

App.No: 141497 (PPP)	Decision Due Date: 29 January 2015	Ward: Langney
Officer: Leigh Palmer	Site visit date:	Type: Planning Permission
Site Notice(s) Expiry date: 29 December 2014 Neighbour Con Expiry: 29 December 2014 Weekly list Expiry: Press Notice(s):		
Over 8/13 week reason:		
Location: 55 Friday Street, Eastbourne		
Proposal: Demolition of existing garage and erection of 1no. two-storey3-bedroomed detached dwelling house, with parking for 2no. cars and access from Sorrel Drive.		
Applicant: Mr Stuart Bellwood		
Recommendation: Refuse Permission		

Planning Status:

The application site is located within a predominantly residential area.

Eastbourne Core Strategy Policy

Eastbourne Core Strategy Local Plan 2006-2027

C9 Shinewater & North Langney Neighbourhood Policy

D5 Housing Low Value Neighbourhoods

B2 Creating Sustainable Neighbourhoods (seeks to protect the residential and environmental amenity of existing and future residents)

D1 Sustainable Development

D5 Housing

D10A Design

Borough Plan Policies

Eastbourne Borough Plan 2001-2011

HO2 Predominantly Residential Areas

US4 Flood Protection and Surface Water

HO2 Predominantly Residential Areas

UHT1 Design of New Development

UHT 4 Visual Amenity (states that proposals which have an unacceptable detrimental impact upon visual amenity will be refused.)

HO2 Predominantly Residential Areas

HO6 Infill Development

TR2 Travel Demands

TR11 Car Parking

Policy HO20 requires new development proposals and extensions to existing buildings respect residential amenity.

Relevant Planning Policies:

National Planning Policy Framework

Section 1 Building a strong and competitive economy

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Key paragraphs are considered to be 7, 11-14, 17, 56-61, 157-158, 186-187

Site Description:

Application plot relates to part of the garden/curtilage of the residential property at No 55 Friday Street. Currently the site comprises a garage building with hard standing/parking/turning area with an access onto Sorrell Drive.

The rear boundaries of the properties in this stretch of Friday Street abut Sorrell Drive and are formed by mature trees and soft landscape screen (in Council ownership and control). For this part of the Sorrell Drive save for the access to the applicants garage (application plot) the built form on the opposite side of the highway and this stretch remains undeveloped.

The wider area has development across both sides of Sorrell Drive.

The adjacent plots/properties in Friday Street have their main dwelling facing Friday Street with their gardens and domestic paraphernalia to the rear.

Relevant Planning History:

EB/1993/0113 Erection of a conservatory at the rear.

Granted (Five years).1993-05-14

EB/1982/0441 Single-storey extension at side and rear, to provide an enlarged lounge/dining room and a store. Granted (Five years).1982-11-26

EB/1981/0232 Erection of a two-storey extension at side to provide an enlarged bedroom, lounge and living area, together with an en-suite bathroom and store on the ground floor; 2 bedrooms and a store on the first floor, with a detached garage and workshop at rear. Granted, subject to conditions. 1981-05-12

EB/1980/0573 Erection of a detached three-bedroom bungalow, with a detached double domestic garage at rear, Granted, subject to conditions. 1980-10-14

EB/1980/0368 Erection of a detached one-bed c garage. Granted, subject to conditions. 1980-08-12

EB/1979/0539 Erection of one detached bungalow and one detached chalet-bungalow, with a detached pair of domestic garages and access from Shinewater Lane. Granted, subject to conditions. 1979-10-16

EB/1979/0396 Erection of a detached three-bedroom bungalow, with a detached double domestic garage with access from Shinewater Lane. Granted (Five years).

1979-07-24

EB/1979/0044 Erection of a single-storey dwelling, and garage. Granted, subject to conditions. 1979-03-13

EB/1961/0268 Sub-division of land to form a separate private garden, adjacent to proposed dwelling house plot. Granted. 1961-05-04

EB/1961/0135 Erection of a detached bungalow, and store. Granted. 1961-03-23

EB/1960/0381 Use for the erection of a bungalow, and a domestic garage. Granted, subject to conditions. 1960-07-21

010329 Ground and first floor extension at rear. Planning Permission Approved conditionally 03/09/2001

01038 Proposed single storey extension at rear of dwelling. Planning Permission Approved conditionally 08/10/2001

020373 Erection of conservatory. Planning Permission Approved unconditionally 18/11/2002

080105 Erection of replacement double garage to the rear of the application
Site Planning Permission Approved conditionally 15/04/2008

090210 Provision of dormer at rear. Planning Permission Approved conditionally 27/05/2009

131026 Construction of hard-standing for two car parking spaces and new private access. Householder Approved conditional 06/03/2014

950329 Erection of a conservatory. Planning Permission Approved unconditionally 25/07/1995

Proposed development:

Application relates to the demolition of the existing garage and the erection of a 3-bedroom chalet style property.

Ground floor:- Main entrance, shower room, study, utility room and kitchen/living room.

Garden area:- Bike and bin store, off street parking for two cars, side garden patio area of some 102sqm.

First floor:- three double bedrooms and bathroom.

The internal size of the chalet style property is some 140sqm (1,500sqft). The height to the ridge of the property is some 6m.

The external appearance is to be formed from rendered walls under a pitched Roof. The roof incorporates 12 roof lights.

Consultations:Internal:

Estate Manager

Specialist Advisor (Arboriculture) The applicant indicates the retention of the Council owned landscape belt which fronts Sorrel Drive, but has not provided an arboricultural report to support the intention. An Oak tree is located close to the site and without an assessment of the likely that there may be pressures placed for tree reduction to improve residential amenity/building/tree conflicts.

External:

North Langney Community Forum No response received

Highways ESCC:- Acceptable in highway terms as the scheme provides sufficient parking, however if to be supported then Planning Conditions be imposed requiring cycle parking and that the approved access and parking to the front of No 55 Friday Street shall be provided prior to any development commences with this scheme. The failure to do so would leave No 55 Friday Street would leave this property without any off street parking.

Neighbour Representations:

1 letter of objections has been received and cover the following points:

- Loss of privacy through direct overlooking
- Impact upon the peaceful enjoyment of their home and garden
- Already overlooked by the dormer to the rear of No 55 Friday Street, this scheme would result in property and gardens being overlooked by two properties
- Out of keeping with the character of the area
- Visually overbearing
- The majority of the properties are bungalows (single storey)
- Overdevelopment of the site
- Small back to back gardens
- Location of parking area will cause noise impacts
- Possible traffic hazards by vehicles reversing onto Sorrel Drive
- Increase in traffic would detrimental to the local environment
- Would set a precedent

Appraisal:Principle of development:

Local plan policies and national guidance support the provision of sustainable development including the provision of new housing. However these same policies and guidance also requires that development should not result in harm to the natural, built and historic environment; further good design is indivisible from good planning.

The application proposes an additional dwelling in the Langney Neighbourhood, contributing to the Councils spatial development strategy (Policy B1 of the Core Strategy). The proposed development will assist in meeting the identified housing delivery target for the neighbourhood. The development would conform to the North Langney and Shinewater Neighbourhood Policy (Policy C9 of the Core Strategy) in providing residential accommodation, and is therefore considered sustainable development.

The NPPF is clear that sustainable residential development should be granted planning permission to ensure greater choice of the housing in the local market and to meet local and national housing needs. The site has not been formally identified within the Council's Strategic Housing Land Availability Assessment, therefore would be classified as a windfall site. The Council relies on windfall sites coming forward as part of its spatial development strategy (policy B1 of the Core Strategy Local Plan).

Paragraph 17 of the NPPF states that Local Planning Authorities should encourage the effective use of the land by reusing land that has been previously developed (brownfield land), provided it is not of high environmental value.

It is considered therefore that the principle of residential development is acceptable subject to compliance with other relevant planning policies within the development plan.

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

It is considered that the creation of new dwelling with all of its domestic paraphernalia in the location proposed would result in an intrusive development that would be incongruous in the particular local context.

The scheme introduces a new dwelling where there has not been one before and as such it introduces a degree of loss of amenity to the occupiers of the adjacent and adjoining properties through direct overlooking and overshadowing. It is accepted that the scheme has been designed to mitigate both of these issues, the reliance on the roof lights and the first floor accommodation primarily within the roof space.

Notwithstanding these design solutions the scheme, in the opinion of the Council results in substantive impacts upon the amenities of the occupiers of the adjoining properties. The gable windows will provide direct views into neighbouring plots/properties, it is accepted that these views will be oblique and in terms of the gable window to bedroom No 3 is mitigated to some extent by an existing garage on the boundary. In addition given the height of the building and the orientation of the plot it is considered that the new dwelling will to some degree impact upon the sunlight to the occupiers of the neighbouring plot, it is acknowledged that this degree of overbearingness is mitigated to some degree by the separation between the new building and the main garden of No 57 Friday Street along with the buffer of the garage in between.

It is considered that the amenity space, albeit located to the side/flank of the property is of an appropriate useable size (around 100sqm).

Notwithstanding the size of the garden area it is considered that the height of the existing tree cover adjacent to the development plot is likely to have a material impact upon the quality of this garden environment and thereby reducing its likely use as external amenity space. In addition it is considered that the proximity of the tree cover is also likely to have a material impact upon the front of the proposed property such that the internal living environment would be overly dark.

The impacts caused by the existing tree screen are such that the Council will be under undue pressure to reduce/remove the tree screen to improve and enhance the available light to the site and property. If the tree screen were reduced/removed it would have a marked impact upon the site and surrounding area.

In addition if this scheme is supported it would set a precedent that would make it difficult to resist other similar developments in the area which would further erode the mature landscaping along this stretch of Sorrel Drive and as commented elsewhere this mature landscaping belt makes a highly valued contribution to the site and surrounding area.

Design issues:

It is considered that the proposal is not of such high quality design to warrant an approval in and of itself.

It is acknowledged that the Friday Street properties possess individual character although the properties in Sorrell Drive and surround street are predominantly characterised by two storey properties sharing common architectural features. It is considered that the proposal would be out from the character and wider area and would thereby be intrusive.

Impacts on trees:

This stretch of Sorrell Drive does not have residential properties facing directly onto it and this proposal would be the first in this immediate stretch; if supported this scheme may place the remainder of the soft landscaping buffer along this stretch as this scheme would set a precedent against which other applications could follow. If further application were to follow there would be an incremental loss of this landscape buffer which is considered to provide high landscape value and makes a significant contribution to the local townscape and amenity of the area.

Impacts on highway network or access:

This proposal would result in the existing property (55 Friday Street) not having any off street parking as it would be lost to this scheme. It is accepted that the owners have received planning permission for the creation of a new access directly onto Friday Street.

At the time of the site visit this had not been implemented. If support is given to this scheme then a condition should be attached requiring that the new access and parking area to the front of Friday Street should be provided prior to the commencement of this scheme/development.

Sustainable development implications:

The development would be built using modern construction standards and built to current building regulations and as such would deliver a sustainable form of development.

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.

Recommendation:

1. The proposals by reason of their position, size, design and external appearance would be an intrusive development, out of scale and character with the prevailing pattern of development in the locality, as well as having a serious and adverse effect on the amenities enjoyed by occupants of neighbouring property, and would be contrary to policies HO6, HO20 UHT1 and UHT4 of the Eastbourne Borough Plan 2001 – 2011 and policies B1, and D10A of the Eastbourne Core Strategy Local Plan 2013 and paras 17 paras 56-65 of the National Planning Policy Framework.
2. The application fails to demonstrate a scheme for the delivery of off street parking for the existing property (NO 55 Friday Street) and in the absence of additional information the council cannot consider the implications of this part of the proposal, it is considered that the scheme would give rise to highway and pedestrian safety issues as a result of No 55 Friday Street not having any off street parking spaces. The scheme would be contrary to Policy TR11 Eastbourne Local Plan
3. Without any evidence to the contrary it is considered that the existing adjacent mature landscaping/tree screen would have an overbearing relationship with the development plot/property such that it would have a material impact upon the amenities and living environment of the living environment for the future occupiers of the property and would be contrary to policies HO6, HO20 UHT1 and UHT4 of the Eastbourne Borough Plan 2001 – 2011 and policies B1, and D10A of the Eastbourne Core Strategy Local Plan 2013 and paras 17 paras 56-65 of the National Planning Policy Framework.
4. The development is likely to result in pressure for tree reduction/removal within the mature landscape area adjacent to Sorrell Drive and as such that would have a material impact upon the character of the appearance of the area and would be contrary to policies HO6, HO20 UHT1 and UHT4 of the Eastbourne Borough Plan 2001 – 2011 and policies B1, and D10A of the Eastbourne Core Strategy Local Plan 2013 and paras 17 paras 56-65 of the National Planning Policy Framework.

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**.