

App.No: 150800 (PPP)	Decision Due Date: 7 October 2015	Ward: Upperton
Officer: Anna Clare	Site visit date: 16 September 2015	Type: Planning Permission
Site Notice(s) Expiry date: 12 September 2015 Neighbour Con Expiry: 12 September 2015 Press Notice(s): N/A		
Over 8/13 week reason: within time		
Location: 3 Selwyn Road, Eastbourne		
Proposal: Demolition of lean to extension, conservatory and garage and erection of new bungalow together with associated off-street parking.		
Applicant: Mrs Margo Hastings		
Recommendation: Approve		

Executive Summary

The principle of development is acceptable, the scale of the building and the relationship to the surrounding properties is such that there should not be any material loss of residential amenity.

The external fabric of the building has been altered to be rendered walls under a slate roof; these are considered to be appropriate to the site and surrounding area.

The proposal would comply Policies UHT1, UHT4, HO6 and HO20 of the Eastbourne Local Plan, Policy B2 of the Eastbourne Core Strategy and Paragraphs 17 and 53 of the NPPF.

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1 Spatial Development Strategy and Distribution

B2 Sustainable Neighbourhood

C2 Upperton Neighbourhood Policy

D5 Housing

D10 Historic Environment

D10 A Design

Archaeological Notification Area

Eastbourne Borough Plan Saved Policies 2007

HO2 Predominantly Residential Areas
UHT1, UHT4, HO6 and HO20

Site Description:

The site is located on the west side of Selwyn Road to the rear Montclare House, 28 Upperton Road. The existing property is part 2 storey to the southern end of the site and single storey to the northern end incorporating a single storey garage building.

The land slopes relatively steeply upwards from south west to north east where the ground level of the application site is approximately at ground floor ceiling height. In addition the land also slopes up from left to right when looking from the front.

Montclare House is a large 4/5 storey building incorporating 18 flats.

Relevant Planning History:

EB/1982/0031
ALTS TO CONV GARAGES, STORES & FLAT INTO 2 BED HOUSE WITH ATTACHED GARAGE Approved Conditional
1982-03-02

EB/1981/0483
ALTS INC PROV OF DORMER WINDOWS, CONV GARAGES, STORES & FLAT INTO 2X2 BED FLATS WITH INTEG GARAGES
Refused
1981-10-06

EB/1972/0780
F/FL ADDTN, ALTS & CONV OF FLAT OVER GARAGES & STORES TO FORM 4 BED HOUSE WITH INTEG GARAGE
Approved Conditional
1972-11-02

140496
Construction of rear conservatory, take down and rebuild of kitchen store; insertion of window and enlargement of existing basement
LD Certificate (proposed)
Issued
03/06/2014

150437
Outline application (all matters reserved) for demolition of lean to extension, conservatory and garage and erection of a 2 storey detached building to provide 2 x 2 bedroom flats and associated off-street parking.
(Amended description)
Outline (all reserved)
Refused
26/06/2015

940578

Erection of a conservatory at side.

Planning Permission

Approved unconditionally

20/10/1994

Proposed development:

Full planning permission is sought for the demolition of the northern section of the building and garage in order to create a developable zone to accommodate 1 detached 2 bedroom 3 person bungalow.

The scheme proposes four off street car parking spaces in total, two for the retained existing property and two for the proposed bungalow. In addition both the retained and the proposed properties retain a modest element of outside amenity space (courtyard garden).

The bungalow will be accessed from Selwyn Road and provides the following accommodation within 66sqm of internal floor area:-

- Entrance porch/lobby
- Kitchen living room
- 1 x double bedroom
- 1 x single bedroom
- Bathroom

The application has been amended since first being submitted; the changes relate to re-siting of the building to allow for full size off-street parking spaces to be provided and also the external materials have been changed to render and slate roof to reflect more closely the neighbouring properties.

Consultations:

External:

East Sussex County Council Highways:- Objected to the scheme as originally submitted in terms of parking spaces not fit for purpose; the revised application has overcome their concern.

Neighbour Representations:

Nine objections have been received and cover the following points:

- Given the change of levels from Montclare House to the development site there are concerns over the degree of direct overlooking
- Will the drainage works be fit for purpose and not lead to localised flooding
- Proposed materials unsuitable to the character of the area, it should be slate and rendered to match others in the area, windows and doors should be timber
- Potential for future accommodation within the roof space, this may lead to further loss of privacy
- Boundary fence needs to be of sufficient height to mitigate direct overlooking

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.

Therefore, it is considered that the main considerations in the determination of this proposal relates to whether the site could accommodate this development, and is appropriate on this site in this location, sympathetic to the character and appearance of the surrounding residential area, its impact on residential amenity and its acceptability on highway and parking grounds.

Scale and Design

Policy UHT1 of the Eastbourne Local Plan states that proposals will be required to be appropriate in scale and form.

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.

The surrounding area is characterised by a mix of design styles and building heights within which two storey terraces comprise the principle built form. The application proposes a bungalow with external materials/finishes that reflect the broader character of the site and surrounding area, in this regard the scheme would therefore not be harmful to the character and appearance of the area.

The scale of the proposed new dwelling and the ridge height is such that it would be visible from neighbouring properties to the rear. However as the scheme proposes a bungalow with a means of enclosure along the rear boundary line of the plot will mean that there will not be any material overlooking to the plot/flats to the rear.

As such, the proposal would fail to accord with Policies UHT1 and H06 of the Eastbourne Local Plan.

With regard to external amenity space both existing and proposed units would have access to a modest external courtyard gardens. This is considered to appropriate for the nature and type of accommodation proposed. It is therefore considered to comply with Policy B2 of the Eastbourne Core Strategy and Paragraph 17 of the NPPF.

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

Policies H020 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

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

Paragraph 17 of the NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Given the separation distance between the proposed building of approximately 10.8 metres and that the scheme is a bungalow with a satisfactory boundary treatment that there should not be any material loss of residential amenity through direct overlooking or over dominant or unneighbourly relationship.

It is accepted that there will be noise disturbances and congestion issues through demolition and construction phases of the development, these are considered to be short-lived and would not in and of themselves justify a refusal of consent,

Given the above it is considered that the development accords with Policies UHT4 and HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

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:

Grant permission subject to conditions

Conditions:

- 1 Time limit
- 2 Approved Drawings
- 3 Boundary treatments
- 4 Carpark to be laid in accordance prior to occupation
- 5 All Permitted development rights removed
- 6 Demolition and Construction times 08:00 to 18:00 Mon – Fri, 08:00 – 13:00 Sat and not at all on Sundays Bank and public holidays

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**.