

App.No: 140740 (PPP)	Decision Due Date: 23 August 2014	Ward: St Anthonys
Officer: Jane Sabin	Site visit date: 18 July 2014	Type: Planning Permission
Site Notice(s) Expiry date: N/A		
Neighbour Con Expiry: 30 July 2014		
Weekly list Expiry: 1 August 2014		
Press Notice(s): N/A		
Over 8/13 week reason: To bring to planning committee		
Location: 3 Churchdale Place		
Proposal: Erection of a two storey, two bedroom attached dwelling.		
Applicant: Mr R Weston		
Recommendation: Refuse Planning Permission		

Executive summary:

The proposed development would be an overdevelopment of a restricted site, by reason of its scale and siting, and would be out of character with, and detrimental to the regular and symmetrical layout of the surrounding properties, and the outlook from the adjacent dwelling.

Planning Status:

Residential area
EBC covenants
Willingdon Levels catchment area

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C6: Roselands & Bridgemere Neighbourhood Policy
D1: Sustainable Development
D5: Housing
D10A: Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development
UHT4: Visual Amenity

HO1: Residential Development Within the Existing Built-up Area

HO2: Predominantly Residential Areas

HO6: Infill Development

HO20: Residential Amenity

TR2: Travel Demands

TR6: Facilities for Cyclists

TR11: Car Parking

US4: Flood Protection and Surface Water Disposal

Site Description:

This small, semi-detached, inter-war, two-storey dwelling is located in the northern corner of this small cul-de-sac of eight properties arranged as four identical pairs arranged in a symmetrical pattern. It has a wide side garden, and part of the garden of a dwelling in Northbourne Road was purchased some years ago to enlarge the rear garden. A hardstanding for one vehicle is located in the front garden. The application site is defined as the whole of the side garden, approximately half of the additional rear garden, and half of the front garden.

Relevant Planning History:

820319

Two storey extension at the side to provide a dining room and WC, with an additional bedroom and bathroom over.

Approved 21/01/1982 NOT IMPLEMENTED

080550

Erection of a detached two-bedroom house with parking spaces in the rear garden of 3 Churchdale Place

Refused 14/10/2008

Proposed development:

Permission is sought to construct a two storey extension attached to the side of 3 Churchdale Place, with the same footprint but set back 1.5m from the front. The design of the proposed dwelling is broadly similar to the existing dwellings in the close, but with a lower ridge line building line, whilst maintaining the existing angle of the pitch. The materials are to match the brick, tiles and UPVC windows and doors. The front forecourt would provide one parking space, aligned with the side boundary fence and therefore at an angle to the road.

Consultations:

Internal:

Estate Manager – confirms that the Council holds the benefit of a covenant on the property, and the owner will have to obtain consent under this covenant as well as planning permission.

Highways ESCC – no objections, although the parking arrangement is not ideal.

Specialist Advisor (Planning Policy) – the site has not been identified in the Strategic Housing Land Availability Assessment, and would therefore be classed as a windfall site. If approved it would attract a contribution of £1356.33 towards affordable housing, as required by policy D5, as well as a contribution towards flood storage of £597, both to be

secured through a s106 agreement. The previous refusal is noted, and it is important to ensure the proposal will not adversely affect the character of the built up area.

Neighbour Representations:

Three objections have been received (one signed by 13 residents) and cover the following points:

- The development will adversely affect the character of the small close, its planned layout and the area in general; it would result in a further dwelling being crammed into a small space, resulting in an eyesore
- The rear of the property would be out of alignment with the existing rear walls, and if trees were to be removed, this would be intrusive for the residents of Northbourne Road
- Will adversely affect parking in the close, which is very limited, and would result in bad relations between neighbours; this is exacerbated by another dwelling being erected on the corner of Churchdale Road and Churchdale Place; existing problems with access for deliveries, refuse vehicles and emergency vehicles would be exacerbated
- The pair of semis should not become a terrace (the same principle which was applied to 65 Churchdale Road)
- Concerns that the proposal would lead to properties in Northbourne Road being flooded
- Loss of property value
- Noise

Appraisal:

Principle of development:

Government advice and local policies encourage the use of previously developed land to provide housing, however gardens are no longer classed as brownfield land, and, as such, there is no presumption in favour of such developments. Paragraph 53 of the National Planning Policy Framework (NPPF) states: *Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.*

Nevertheless, this does not preclude infill development where appropriate, although the NPPF goes on at para.56: *The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*

Although the size of the garden is generous, the site is a very irregular shape, which makes the siting of further development difficult to assimilate satisfactorily into its surroundings. The precise siting of the dwelling has been set back in an attempt to address the relationship with the adjacent property and the planned layout of the close, however the result has not been successful, and the dwelling sits awkwardly on the site, out of keeping with the pattern of development of the close, and the front forecourt arrangement appears contrived. Together these elements demonstrate that the proposal would be an overdevelopment of a restricted site, out of character with its surroundings.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

It is considered that the scale and siting of the proposal would have an adverse impact on the outlook from 5 Churchdale Place and the character and appearance of the symmetrical layout of the close.

Impacts on trees:

There are none worthy of formal protection on the site.

Impacts on highway network or access:

The provision of one additional small dwelling is unlikely to have a significant impact on highway safety, or on the capacity of the roads in the vicinity. It is agreed that the awkward parking arrangement is not ideal, but a refusal on this reason would not be sustainable.

Other matters:

The applicant is aware of the financial requirements towards affordable housing, and has indicated that the calculated sum is acceptable.

Human Rights Implications:

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.

Conclusion:

The proposed development would be an overdevelopment of a restricted site, by reason of its scale and siting, and would be out of character with, and detrimental to the regular and symmetrical layout of the surrounding properties, and the outlook from the adjacent dwelling.

Recommendation: Refuse for the following reasons:

- (1)The proposed development would be an overdevelopment of a restricted site, by reason of its scale and siting, and would be out of character with, and detrimental to the regular and symmetrical layout of the surrounding properties, and the outlook from the adjacent dwelling. The proposal therefore conflicts with policies UHT1, UHT4, HO6, and HO20 of the Eastbourne Borough Plan (Saved Policies) 2007, policies B2, C6 and D10A of the Eastbourne Core Strategy Local Plan 2013 and paragraph 56 of the National Planning Policy Framework.
- (2)The application makes no provision for affordable housing or compensatory flood storage and therefore conflicts with policy D5 of the Eastbourne Core Strategy Local Plan 2013 and policy US4 of the Eastbourne Borough Plan (Saved Policies) 2007.

Appeal:

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