

App.No: 141520	Decision Due Date: 17 March 2015	Ward: Old Town
Officer: Richard Elder	Site visit date: 11 March 2015	Type: Planning Permission
Site Notice(s) Expiry date: 15 February 2015		
Neighbour Con Expiry: 15 February 2015		
Weekly list Expiry: 15 February 2015		
Press Notice(s): n/a		
Over 8/13 week reason: Referred to committee		
Location: Land within the curtilage of 72, Sancroft Road, Eastbourne		
Proposal: Erection of 1 no. two-storey dwelling on land adjacent to 72 Sancroft Road		
Applicant: Mr Austin Ward		
Recommendation: Refuse		

Planning Status:

Predominantly residential area.

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure.
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
9. Protecting green belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment
13. Facilitating the sustainable use of minerals

Core Strategy Local Plan 2013 Policies

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C4 Old Town Neighbourhood Policy
D1: Sustainable Development
D5: Housing

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
HO1: Residential Development Within the Existing Built-up Area
HO6: Infill Development
HO20: Residential Amenity
TR11: Car Parking

Site Description:

Application site comprises a 2 storey detached house with attached single storey garage to the side located on the west side of Sancroft Road at its north end on a corner site backing onto Cherry Garden Road and the junction with Osborne Road. The area is characterised by post war detached and semi-detached 2 storey houses incorporating pitched tiled roofs

The street slopes relatively steeply towards the northern end where it meets Osborne Road and Cherry Garden Road. The application site slopes relatively steeply upwards in line with the gradient of the street. The house at no.72 Sancroft Road is set at the highest point of the road and is approximately 1 metre higher than its neighbour to the south at no.70 where the road slopes steeper up to the junction With Osborne Road

Relevant Planning History:

130404 New dwelling adjacent to 72. A handed version of 72 Sancroft Road with matching materials. Planning Permission Refused 01/10/2013 for the following reasons:

1. The proposed development is considered unacceptable by virtue of its excessive footprint and massing which would dominate this constrained corner site, requiring significant alterations to ground levels to facilitate the development. As such, it is considered that the proposal would be inappropriate, unsympathetic and would fail to harmonise with the character, appearance and development pattern of the local area contrary to Policies UHT1, UHT4 and HO6 of the Eastbourne Local Plan and Policies B1 and B2 of the Eastbourne Core Strategy and the National Planning Policy Framework.

2. The proposed development would significantly harm surrounding visual and environmental amenity of existing and future residents by virtue of its inappropriate and obtrusive siting resulting in the potential loss of existing trees, bushes and planting and the open nature of the garden on this sweeping corner on a prominent junction. As such, the

proposal would be contrary to Policies H06 and HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

3. The proposed development is considered unacceptable by virtue of its failure to provide sufficient off-street parking spaces for the proposed and existing houses which is likely to add to increased overnight on-street parking stress in the local area and highway safety concerns on a busy junction. As such, the proposal would be contrary to Policy TR11 of the Eastbourne Borough Local Plan and East Sussex County Council parking standards SPG.

4. It has not been demonstrated that the proposed development would address principles of sustainable development or meet the minimum requirement of Code Level 4 of the Code for Sustainable Homes. As such, it is considered that the proposal is unacceptable and fails to accord with Policy D1 of the Eastbourne Core Strategy and the requirements of the Sustainable Building Design Supplementary Planning Document.

Proposed development:

The proposal involves the demolition of the attached garage to the side of the existing house and erection of a 2 storey, 3 bedroom house within the side garden to form a semi-detached house. The finished floor level would match that of the existing house, set back from the front of no.72 by approximately 1.2 metres. The footprint of the house would project past the rear elevation of no.72 by 2.95 metres and the height would be approximately 0.75 metres lower than no.72. Solar panels are proposed within the north facing side roof slope.

The new house would have a front and rear garden with a section to the side. Due to the raised ground level to the side and rear of the existing house, the footprint of the proposed house would require excavation down into the soil to be level with the existing house.

Two off street parking space would be provided for the new house on the existing driveway utilising the existing crossover. The plans show a new vehicular crossover would be provided to serve the existing house to provide 2 off-street parking spaces.

The main differences between the current proposal and the previous refused scheme is a reduced height and width to provide a semi-detached house rather than a detached house and the provision of 2 off-street parking spaces for each house. The north side elevation comprises a more articulated elevation incorporating ground and first floor windows and French doors within a canted bay window and solar panels within the north roof slope. The proposed house projects further into the rear garden than the previous house on the boundary with no.72 and would be built into the rear sloping garden.

Consultations:Internal:

Specialist Advisor Trees : No objection subject to conditions

External:

None

Neighbour Representations:

18 Objections have been received from 16 properties and cover the following points:

- Little changed in this new application.
- Overdevelopment of site and excessive footprint barely fits into this small site. Proximity to side boundary would be detrimental to amenity of adjoining residents and general character of the residential area.
- Design not in symmetry with existing house being semi-detached, appears squashed and an afterthought. Would fail to maintain the visual continuity of semi-detached houses in the street.
- Inappropriate and obtrusive siting, unsustainable, unsympathetic and would fail to harmonise with the character of the local residential area.
- Houses built at the end of streets in the area are built on larger plots and proposal would be out of keeping with the character and appearance, harmful to the visual and environmental amenity .
- Would reduce on-street parking spaces where parking is difficult in the street in the evening and weekends.
- Siting/location and associated parking would be dangerous on this busy corner of 3 roads and bus route.
- Sancroft Road used as a ratrun.
- Loss of trees, bushes, and open nature of the garden on this prominent site.
- Would overlook neighbours and be overlooked.
- Would significantly reduce shrubs, plants, trees and garden area.
- Excavation would cause surface water run-off to road.
- Would set precedent for future in-fill development in an already built up residential area.
- Would be contrary to Planning Policy.
- Highway safety issues with parking and sight lines around the corner and additional traffic on a bus route. Accident waiting to happen.
- Additional crossover would result in loss of an off street parking space.
- Building work would cause noise, disturbance and stress for residents.
- Being built on the boundary of the Downs National Park and would obscure views through to The Downs.
- Not affordable housing.

Appraisal:Principle of Development

Paragraph 17 of The National Planning Policy Framework 2012 states that Local Planning Authorities should encourage the effective use of land by

reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. Paragraph 53 goes on to say that inappropriate development of residential gardens should be resisted where development would cause harm to the local area.

The application site is a residential garden and is considered a greenfield site as such. The NPPF seeks to resist development such as this unless it would not cause harm to the local area.

Reasons for refusal 1 and 2 of the previous application 130404 set out that the principle of development on this site is not acceptable and would constitute an inappropriate form of development that would harm the visual and environmental amenity of the local area. As such, it is considered that this amended resubmission does not address these reasons for refusal and the proposal remains an inappropriate form of development in this location.

Other considerations in the determination of this proposal relate to whether the development is sympathetic to the character and appearance of the surrounding residential area, its impact on residential amenity and its acceptability on highway grounds with regard to sufficient provision of off street parking spaces and additional crossover serving the existing house.

Design, Siting and Layout

Policy UHT1 of the Eastbourne Local Plan states that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials (preferably locally sourced), setting, alignment and layout. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy H06 states that within primarily residential areas planning permission will be granted for infill residential development, where it can be satisfactorily demonstrated that the development of other adjacent sites would not be unreasonably prejudiced subject to appropriate siting, scale and materials which reflects the local townscape.

Policy B1 of the Eastbourne Core Strategy states that spatial development strategy will deliver at least 5,022 dwellings by 2027 within the built up area boundary, in accordance with the principles of sustainable development. It will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land. Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character.

The side garden of the existing house serves to provide an openness and an element of development relief to the sweeping corner site where the land slopes relatively steeply up to Osborne Road and Cherry Garden Road. It is similar to the treatment of the sweeping corner site opposite to Osborne

Road and Cherry Garden Road where there is a hedge and trees to the boundary. It is considered therefore, that this sloping garden site provides an element of visual amenity, where there are trees and bushes located around the edge of the site, adjacent to the public realm on a prominent location.

The flank elevation of the house would be set in approximately 4.5 – 5.5 metres from the sweeping side boundary to the junction, approximately 3 metres more than the previous application. This would constitute a significant improvement in this respect. However, to compensate, the proposed house extends significantly further into the rear sloping garden, still occupying a sizeable footprint on the site. In addition, it is still likely that many of the trees and bushes along the side boundary would be lost due to the proposed excavation into the sloping ground where retaining walls would be required to hold back the soil. No details have been submitted of any trees, bushes or planting to be retained. In this regard, the proposal would still fail to enhance the appearance of the area and would have a detrimental impact on surrounding visual and environmental amenity.

No topographical information has been submitted with the application with regards to how the proposal would address differing ground levels across the site, access and front driveway. The house would be set approximately 0.6 metres below the existing level of the side garage but has not addressed the upward sloping gradient of the existing front driveway or the upward sloping gradient of the side garden. It would appear, then, that in order to achieve a 2 storey house on the site, it would need to be set into the ground to match that of the existing house requiring significant excavation works to prevent it from being overly dominant and intrusive within the street scene. It is considered that the significant regrading works would also have an adverse impact on the character and appearance of the local area and natural topography on a prominent side garden site.

It is considered, therefore, that the proposal is ill-conceived and would fail to address any of the constraints or amenity value of the site in this prominent location. It would dominate this constrained corner site, requiring significant alterations to the site and topography to facilitate the development. As such, it is considered that the proposal would be inappropriate, unsympathetic, would fail to harmonise with the character and appearance of the local area and would harm the appearance of the local area as a result, contrary to Policies UHT1, UHT4 and HO6 of the Eastbourne Local Plan and Policies B1 and B2 of the Eastbourne Core Strategy and the National Planning Policy Framework.

Residential Amenity

Policies HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. Policy H06 states that within primarily residential areas planning permission will be granted for infill residential development, where it can be satisfactorily

demonstrated that the development would not significantly harm residential or environmental amenity.

Policy B2 of the Eastbourne Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

The proposed house is significantly longer than the previous proposal. Being a semi-detached house, it would be sited on the boundary and extend past the rear elevation of no.72 Sancroft Road by 2.95 metres. It is considered that this would not result in any significant loss of sunlight or daylight to the rear of no.72. However, it is considered that as it would extend further into the sloping garden at ground and first floor level, it is likely to create an enclosed and unneighbourly form of development in relation to the existing house and a significant amount of bulk at first floor level edging towards the corner of Cherry Garden Road. The size of the resulting rear garden would be very small and the slope to the garden would limit its usefulness for a 3 bedroom family house, contrary to paragraphs 17 and 53 of the NPPF.

Although the proposed house would not result in any significant loss of sunlight, daylight, overshadowing, loss of privacy or outlook to surrounding residential properties, it is considered that its inappropriate siting within a side residential garden on a prominent corner junction, potential loss of the existing trees, bushes and planting at the site and the loss of the open nature of the garden on the sweeping corner would significantly harm surrounding visual and environmental amenity of existing and future residents. The submitted plans and details fail to demonstrate that this would not be the case.

As such, it is considered that the proposal would significantly harm visual and environmental amenity contrary to Policies H06 and HO20 of the Eastbourne Local Plan, Policy B2 of the Eastbourne Core Strategy and paragraphs 17 and 53 of the NPPF.

Highway Considerations

Policy TR11 of the Eastbourne Local plan states that new development must comply with approved maximum car parking standards as set out in the East Sussex County Council Highways SPG parking standards.

Policy H06 states that within primarily residential areas planning permission will be granted for infill residential development, where it can be satisfactorily demonstrated that provision of adequate car parking would be provided.

East Sussex parking standards would require 2 off street or allocated parking spaces for a 3 bed house. The proposal would provide 2 off-street parking spaces for the new house within a regraded and extended hardstanding of the existing driveway to no.72 Sancroft Road and 2 off-street parking spaces within the resulting front garden of no.72 Sancroft Road. The 2 spaces for the existing house could be controlled by a Grampian condition to be

provided prior to occupation of the new house and thus would meet the East Sussex parking standard requirements. Therefore, it is considered that the proposal would adequately address reason for refusal 3.

As such, it is considered that the proposal would accord with Policy TR11 of the Eastbourne Borough Local Plan and East Sussex County Council parking standards SPG.

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:

It is considered, therefore, that the proposed 2 storey house within the side garden of no. 72 Sancroft Road is ill-conceived and would fail to address any of the constraints or amenity value of the site in this prominent location. It would unacceptably dominate this constrained corner site, requiring significant alterations to the site to facilitate the development. As such, it is considered that the proposal is inappropriate, unsympathetic, would fail to harmonise with the character and appearance of the local area and would harm the local area as a result, contrary to Policies UHT1, UHT4 and HO6 of the Eastbourne Local Plan and Policies B1 and B2 of the Eastbourne Core Strategy and the National Planning Policy Framework.

The potential loss of the existing trees, bushes and planting at the site and the open nature of the garden on this sweeping corner on a prominent junction would significantly harm surrounding visual and environmental amenity of existing and future residents contrary to Policies H06 and HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Recommendation:

Refuse

Reasons for Refusal:

1. The proposed development is considered unacceptable by virtue of its excessive footprint and massing which would dominate this constrained corner site, requiring significant alterations to ground levels to facilitate the development. As such, it is considered that the proposal would be inappropriate, unsympathetic and would fail to harmonise with the character, appearance and development pattern of the local area contrary to Policies UHT1, UHT4 and HO6 of the Eastbourne Local Plan, Policies B1 and B2 of the Eastbourne Core Strategy and paragraph 53 of the National Planning Policy Framework.

2. The proposed development would significantly harm surrounding visual and environmental amenity of existing and future residents by virtue of its inappropriate and obtrusive siting resulting in the potential loss of existing trees, bushes and planting and the open nature of the garden on this sweeping corner on a prominent junction. As such, the proposal would be contrary to Policies H06 and HO20 of the Eastbourne Local Plan, Policy B2 of the Eastbourne Core Strategy and paragraph 53 of the National Planning Policy Framework.

3. The impact of the proposed development on the amenities of the occupiers of no.72 Sancroft Road is considered to be unacceptable by virtue of its 2 storey projection past the rear elevation of no.72 Sancroft Road into the sloping rear garden which would create an enclosed, dominant and unneighbourly form of development in relation to the existing house creating a small, steeply sloping rear garden, unsuitable for a 3 bedroom family house. As such, it is considered that the proposal would be contrary to Policies H06 and HO20 of the Eastbourne Local Plan, Policy B2 of the Eastbourne Core Strategy and paragraphs 17 and 53 of the NPPF.

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**.