlooking and loss of privacy
- Dymchurch Close not wide enough for 2 cars to pass
- Lack of visitor parking
- Already congestion at top of road at school times
- Bins will have to left outside numbers 5 or 3
- Dymchurch Close is a quiet area
- Site is meant to be back gardens
- Directly affects 5 other properties in the Close and Millberg Road and the school at the rear
- Overdevelopment
- Increase in traffic
- Loss of trees
- Overbearing
- Will affect access for emergency vehicles

Loss of 2 bungalows would adversely affect the layout of the Close.

## 8. Appraisal

### 8.1 Principle

- 8.1.1 The application site is located within the Seaford planning boundary, thus the principle of development is supported by policy DM1. Policy CP2 encourages the development of smaller dwellings (i.e. 1 and 2 bedrooms) however, existing local housing mix can be taken into consideration. Dymchurch Close has a mix of 2 and 3 bedroom properties so the proposal would be within the local range. CP2 also encourages higher residential densities within the region of 47-57dph in towns. The proposal would yield a residential density of 38dph.
- 8.1.2 The principle of forming a development plot from the larger corner gardens was established under LW/02/2064.

### 8.2 Design and landscape

- 8.2.1 The houses have been designed to reflect characteristics of other properties in Dymchurch Close, using a similar palette of materials and to give the appearance of chalet style bungalows.
- 8.2.2 Although the proposal is for detached rather than semi-detached properties, they will be less visible from the public realm as they will be arranged in a north/south axis.
- 8.2.3 It is considered that the proposal satisfactorily responds to the local context, in response to the design criteria of policies CP11, DM25 and SEA2.
- 8.2.4 The application was accompanied by an Arboricultural Method Statement which indicates that most of the specimens to be removed are in Category C and therefore of poor quality and low amenity value. Two trees are to be retained after cutback and crown lifting. The Tree Officer has no objection to the removal of the trees and has recommended standard conditions to be attached to the permission.
- 8.2.5 A landscape scheme has been submitted which is considered to be satisfactory and in compliance with policy DM27.

### 8.3 Amenity

- 8.3.1 There are no significant overlooking or overshadowing conflicts between existing and proposed new dwellings.
- 8.3.2 The overall floor area for each of the dwellings is 112m<sup>2</sup>, exceeds the Nationally Described Space Standard for a 3 bed/6 person dwelling set over two storeys.
- 8.3.3 Although not shown on the plans, there is space for storage of refuse and recycling bins in the front garden and this can be conditioned.
- 8.3.4 The proposal meets the amenity aspects of policies CP11 and DM25 and policy DM26.

## 8.4 Transport and parking

- 8.4.1 Each property will have 2 off street car parking spaces, accessed from the existing crossover. The layout of the site includes 2 off-street parking spaces for each of the host properties.
- 8.4.2 ESCC has not objected to the proposal and states that the location of the access will prevent residents parking within the turning head, which is currently considered to be a problem. The access road is of sufficient width to enable two cars to pass.
- 8.4.3 Although not shown, there is space in the rear garden for cycle stores, details of which will be secured by condition.
- 8.4.4 The site is well located in terms of public transport links, in easy walking distance of bus stops and local shopping facilities.
- 8.4.5 The proposal is considered to comply with policy CP13.

## 8.5 Sustainability

- 8.5.1 The application was not accompanied by a Sustainability Statement/Energy Strategy; however, this can be secured by condition to satisfy the requirements of policy CP14.

## 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 plan policies. Approval is recommended subject to conditions.

### 10.2 Conditions

1. No development shall commence, including any ground works or works of demolition, until a Construction Environment 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 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 routeing 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;
- public engagement both prior to and during construction works
- to include details of engagement with the occupiers of all properties (residential and commercial) within 50m of the boundary of the site, and to include details of points of contact with site manager (phone and email) and to include details of how regular updates on progress and key activities in the implementation will be communicated;
- measures to control the emission of dust, dirt, air pollution and odour during demolition and construction;
- temporary lighting for construction and security;
- 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.

2. No development shall commence until, the tree protection measures as set out in the Arboricultural Methodology Statement have been carried out in full.

Reason: To preserve trees on the site and in the interest of visual amenity and environment having regard to policy CP10 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

3. No development shall take place above ground floor slab level until details and 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.

4. No development above ground floor slab level of any part of the development hereby permitted shall commence until details of the access to the site, including drainage and demarcation, have been submitted to and approved in writing by the Local Planning Authority and the works carried out in full as approved prior to occupation of any part of the site.

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

5. 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.

6. 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.

7. No part of the development shall be occupied until full details of covered and secure cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. These areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles associated with residents and visitors to the development hereby permitted.



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

8. No part of the development shall be occupied until full details of storage for refuse and recycling bins have been submitted to and approved in writing by the Local Planning Authority. These areas shall thereafter be retained.

Reason: In the interests of the amenities of the area, having regard to policy DM26 and guidance within the National Planning Policy Framework.

9. The Arboricultural Method Statement and associated tree protection measures submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision by a suitably qualified tree specialist. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during demolition and subsequent construction operations.

Reason: To safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act.

10. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development process and up until completion and full occupation of the buildings for their permitted use within 2 years from the date of the occupation of the building for its permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.

11. The approved tree pruning works shall be carried out in accordance with BS3998:2010. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority.

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 having regard to policy DM21 of the Lewes District Local Plan to guidance contained in the National Planning Policy Framework.

13. Hours of work at the site shall be restricted to 08:00 to 18:00 hours Monday to Friday and 09:00 to 13:00 hours on Saturday. No working is permitted at any time on Sunday or Bank Holidays.

Reason: In the interest of the amenities of the adjoining residents 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.

14. 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.

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

<b>PLAN TYPE</b>	<b>DATE RECEIVED</b>	<b>REFERENCE</b>
Proposed Layout Plan	11 February 2021	280.P.01B Proposed site plan and levels
Proposed Elevation(s)	11 February 2021	280.P.02B Proposed site elevations and block plan
Proposed Elevation(s)	16 December 2020	280.P.03A Proposed south and west elevations
Proposed Section(s)	16 December 2020	280.P.04A Proposed site sections
Proposed Floor Plan(s)	16 December 2020	280.P.05A Proposed plans and elevations
Proposed Block Plan	11 February 2021	280.P.06A Proposed block plan
Tree Statement/Survey	7 October 2020	Arboricultural Method Statement
Design & Access Statement	7 October 2020	Design and Access Statement

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

11. **Background Papers**

11.1 None.