

App.No: 150374	Decision Due Date: 10 July 2015	Ward: St Anthony's
Officer: Richard Elder	Site visit date:	Type: Planning Permission
Site Notice(s) Expiry date: 19 June 2015		
Neighbour Con Expiry: 19 June 2015		
Press Notice(s): n/a		
Over 8/13 week reason: Referred to Planning Committee		
Location: 3 Churchdale Place, Eastbourne		
Proposal: Erection of a detached 2 storey, 2 bedroom house on land adjacent to 3 Churchdale Place. (Amended description).		
Applicant: Mr Robert Weston		
Recommendation: Refuse		

Executive Summary:

The proposed development does not differ significantly from the previous refused application in September 2014 and would constitute an overdevelopment of a constrained 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

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
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

Site Description:

A semi-detached, inter-war, two-storey dwelling located in the northern corner of this small cul-de-sac of eight properties arranged as four identical pairs 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

140740

Erection of a two storey, two bedroom attached dwelling.

Planning Permission

Refused

03/09/2014

Refused 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.

Proposed development:

Permission is sought to construct a two storey detached house to the side of 3 Churchdale Place incorporating a pitched hipped roof, casement windows, obscure glazed windows to the north east flank and French doors at the rear opening out onto the rear garden. The footprint would be broadly similar to the existing house but would be stepped back into the site by approximately 2 metres.

The materials would 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:

Specialist Advisor (Planning Policy) – No objection - application is liable for CIL, forms for which confirming liability have accompanied the application

External:

None

Neighbour Representations:

Ten objections have been received and cover the following points:

- The development will adversely affect the character of the small close, its planned layout and the area in general.
- Overdevelopment - site too small 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

- Insufficient parking - will adversely affect parking in the close which is very limited.
- Would exacerbate existing problems with access for deliveries, refuse vehicles and emergency vehicles.
- Overlooking and loss of privacy to bedrooms and garden.
- Loss of light, overshadowing.
- Harm to flora and fauna on site.
- Adverse impact on environment & biodiversity.
- Concerns that the proposal would lead to undue flooding to surrounding properties.
- Noise

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.

Reason for refusal 1 of the previous application 140740 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 this reason 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 an off-street parking space and additional crossover.

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.

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 is set back in an attempt to address the relationship with the adjacent property and the planned layout of the close, however the result would not be successful. The dwelling would sit awkwardly on the site resulting in a poor relationship with the front of no.5 Churchdale Place, out of keeping with the pattern of development of the close.

The layout of the front forecourt and parking arrangement appear to be contrived and awkward on plan and it is considered that it would have a cramped appearance on this prominent corner site. Together these elements demonstrate that the proposal would be an overdevelopment of a constrained site, out of character with its surroundings and fails to address reason for refusal 1 of the previous application 140740.

As such, it is considered that the proposal would constitute an inappropriate and unsympathetic form of development which would fail to harmonise with the character and appearance of the local area, detrimental 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.

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

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.

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.

As such, 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. It would dominate this constrained corner garden site and would be inappropriate, unsympathetic and would harm the environmental amenity of the local area as a result, 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.

Impacts on highway network or access:

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.

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.

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

Other matters:

The proposed development is liable for the Community Infrastructure Levy and the applicant has submitted the liability documentation concerning their liability towards CIL if planning permission is gained.

This CIL contribution would also capture a financial contribution to flood storage compensation and would thus address the previous reason for refusal 2 of the previous permission 140740 refused in September 2014.

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 constitute an inappropriate and unsympathetic form of development which would result in an overdevelopment of a constrained site by reason of its scale and siting, out of character with, and detrimental to the regular and symmetrical layout of the surrounding properties, and the outlook from the adjacent dwelling at 5 Churchdale Place.

Recommendation:

Refuse

Reasons For Refusal

- (1) The proposed development would constitute an inappropriate and unsympathetic form of development which would result in an overdevelopment of a constrained garden 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 at no.5 Churchdale Place. 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 53 of the National Planning Policy Framework.