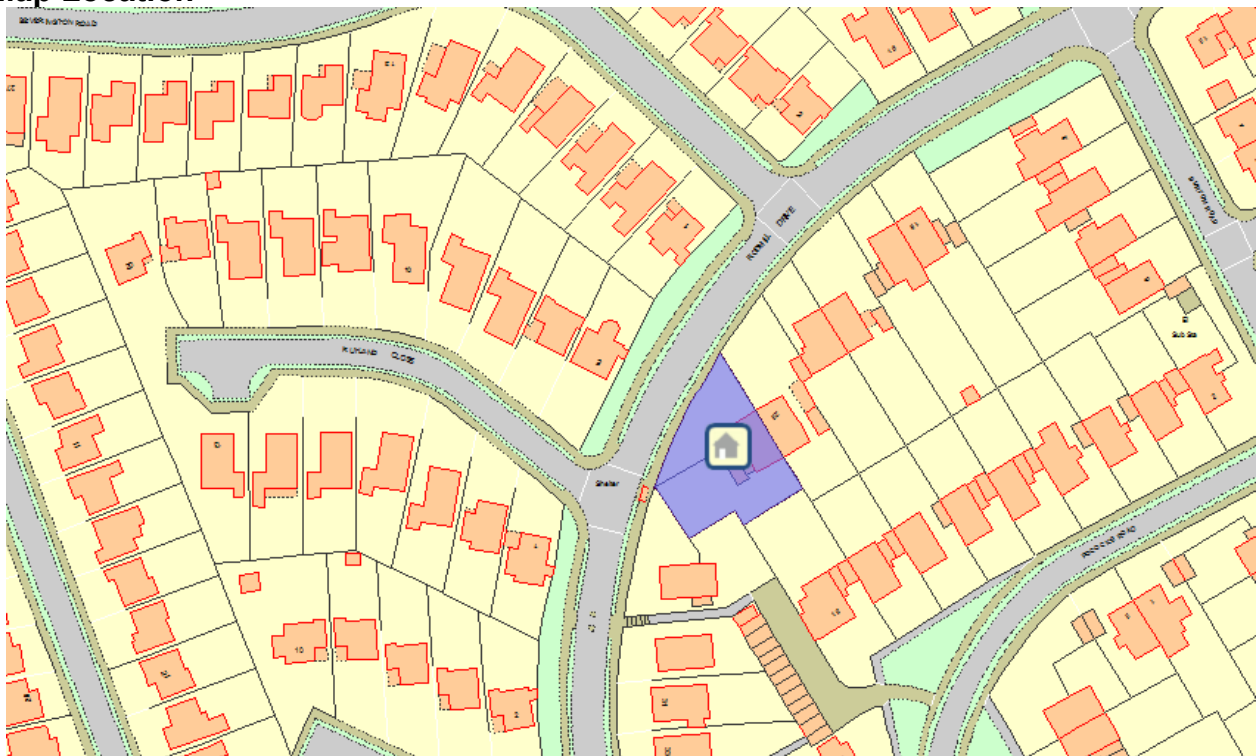


App.No: 180696	Decision Due Date: 4 th September 2018	Ward: Ratton
Officer: James Smith	Site visit date: 26 th July 2018	Type: Planning Permission
Site Notice(s) Expiry date: 9 th August 2018		
Neighbour Con Expiry: 9 th August 2018		
Over 8/13 week reason: Original scheme unacceptable. Revised plans received 4 th September 2018. Application required to be determined by Planning Committee.		
Location: 25 Rodmill Drive, Eastbourne		
Proposal: : Proposed erection of 1no three bed detached dwelling to include 2no off road parking spaces on land within curtilage of 25 Rodmill Drive.		
Applicant: Mrs Julie Chaplin		
Recommendation: Approve conditionally		

Contact Officer(s): **Name:** James Smith
Post title: Specialist Advisor (Planning)
E-mail: James.Smith@lewes-eastbourne.gov.uk
Telephone number: 01323 415026

Map Location



1 Executive Summary

- 1.1 This application has been brought to Committee due to more than 6 letters of objection being received, given that the officer recommendation for the application is to approve.
- 1.2 The proposed development would not appear disruptive or incongruous within the wider street scene, nor would it cause undue harm to the amenities of neighbouring residents.
- 1.3 The proposed dwelling would provide acceptable living conditions for future occupants whilst the occupants of 25 Rodmill Drive would also continue to have access to adequate outdoor amenity space and suitable living conditions.
- 1.4 A sufficient level of off-street car parking would be provided for both the existing and proposed dwellings. The revised site access meets all relevant safety standards required by East Sussex County Council Highways.
- 1.5 The proposed development therefore represents an acceptable example of infill development that would contribute towards the housing needs of the Borough without having any significant adverse impact that would outweigh its benefits. As such, it is considered to be in accordance with local and national planning policies and legislation.

2 Relevant Planning Policies

2.1 National Planning Policy Framework (Revised 2018)

2: Achieving sustainable development
4: Decision Making
5: Delivering a sufficient supply of homes
9: Promoting sustainable transport
11: Making effective use of land
12: Achieving well designed places

2.2 Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution Sustainable Centre
B2: Sustainable Neighbourhood
C5: Ocklynge & Rodmill Neighbourhood
D5: Housing
D10a: Design

2.3 Eastbourne Borough Plan Policies 2007

UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
HO20: Residential Amenity
TR11: Transport & Parking

3 Site Description

- 3.1 The site is occupied by a semi-detached bungalow dwelling which has red brick elevation walls, other than the frontage which is finished with tile hanging. The roof is gable ended to either side. A glazed lean-to extension, which includes the main entrance to the dwelling, has been added to the side of the dwelling. Adjoining the lean-to extension is a flat roof garage.
- 3.2 The dwelling is set back from the road and also angles away from the course that the road follows. To the front of the dwelling is a lawn area which includes some ornamental planting but no trees of any significance. There is also a block paved driveway which is accessed via a dropped kerb crossover onto Rodmill Drive. The front lawn extends to the side of the dwelling. There is a garden to the side of the dwelling that is enclosed by an approximately 1.8 metre high brick wall. There is also a garden area to the rear of the dwelling.
- 3.3 Rodmill Drive is cut into the side of a hill and, as such, the surrounding area, as well as the site itself, displays fluctuations in topography. The level of the site slopes downwards from Rodmill Drive. As Rodmill Drive curves round to the west of the site, this means the western side of the site is at a higher level than the area on which the existing dwelling is located. Dwellings on Pocock's Road, which the site backs on to, are at a lower level than those on Rodmill Drive. This is also the case for the dwellings on Rodmill Drive, to the south of the site, as whilst the road itself climbs upwards to the south, the dwellings are cut into the hillside.
- 3.4 The site is not the subject of any specific planning constraints or designations.

4 Relevant Planning History

- 4.1 No site history relevant to the determination of this application.

5 Proposed development

- 5.1 The proposal involves the erection of a new detached dwelling which would be positioned predominantly within the garden area to the side of the existing dwelling. The proposed dwelling would have a gable roof, with a small dormer included within the front roof slope and roof lights incorporated into the rear roof slope in order to allow for the provision of a bedroom within part of the roof space.
- 5.2 The crossover serving the existing dwelling would be widened in order to allow for both the existing and proposed dwellings to be served by it. A driveway would be provided to the front of the proposed dwelling and an attached single garage would also be provided. The existing driveway to the front of 25 Rodmill Drive would also be extended slightly to the side in order to provide additional parking and turning space for the occupants of that dwelling.
- 5.3 The ground level of the site of the proposed dwelling would be reduced to a similar height of that of the existing dwelling, as would the garden to the rear of the proposed dwelling.

- 5.4 The proposed dwelling would measure approximately 6.25 metres to roof ridge height, with the roof eaves being at approximately 2.25 metres. The width of the dwelling frontage would be approximately 10.9 metres, with the attached garage adding a further 3 metres in width. The depth of the main dwelling would be approximately 7.55 metres with an additional porch projection to the front and the garage, which is set back from the building frontage, projecting a further 2.1 metres to the rear.

6 Consultations

6.1 Specialist Advisor (Planning Policy)

- 6.1.1 The NPPF requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of housing. As of 1 April 2018, Eastbourne is only able to demonstrate a 3.26 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. National policy and case law has shown that the demonstration of a five year supply is a key material consideration when determining housing applications and appeals.
- 6.1.2 The Borough Plan Policy HO2 identifies this location as being predominantly residential. Although the site would be classified as 'greenfield' land; the NPPF supports sustainable residential development 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 (SHLAA). The Council relies on windfall sites as part of its Spatial Development Strategy (Core Strategy Policy B1) and this development proposes an increase in residential accommodation to what is currently present, resulting in a net gain of 1 dwelling.
- 6.1.3 To Summarise, this is within a predominantly residential area as identified through Policy HO2, as well as being a windfall site which the council rely on as part of its Spatial Development Strategy Policy B1. The site is within the curtilage of an existing dwelling, which means that it is classed as 'greenfield' land and the NPPF supports sustainable residential development in order to meet local and national housing needs. There will be a net gain of 1 dwelling and this will positively contribute towards Eastbourne's Five Year Housing Land supply. Therefore, policy would recommend this application is granted.
- 6.1.4 It is important to note that this application would be liable for CIL under Eastbourne's current charging schedule.

7 Neighbour Representations

- 7.1 7 letters of objection have been received in which the following points were raised:-

- Double-storey building when all other structures in adjoining areas are bungalows.
- Privacy issue due to windows and doors to rear, particularly first floor

- windows.
- Overshadowing and invasion of privacy to the property to the side. Will result in extra traffic emerging onto a very busy main bus route and road
- Development too close to the bus stand which would probably need to be relocated meaning a longer walk for passengers.
- Will result in accidents as the drive merges onto the main road on the bend of a steep hill.
- Construction works and traffic will cause mayhem for residents on Rutland Close as happened during road resurfacing works.
- Even if rear first floor windows are obscure glazed they could be opened and allow views of properties to rear.
- Would block sunlight into gardens on Pocock's Road.

8 Appraisal

8.1 Principle of development:

- 8.1.1 Para. 11 of the revised NPPF (2018) states that decision taking should be based on the approval of development plan proposals that accord with an up-to-date development plan without delay.
- 8.1.2 Where the policies that are most important for determining the application are out of date, which includes, for applications involving the provision of housing, situations where the local authority cannot demonstrate a five year supply of deliverable housing sites, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the NPPF as a whole.
- 8.1.3 Currently, Eastbourne is only able to demonstrate a 3.26 year supply of land. This proposal, by providing a net increase of one dwelling, would make a contribution towards increasing the number of year's supply of housing land.
- 8.1.4 Para. 122 of the NPPF states that planning decisions should support development that makes efficient use of land. This is caveated by section (d) of the paragraph which instructs decision to take into account 'the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change;
- 8.1.5 Para. 127 refers to potential impacts on character and remarks that development should be 'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)'
- 8.1.6 It is therefore considered that the principle of the development, including the loss of a section of garden land, is acceptable, subject to the development being sympathetic to local character.

8.2 Impact of proposed development on amenities of adjoining occupiers and surrounding area:

- 8.2.1 The originally submitted design of the proposed development included a substantial rear dormer window. Concerns were raised by neighbouring residents that their properties would be overlooked by these windows and these concerns were considered to be valid. These concerns were relayed to the applicant and an amended scheme was provided. As a result, there would be no windows at first floor level to the rear of the proposed dwelling.
- 8.2.2 The revised scheme incorporates roof lights within the rear roof slope. These roof lights would provide light and ventilation to the proposed first floor bedroom but would be angled upwards so as to prevent opportunities for intrusive views. A condition would be attached to restrict permitted development rights for the proposed dwelling in order to prevent a dormer being added at a later date without first obtaining planning permission.
- 8.2.3 Other windows to the rear of the building would be at ground floor level and views from them towards neighbouring residential property would be interrupted by site boundary treatment, full details of which will be secured through the use of a planning condition.
- 8.2.4 The proposed front facing dormer would look out towards the road and the side roof slope of 2 Rutland Close, which is approximately 28 metres to the north. Given the distances involved, and the lack of any habitable room windows in direct line of site from the dormer window, it is not considered it would allow intrusive views towards this property. The proposed ground floor windows to the front and side of the building would also face out towards the road.
- 8.2.5 As the first floor rooms within the proposed dwelling are incorporated within the roof space, the height of the building is kept to a minimum, with the roof ridge height being only approximately 0.3 metres above the ridge height of the existing dwelling at 25 Rodmill Drive.
- 8.2.6 The lowering of ground levels within the site would assist in achieving this relationship. It is appreciated that, owing to the site being on a hillside, the properties to the rear on Pocock's Road, as well as those to the south on Rodmill Drive, are at a lower level than the site. However, the modest height of the proposed dwelling, which is similar to that of existing dwellings on Rodmill Drive coupled with the distances maintained between it and dwellings on Pocock's Road, which at approximately 28 metres is substantial and similar to that maintained between existing dwellings on Rodmill Drive and Pocock's Road, are considered to prevent the proposed dwelling from having an overbearing presence towards those properties.
- 8.2.7 In regards to 27 Rodmill Drive, which is closer to the site than dwellings on Pocock's Road, the distance maintained between the buildings is approximately 13.5 metres. It should be noted that this is the closest point as the proposed dwelling angles away from the neighbouring property. Furthermore, the relationship is between the flank elevations of each dwelling, both of which do not contain any primary windows serving habitable rooms. A distance of 13.5 metres between the flank elevations of neighbouring buildings is considered to be acceptable and is in excess of the general separation between dwellings lining Rodmill Drive.

8.2.8 The proposed dwelling is positioned to the north/northwest of neighbouring properties on Rodmill Drive and Pocok's Road. As such, it would not provide any significant obstruction to sunlight permeation towards those properties, bearing in mind the trajectory of the sun across the sky throughout the daytime.

8.3 Impact of the proposed development on amenity of future occupants:

8.3.1 The proposed dwelling would provide 3 bedrooms, 2 at ground floor level and one within the roof space. The amount of usable floor space provided would be approximately 96 m². This is compliant with the minimum floor space requirement of 93 m² for a 3 bedroom two-storey dwelling, providing occupation for up to 5 persons.

8.3.2 All rooms are considered to be of a suitable size and shape to provide functional and adaptable living space and the overall layout of the building is uncomplicated and, therefore, easy to navigate.

8.3.3 All primary habitable rooms are well served by windows and openings that would allow a good level of natural light to permeate into the building as well as to provide effective natural ventilation, which would have its effectiveness enhanced due to the multiple aspect nature of the dwelling.

8.3.4 The proposed dwelling would have access to private outdoor amenity space of approximately 165 m² in area, which is considered to be ample for a small family dwelling. 75 m² of rear garden space would also be maintained for the occupants of the existing dwelling at 25 Rodmill Drive, which is also considered to be adequate for a dwelling of its size.

8.4 Design Issues:

8.4.1 Although occupying garden space, the proposal would not result in 'back land' development as it would occupy a side garden and the dwelling would directly engage with the street scene. Furthermore, the rear garden to the existing building would be retained in its entirety and, as such, the character of the remaining plot would be consistent with neighbouring plots. The current width of the two plots formed as a result of the proposed development would be approximately 13 metres for the plot to remain occupied by 25 Rodmill Drive and 19.5 metres for the plot to be occupied with the new dwelling. This is consistent with plot widths for nearby development.

8.4.2 The footprint of the proposed dwelling, as originally submitted, occupied the majority of the width of the plot. As a consequence, the western elevation of the dwelling would have been within close proximity to the highway. It is considered that, in this form, the dwelling would have detracted from the character and appearance of the surrounding area as the proximity to the street would have disrupted the established rhythm of development on Rodmill Drive, with buildings being set back from the street.

8.4.3 The applicant, in response to these concerns, has amended the scheme, substituting the originally proposed double garage for a single garage and pulling the western elevation of the dwelling further away from the site boundary.

This provides a degree of separation between the building frontage and the edge of the site. Whilst, due to the tapering nature of the front boundary, the south-western corner of the proposed dwelling is closer to the highway than the immediate neighbouring dwellings, the broad pattern of development is consistent with the surroundings in that a demonstrable set back is maintained. It should also be noted that the separation distances between building frontages and Rodmill Drive fluctuate along the length of the road and can therefore not be regarded as a rigid building line. It is therefore considered that the positioning of the proposed dwelling is sympathetic towards the general spatial pattern of development on Rodmill Drive.

8.4.4 The proposed dwelling incorporates rooms within the roof space. This is not commonly seen on Rodmill Drive, most likely a result of the shallow pitch of the roofs on neighbouring dwellings meaning that it is difficult to provide sufficient ceiling height without increasing the overall roof height. Nevertheless, although there is a localised group of bungalows on this section of Rodmill Drive, two-storey and chalet style dwelling, many of which have dormers, are a regular occurrence within the wider area, including directly opposite the site on Rutland Close as well as nearby to the north and south on Rodmill Drive.

8.4.5 The proposed dwelling has been designed to integrate with neighbouring dwellings. The gable ended roof design replicates the prevalent roof form within the street scene whilst the roof eaves height matches adjacent dwellings. The roof ridge height is only marginally taller than that of adjacent buildings and, as such, the roof would not appear incongruous or overly dominant. The front roof dormer is of modest proportions and does not overwhelm the main form of the roof. It is therefore considered that the proposed dwelling would assimilate with neighbouring buildings, replicating general characteristics whilst allowing for an element of change in terms of providing a more efficient use of the site by allowing for rooms in the roof space, as supported by para. 127 of the NPPF (2018).

8.4.6 The proposal would result in the loss of small amount of ornamental landscaping to the front of the dwelling, including a modestly sized Leylandii type tree. It is not considered that this tree possesses any significant amenity value either as a single tree or part of a wider group. There would also be an increase in hard surfacing to the front of the site as a result of the provision of a driveway for the proposed dwelling as well as the extension of the existing driveway at 25 Rodmill Drive. A significant proportion of plots on Rodmill Drive have hard surfacing to the front, some of which occupy the majority of the front amenity space. It is considered that the proposed increase in hard surfacing would therefore be acceptable, subject to a landscaping condition to ensure provision of soft landscaping to the site frontage is maintained, and a further condition to ensure the hard surfacing is suitably drained so as to prevent discharge of surface water on to the public highway.

8.5 Impacts on Highways Network or Access:

8.5.1 It is not considered that the provision of one small family dwelling on Rodmill Drive would result in any increase in traffic of a significance that is likely to have a material impact on the overall flow of traffic on the road.

- 8.5.2 The ESCC Car Ownership Parking Demand suggests that the proposed 3 bedroom dwelling would generate demand for 2.26 car parking spaces whilst the existing 2 bedroom dwelling requires 2.23 spaces. These figures include visitor parking. Both proposed dwelling would be served by a driveway that could accommodate 2 cars as well as a turning area. Additional room for parking could also be provided within the attached garage, which has dimensions that exceed the minimum size requirements stipulated by ESCC. Sufficient space would be provided at 25 Rodmill Drive for 2 cars to be parked off street, with space also provided for turning in order to ensure that vehicles can enter and leave the site in forward gear.
- 8.5.3 Rodmill Drive is not a classified road and, as such, planning permission would not be required for works to widen the crossover alone. It should be noted that double yellow lines are in place along the entirety of Rodmill Drive and, as such, widening the crossover would not result in the loss of any on street car parking capacity. This also means that there would not be cars parked either side of the crossover that may have the potential to obstruct visibility.
- 8.5.4 The width of the extended crossover complies with the minimum standards set out in ESCC Highways standing advice set out in their Minor Planning Application Guidance. The required 43 metre visibility splays either side of the driveway entrance can be provided. It is noted that there is a bus shelter within the splay to the south of the crossover and there is also a low brick wall present on the boundary on either side of the crossover. However, para. 3.4.8 of the above-mentioned guidance allows for obstructions up to 1 metre high when there is a verge present, as is the case here. As such, the presence of the wall is acceptable. In addition, the bus shelter is a glazed structure that does not occupy the full width of the splay and can therefore be seen around, as well as through. Para. 3.4.8 states that such structures within a visibility splay are acceptable.

9 Human Rights Implications

- 9.1 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.

10 Recommendation

- 10.1 It is recommended that the application is approved, subject to the conditions set out below.
- 10.2 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

10.3 The development hereby permitted shall be carried out in accordance with the following approved drawings:-

2018-36-02b;
2018-36-03c;
2018-36-04c;
2018-36-05c;
2018-36-06;
2018-36-07b;

Reason: For the avoidance of doubt and in the interests of proper planning.

10.4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development to comply with policy HO20 of the Eastbourne Borough Plan

10.5 The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing dwelling at 25 Rodmill Drive.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area.

10.6 The development hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plan site plan 2 cars to be parked on each site and to provide turning space to allow for vehicles to enter and leave the site in a forward gear. Thereafter, the parking and turning spaces shall be maintained in place throughout the lifetime of the development.

Reason: To enable vehicles to enter and leave the site in a forward gear in the interest of highway safety.

10.7 Before any work, including demolition commences on site a Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This will detail:

- (i) the estimated volume of spoil to be removed from the site;
- (ii) a designated route or routes that vehicles may use when removing spoil from the site and all the routes of vehicles delivering construction materials
- (iii) vehicle wheel cleaning provisions;
- (iv) road cleaning provisions;
- (v) Location, number and size of any temporary buildings/structures needed for the demolition/construction phases;

- (vi) Details of site compound including means of enclosure;
- (vii) Details of height of stored materials;
- (viii) Details of site hoarding;
- (ix) Confirmation that at all times materials, plant and machinery shall be stored within the confines of the site, and additionally shall be kept clear of all public highways and rights of way.

The Construction Management Plan must also include a pre-commencement condition survey of the existing grass verge, a post completion survey shall be carried out and any damage cause to the verge during construction shall be made good prior to the occupation of the dwelling to the Satisfaction of the Local Planning Authority.

Upon approval the Method Statement shall be implemented to the satisfaction of the Local Planning Authority;

Reason: In the interest of the amenities of the site and surrounding area, including in the interest of capacity of the local highway network to carry large vehicles.

10.8 Prior to occupation of the approved dwelling, full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

- (i) proposed finished levels or contours;
- (ii) site boundary treatment;
- (iii) car parking layouts;
- (iv) hard surfacing materials;
- (v) soft landscaping plans;
- (vi) written specifications (including cultivation and other operations associated with plant and grass establishment);
- (vii) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- (viii) implementation timetables.

All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

10.9 The hard standing areas hereby approved shall be surfaced in porous materials

and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard standing to a permeable or porous area or suitable soakaway within the curtilage of the property.

Reason: To prevent the discharge of surface water on to the highway and neighbouring properties.

10.10 **Informative:**

10.11 The applicant will be required to enter into a Section 184 Licence with East Sussex Highways for the provision of a new vehicular access. The applicant is requested to contact East Sussex Highways (0345 60 80 193) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the licence being in place.

10.12 A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 019) or www.southernwater.co.uk . Please read our New Connections Services Charging Arrangements document, which has now been published and is available to read at <https://beta.southernwater.co.uk/infrastructure-charges>

11 **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.