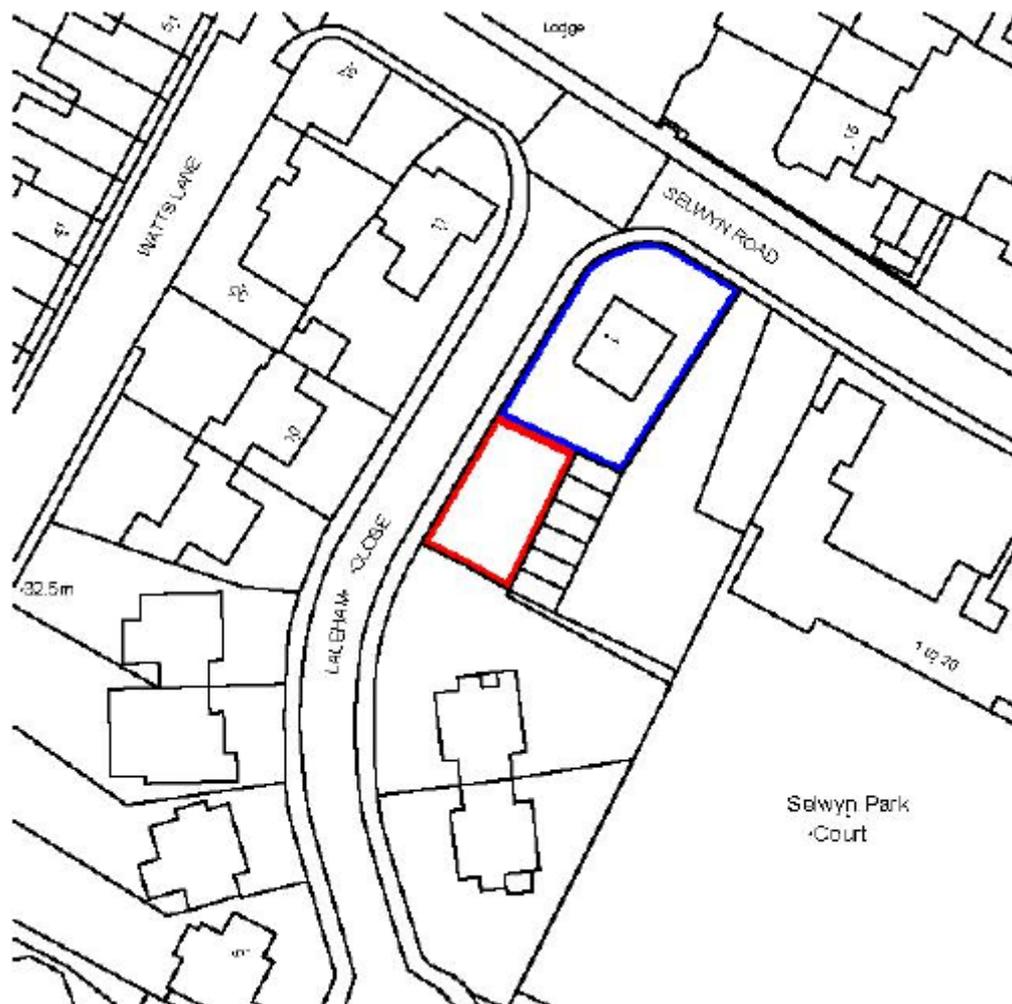


**Report to:** Planning Committee  
**Date:** 19<sup>th</sup> October 2021  
**Application No:** 210184  
**Location:** 1 Laleham Close, Eastbourne, BN21 2LQ  
**Proposal:** Erection of a single storey dwelling  
**Applicant:** Mrs L. Murtagh  
**Ward:** Upperton  
**Deadlines:** **Decision Due Date:** 28 April 2021  
**Neighbour Con. Expiry:** 30 April 2021 (re-consultation)  
**Recommendation:** Approve with conditions

**Contact Officer:** **Name:** Neil Collins  
**Post title:** Senior Specialist Advisor - Planning  
**E-mail:** neil.collins@eastbourne.gov.uk  
**Telephone number:** 01323 410000

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**Map Location:**



## 1. **Executive Summary**

- 1.1 This application is brought before the Planning Committee at the discretion of the Chair of the Committee and the Head of Planning, due to the number of objections received against the application.
- 1.2 This application follows the previous refusal of a two-storey, two-bed dwelling on this site, as it was not considered that the constrained site area could accommodate a two-storey building, together with its intended occupancy.
- 1.3 This application seeks planning permission for a reduced proposal, which would comprise a single-storey 1 bed dwelling following demolition of the existing garage on the site. The dwelling would provide associated outdoor amenity space and off-street parking for one vehicle at the front of the building with.
- 1.4 Officers consider that the revised scheme overcomes the previous reasons for refusal and, in balancing the planning considerations, weighs in favour of the provision of good quality sustainable housing, suitably sized and arranged on this underused brownfield site and sympathetic to the character of the surrounding area. The development would provide for its transport needs and those of the retained dwelling and the amenities of neighbouring residents would be preserved.
- 1.5 The proposal would meet adopted national and local planning policy and the application is therefore recommended for approval subject to conditions.

## 2. **Relevant Planning Policies**

### 2.1 National Planning Policy Framework 2019

2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places.

### 2.2 Eastbourne Core Strategy Local Plan 2006-2027

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C2: Upperton Neighbourhood Policy
- D1: Sustainable Development
- D2: Economy
- D5: Housing
- D7: Community Sport and Health

D8: Sustainable Travel  
D9: Natural Environment  
D10A: Design.

2.3 Eastbourne Borough Plan 2001-2011:

UHT1: Design of New Development  
UHT4: Visual Amenity  
UHT6: Tree Planting  
UHT7: Landscaping  
HO1: Residential Development Within the Existing Built-up Area  
H07: Redevelopment  
H09: Conversions and Change of Use  
HO20: Residential Amenity  
TR1: Locations for Major Development Proposals  
TR2: Travel Demands  
TR5: Contributions to the Cycle Network  
TR8: Contributions to the Pedestrian Network  
TR11: Car Parking  
NE4: Sustainable Drainage Systems  
NE23: Nature Conservation of Other Sites.

2.4 Supplementary Planning Documents and other relevant documents

Sustainable Building Design SPD  
Trees and Development SPG  
Eastbourne Townscape Guide SPG.

3. **Site Description**

- 3.1 The application is in the Upperton Neighbourhood and comprises an underused rear portion of the larger plot of 1 Laleham Close, which accommodated the main dwelling known as number 1 Laleham Close (which does not form part of the application site).
- 3.2 The site comprises a disused domestic garage and access (with dropped kerb), which formerly provided parking for the main dwelling, 1 Laleham Close. However, the site is overgrown and the existing garage is in a poor condition and does not currently provide good quality off-street parking facilities.
- 3.3 To the rear of the application site is a garage block associated with the residents of Selwyn Park Court, also located to the rear.
- 3.4 The site falls within the Environment Agency's Flood Risk Zone 1 and is therefore at low risk of flooding.
- 3.5 There are no protected trees on the application site or adjoining sites.

#### 4. **Relevant Planning History**

- 4.1 200569 Erection of 1no two-bedroom detached dwelling with 1no off road parking space (amended description) Planning Permission – Refused 18/09/2020.

#### 5. **Proposed Development**

- 5.1 This application follows the previous refusal of a two-storey, two-bed dwelling on this site, as it was not considered that the constrained site area could accommodate a two-storey building, together with its intended occupancy.
- 5.2 This application seeks planning permission for a reduced proposal, which would comprise a single-storey 1 bed dwelling following demolition of the existing garage on the site. The dwelling would comprise one bedroom and would have outdoor amenity space at the front of the building with off street parking for one vehicle. The applicant has also committed to providing two off-street parking spaces at the front of the retained dwelling, from Selwyn Road.

#### 6. **Consultations**

##### 6.1 External

##### 6.2 ESCC Highways

6.2.1 ESCC Highways has no objection to the proposal.

##### 6.3 Southern Water

6.3.1 No response received.

##### 6.4 Internal

6.4.1 None.

#### 7. **Neighbour Representations**

- 7.1 1 observation and 8no Objections have been received on the initial submission with a further 1 observation and 4no objections received on the amended scheme.

##### 7.2 Relevant planning comments on the scheme as originally submitted:

7.2.1 The main house would have no off-road parking.

7.2.2 Overdevelopment of the area.

7.2.3 Car parking remains an issue within Laleham Close.

7.2.4 The proposed dwelling exceeds the national space standards for single storey dwelling.

7.2.5 Poor relationship with surrounding area.

7.2.6 The scheme is not substantially altered from the previously refused submission under 200569.

7.2.7 Existing garage is currently unusable.

- 7.2.8 Scale, design and appearance is out of keeping with the existing properties in Laleham Close.
- 7.2.9 Would fail to meet policy D10(a) of the Core Strategy and policy UHT1 Design.
- 7.2.10 Effects on wildlife.
- 7.2.11 Proximity to the pavement.
- 7.3 Relevant planning comments on revised submission
  - 7.3.1 The inclusion of two parking spaces at 1 Laleham Close is welcomed.
  - 7.3.2 Building would still appear out of character.
  - 7.3.3 Parking concerns raised with the proposed dwelling.
  - 7.3.4 Overdevelopment.
  - 7.3.5 Still out of keeping with the character of the area.
  - 7.3.6 Small amenity area.
  - 7.3.7 Loss of garden space to host dwelling.
  - 7.3.8 Effects on wildlife.
  - 7.3.9 Would fail to meet policy D10(a) of the Core Strategy and policy UHT1 Design.
- 8. **Appraisal**
  - 8.1 Principle of Development
    - 8.1.1 The site is located within the development boundary of Eastbourne where the principle of sustainable residential development is supportable.
    - 8.1.2 Policy HO2 within the Eastbourne Borough plan identifies the area of Upperton as being predominantly residential, thus the proposal is consistent with this policy.
    - 8.1.3 The Core Strategy also states that Upperton is one of Eastbourne's most sustainable neighbourhoods. Additionally, Policy B1 of the Spatial Development Strategy within the Core Strategy explains that higher residential densities will be supported within these sustainable neighbourhoods. The current proposal would add to housing numbers in an area where development is favoured and consequently supported.
    - 8.1.4 Finally, the Council does not have a 5 year supply of deliverable housing land. In such cases housing applications are expected by paragraph 11 (d) of the NPPF to be considered in the context of the presumption in favour of sustainable development unless the harms would outweigh the benefits or a more restrictive approach to development is in force.
    - 8.1.5 As the Council are unable to demonstrate a five-year housing supply, the balance should tilt in favour of the policies within the NPPF.

8.1.6 Therefore, the proposed development is acceptable in principle providing the scheme would not result in significant detrimental impacts on the amenity of existing residential properties, the standard of accommodation is acceptable for future occupiers, and the design of the proposed dwelling is in keeping with the context of the area as set out by the Eastbourne Core Strategy Local Plan 2013 and saved policies of the Eastbourne Borough Plan 2007.

8.2 Impact upon the amenity of neighbouring occupants of the development:

8.2.1 The revised scheme has a reduced impact upon neighbouring occupants than the previous submission under 200569. However, the previous scheme did not raise any issues for the amenities enjoyed by adjoining occupiers and that remains the case for the current submission.

8.2.2 Therefore, it is considered that the proposed dwelling would not have a significant impact upon the amenity of neighbouring occupants.

8.3 Design

8.3.1 The objections received from interested parties in respect of the design, appearance and scale of the proposed dwelling have been noted. In addition, the comments raised in the previous refusal under 200569 have also formed part of the consideration of this amended scheme.

8.3.2 The previous scheme was refused on the grounds that the 'siting, layout, design, bulk, form, footprint' would be dominant on this constrained plot. In terms of alterations from the previous refusal, the scheme now provides for a reduced roof height and bulk on the plot from two to single storey, with omission of a previously proposed porch and the retention of a larger area of amenity space. It is considered that the host plot is sufficient to support a dwelling of this reduced size.

8.3.3 The general pattern of residential development at this point along Laleham Close is of two storey detached dwellings on significant plots. The application site is smaller than the established plot formation, but also awkwardly arranged for use by occupants of 1 Laleham Close, which would retain a suitable amount of outdoor amenity space for their needs. This portion of the site comprises an existing single storey garage on the site and a larger outbuilding could be constructed within the requirement for planning permission under permitted development allowances.

8.3.4 It is recognised that the layout and footprint are similar to the refused scheme. However, with the reduction in scale, the proposed dwelling would site more comfortably within this small site and it is not considered that the relatively minor departure from the predominance of two storey dwellings would result in any significant harm to the character of the area, nor would it outweigh the provision of a well-designed dwelling in a sustainable location when balancing the planning considerations.

- 8.3.5 The proposed dwelling would be detached, in keeping with its neighbours and would allow for a degree of separation from adjoining building commensurate with the prevailing character.
- 8.3.6 The proposed building would remain consistent with the established appearance of outbuildings in the vicinity, including but not limited to garages which are present immediately to the rear of the site but also farther afield along Selwyn Road and Roman Croft to the north. In addition, 4 Laleham Close is a chalet bungalow style dwelling which offers a different scale to the surrounding properties and is very much of the same scale and form as the proposed. Taking these considerations into account, it is not considered that the proposed dwelling would appear disruptive or unduly harmful.
- 8.3.7 The dwelling is proposed to be brick with tiled roof, which is generally in keeping with other development in the area. The specific colour and texture can be secured by condition.
- 8.3.8 The revised proposal would provide a small dwelling unit which could be satisfactorily accommodated within its plot. It would add to the mix of development and housing types in the wider area without causing undue harm to the character of the area.
- 8.3.9 Taking account of the above considerations, the proposed design is considered to be acceptable and would not detract from the visual appearance of the street scene or surrounding area.

#### 8.4 Amenity for future occupants

- 8.4.1 Quality of proposed accommodation
- 8.4.2 The proposed accommodation would provide a single storey one-bedroom dwelling with a gross internal floor area of approximately 54m<sup>2</sup>. This would meet the adopted nationally described space standards for a single storey, 1 bed 2 person dwelling.
- 8.4.3 The dwelling would be well-arranged on plan and, although there would no be outlook to the rear of the site, the dwelling would have a suitable quality of outlook for future occupiers.
- 8.4.4 The application originally proposed retention of the existing garage to the side of the proposed dwelling. However, this has been removed from the scheme in favour of an enclosed cycle store and additional amenity space. Due to the constraints of the site the amenity area is provided to the front of the dwelling in a style similar to a courtyard arrangement. Whilst the level of amenity space is constrained, it is considered to be of sufficient size for the intended occupancy and would be well-arranged for access from the dwelling.
- 8.4.5 Future occupants of the development would have an acceptable degree of privacy given the proposed boundary enclosure.
- 8.4.6 Taking account of the above, the proposed accommodation would comprise an acceptable standard.

#### 8.5 Accessibility and impacts upon highway networks.

- 8.5.1 Section 9 of the NPPF promotes sustainable transport and how this can be delivered through the planning system. Paragraph 103 states

that development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

- 8.5.2 Policy TR2 of the Eastbourne Borough Plan states that development proposals should provide for the travel demands they create and shall be met by a balanced provision for access by public transport, cycling and walking. Additionally, Policy D8 of the Core Strategy recognises the importance of high-quality transport networks and seeks to reduce the town's dependency on the private car.
- 8.5.3 Comments received in respect of parking and impacts on the existing road network are noted. The revised scheme now provides 2 no parking spaces to the front of the main dwelling with a single space provided within the application site. This would provide a satisfactory parking provision both for existing and future occupants and is in line with the requirements of ESCC Highways. As a result, ESCC Highways offer no objection to the amended scheme as now proposed.
- 8.5.4 Accessibility
- 8.5.5 The site is in a highly sustainable location from a transport perspective and that the transport needs of the development could be adequately met by walking, cycling and public transport.
- 8.5.6 The site is located within the Upperton Neighbourhood and is a short distance from the Town Centre and its amenities. A range of public transport options are available to future residents, including buses for local travel and train services from Eastbourne Railway Station to Lewes, Brighton and Hastings which provide connections for onward journeys.
- 8.5.7 Parking
- 8.5.8 The proposal would provide 1 off-street parking space for occupants of the proposed dwelling. The applicant has, during the course of the application, committed to providing an additional two parking spaces for the retained 1 Laleham Close, accessed from Selwyn Road.
- 8.5.9 The proposed off-street parking would be similar to the existing, being in the same location. Visibility would be improved compared to the existing arrangement through the provision of a chamfered arrangement for the new boundary enclosure of the garden space.
- 8.5.10 A cycle store would also be provided and it is considered that this would encourage the use of bicycles to reach nearby destinations within the town reducing the need for private car ownership in the future.
- 8.5.11 The combined provision, together with the other public transport means available to residents, would provide for the transport demands of future occupants.

## 8.6 Other matters

### 8.6.1 Refuse and Recycling Storage Facilities

8.6.2 The outdoor amenity area provides space for refuse and recycling storage provision.

8.6.3 Drainage

8.6.4 *Surface Water*

8.6.5 The applicant has not submitted any details to demonstrate how surface water would be managed at the site. However, the building would be relatively small-scale and it is considered that rainfall could be adequately managed either through discharge to the public sewer with the agreement of Southern Water, or by sustainable drainage measures if this is not possible. A condition is attached to ensure that this is adequately managed.

8.6.6 Community Infrastructure Levy

8.6.7 The development is CIL liable.

## 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 considered 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 Grant planning permission subject to the following conditions:

10.2 Time Limit – 3 years.

10.3 Approved Plans.

10.4 External Materials.

10.5 SuDS Scheme or agreement with Southern Water regarding discharge rates prior to commencement. Any SuDS scheme to be accompanied by a maintenance and management plan.

10.6 Surface Water Drainage Scheme – evidence of implementation of any agreed scheme.

10.7 Off-street parking provided prior to first occupation.

10.8 Details of planting and provision in first planting season (and replaced if not established / dies within 5 years).

10.9 Provision of 1 x electric vehicle charging point.

10.10 No occupation until car parking provided and thereafter maintained.

10.11 No occupation until secure and covered bin and bike stores provided.

10.12 Permitted Development Rights removed (including hard surfacing / boundary enclosures).

11. **Appeal**

11.1 Should the applicant appeal the decision the appropriate course of action to be followed, considering the criteria set by the Planning Inspectorate, is written representations.

12. **Background Papers**

12.1 None.