

App.No: 170634	Decision Due Date: 29 th June 2017	Ward: Langney
Officer: Thea Petts	Site visit date: 17 th February & 26 th June 2017	Type: Planning Permission
Site Notice(s) Expiry date: 28 th May 2017 Neighbour Con Expiry: 28 th May 2017 Press Notice(s): N/A		
Over 8/13 week reason: Request from ESCC for further information regarding ecological merit of the site and compliance with that request in the submission of further information.		
Location: 1 Goldsmith Close, Eastbourne		
Proposal: Proposed three bedroom dwelling.		
Applicant: Mr Adam Tinwell		
Recommendation: Approve conditionally		

Executive Summary:

The application proposes a detached 3 bedroom dwelling house and is considered to be acceptable in townscape/design terms and in terms of impacts upon biodiversity and residential amenity

Scheme is recommended for approval.

Planning Status:

Garden of existing residential property

Relevant Planning Policies:

National Planning Policy Framework 2012

- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 10. Meeting the challenge of climate change, flooding and coastal change
- 11. Conserving and enhancing the natural environment

Core Strategy Local Plan 2013 Policies

- B1: Spatial Development Strategy and Distribution
- C8: Langney Neighbourhood Policy
- D10: Design

Eastbourne Borough Plan Saved Policies 2007

- HO2: Predominantly Residential Areas
- HO6: Infill Development

HO20: Residential Amenity
TR11: Car Parking
UHT1: Design of new Development
UHT4: Visual Amenity
US4: Flood Protection and Surface Water
US5: Tidal Flood Risk

Site Description:

The application site is located to the side of no. 1 Goldsmith Close. The property shares boundaries with 3 Goldsmith Close to the side (east) and over a shared access path, nos. 10 and 12 Stevenson Close. This property has a larger side garden than most of the other houses included in this development. Vehicular accesses are to the front, as are the principle accesses to the property. With the exception of nos. 5 and 12 Goldsmith Close, the properties forming the Close are semi-detached. This built form is much echoed in adjacent Stevenson Close to the north).

Goldsmith Close is accessed from Dickens Way and Dickens Way adjoins Priory Road to the north and The Rising to the south.

Relevant Planning History:

EB/1978/0555

Erection of a 6ft. high close-boarded screen fence at side.
Granted (Five years), 1978-12-19

EB/1972/0185

25 DET BUNGS, 32 DET HOUSES, 20 S/D HOUSES, 33 TERR HOUSES, 20 FLATS IN 5X2/ST BLOCKS, 130 GARAGES, PARKING SPACES, ROADS & FOOTWAYS
Approved Conditionally, 1972-04-20

Proposed development:

The applicant seeks planning permission to construct a three bedroom dwellinghouse within the side garden of 1 Goldsmith Close (also a residential dwellinghouse). The proposed dwelling would be served by a vehicular access from Dickens way and would provide two off-road parking spaces.

With the exception of the vehicular access, the layout of the dwellinghouse would much echo the established built rhythm of Goldsmith Close, with the house fronting the Close and maintaining the principle access to the front.

Consultations:

Internal:

Specialist Advisor (Arboriculture) – no objection:

The applicant has not provided an arboricultural impact assessment, or a tree protection plan.

Should this application be approved therefore in its current form without this information, I must conclude that it is likely to lead to the loss of all trees on site. These trees would be categorised as C3 under the cascade chart of BS5837, and therefore should not be considered a constraint to this development.

I do not wish to recommend refusal or subject this application with conditions should it be approved.

Specialist Advisor (Planning Policy) – no objection:

The site is located within the predominantly residential area as defined by Eastbourne Borough Plan Policy HO2. The site is within the curtilage of an existing dwelling, which means that it is classed as 'greenfield' land. However, the National Planning Policy Framework supports sustainable residential development and planning permission should be granted to meet local and national housing needs.

The Council relies on windfall sites as part of its Spatial Development Strategy (Core Strategy Policy B1) and the application will result in a net gain of 1 dwelling.

CIL – no comments received

External:

Southern Water – informative recommended:

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

Environment Agency – no objection

Development should be carried out in accordance with the submitted Flood Risk Assessment (FRA) to ensure flood risk does not result from the development.

County Ecologist – recommendations made:

- Surveys were carried out in accordance with best practice and are sufficient to inform appropriate mitigation, compensation and enhancement.
- The site offers negligible bat roost potential, although it is likely that bats commute across the site. No specific mitigation is required.
- The site has the potential to support breeding birds. Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. To avoid disturbance to nesting birds, any demolition of buildings or removal of scrub/trees that could provide nesting habitat should be carried out outside the breeding season (generally March to August). If this is not reasonably practicable within the timescales, a nesting bird check should be carried out prior to any demolition/clearance works by an appropriately trained, qualified and

experienced ecologist, and if any nesting birds are found, advice should be sought on appropriate mitigation.

- The enhancements proposed in the report are appropriate and should be implemented, specifically the provision of a woodcrete sparrow terrace, holes in fences for hedgehogs and native species-rich hedging.

Highways ESCC - no formal comments to make, however, the applicant should be made aware of the following details:

- Having looked at the submitted plan the vehicular access and area of hardstanding runs adjacent to a footway that links to Goldsmith Close and Stevenson Close, as such pedestrian visibility splays 2m either side of the access will need to be provided to maintain pedestrian inter visibility
- The new access should be constructed in accordance with East Sussex Highways specifications with any works carried out under the appropriate licence.

South East Water Limited -no comments received

Neighbour Representations:

13 objections have been received and cover the following points:

Increase in on street parking

Parking on Goldsmith Close already limited and careless parking often occurs

Football events on Priory Road lead to the area getting very parked up

Construction vehicles would disrupt residents in the area

Loss of bird habitat within application site

Construction vehicles would use private driveways to turn around in

Drainage problems sometimes occur in the area and the new house would exacerbate this

The area is popular with driving instructors which contributes to congestion in the area, learner drivers queue in Dickens Way

Privacy could be lost

Openness provided by the application site will be lost and this will detrimentally affect the character of the area

The building line to the side will be further forward than that of the existing properties and will therefore be out of character

The dwelling would result in over development of the site

The proposed dwelling would have a driveway to the side of the property instead of the front, like the existing properties and as such would be out of character

New vehicular access would be dangerous

The area is susceptible to flooding, the water table is close to the surface of the ground and gardens often become waterlogged following heavy rain
Flooding and sewerage overflow has occurred in recent years in Goldsmith Close

The proposal includes soakaways, but the ground within the site is not suitable for soakaways

Roots of a tree which had been chopped down may still remain under the ground, the removal of which may destabilise the area

The site provides space for wildlife such as bats, hedgehogs and birds, which would be negatively affected should the development go ahead
Pets of surrounding residents would be disrupted and potentially put in danger during works
May result in an untidy looking area if it goes ahead
Loss of light to rear garden of no. 2 Goldsmith Close
The junction where Goldsmith Close and Dickens Way is already hazardous
Building works would create noise pollution
Height of the building causes concern
Overlooking from new dwelling to 24 Thackeray Close
Lack of garage would be out of keeping
Garden would be small
The new dwelling would be overbearing
Rear garden of 12 Stevenson Close would be directly overlooked from the bedroom of the new dwelling
Gap between new dwelling and 1 Goldsmith Close would be smaller than the gap between the existing properties, thus not in keeping

Appraisal:

Principle of development:

The National Planning Policy Framework supports sustainable residential development and is supported in order to meet local and national housing needs. The site would be considered a windfall site, as it has not previously been identified in the Council's Strategic Housing Land Availability Assessment. The Council relies on windfall sites as part of its Spatial Development Strategy (Policy B1 of the Core Strategy, adopted 2013) and the application will result in a net gain of one dwelling.

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

The proposed dwellinghouse is not considered to result in any new overlooking. No direct overlooking will result in any case. It is considered that gardens which will be overlooked by the new property are already overlooked by other properties and the distance between these properties is enough to offset any significant impacts. The proposed windows for the south west elevation are considered not to negatively affect amenity as they overlook the public realm.

Due to the orientation and siting of the proposed dwelling, it is not considered that any overshadowing will occur. Therefore, in this respect, no inappropriate loss of light to existing properties will result either.

It is accepted that noise will likely result in the carrying out of works to construct the new dwelling and as such, a condition has been recommended to ensure that hours of work on site are controlled. Acknowledging this issue any noise impact that do ensue from the construction phase of the development are likely to be short.

Noise and activity associated with a residential dwelling is not considered likely to disrupt the wider area as the wider area is predominantly residential. This being the case, the use of the site for an additional residential dwelling is considered appropriate.

Design issues:

In essence, the proposed dwellinghouse mimics the design of the existing houses in the Close. Therefore, the general design of the proposed is not considered to affect visual amenity or erode local distinctiveness.

The proposal is not considered to negatively affect the established rhythm of the built environment. The spacing between the properties will be much similar to the existing situation.

It is noted that the inclusion of a detached property in this location would be different to the established opening to Goldsmith Close, which currently has a semi-detached pair in nos.1 and 3 to the north and a detached property in no. 12 on the south side. However, it is considered that the creation of a second detached property at the entrance to the Close would provide some balance. As the established rhythm is not considered to be disrupted by the proposed development, the principle of this as a detached dwelling on the site does not raise any significant issues.

It is recommended that materials used for the external surfaces of the development are to match those of the existing properties in Goldsmith Close in order for the new dwelling to properly fit in with its surroundings.

Impacts on trees:

There are not considered to be any negative impacts on trees of any significance resulting following development.

Impacts on highway network or access:

There is not considered to be any significant impact on the highway as a result of the development.

The proposed vehicular access onto Dickens Way is considered acceptable in that it will not disrupt the appearance of the wider area, nor is it likely to affect the functionality of the nearest junctions. It is regrettable that an on-street parking space will be lost, however, the proposed dwelling provides two for its own use.

Although a number of objections have been received with regard to parking, it is not considered that the impact of one family dwelling would have a significant impact on the area which could substantiate a refusal for the development. The parking provision is therefore considered appropriate.

Planning obligations/CIL:

The development is liable for the Community Infrastructure Levy and as such, an appropriate charge will be made.

Other matters:

Following the receipt of concerns from an objector, the ecological merits of the site have been investigated to ESCC's satisfaction and recommendations have been made accordingly.

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 is considered to harmonise with the character of the wider area and will not result in any significant negative affects to the residents of the wider area in respect of amenities currently enjoyed by existing residents.

The site is considered capable of serving a new dwelling and the proposed scheme is considered to comply with adopted policies. As such, the proposal is recommended for approval subject to conditions.

Recommendation:

Approved conditionally

Conditions:

Time

Drawings

Development in accordance with FRA

Hours of development

Matching materials to Goldsmith Close

Enhancements implemented in accordance with Ecology Assessment

Remove PD windows from flank.

Informatives:

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

The applicant's attention is drawn to the need for a licence for the construction of the new access. The existing access onto Northbourne Road should then be permanently closed off with footway and kerbing reinstated.

The applicant should contact East Sussex Highways on 0345 60 80 193 to apply for an appropriate licence/agreement to ensure the construction is up to an acceptable standard.

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**.