

<b>App.No:</b> 130404 (PPP)	<b>Decision Due Date:</b> 31 July 2013	<b>Ward:</b> Old Town
<b>Officer:</b> Richard Elder	<b>Site visit date:</b> 15 August 2013	<b>Type:</b> Full planning permission
<b>Site Notice(s) Expiry date:</b> 01.08.13		
<b>Neigh. Con Expiry:</b> 01.08.13		
<b>Weekly list Expiry:</b> 01.08.13		
<b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> Processing delay		
<b>Location:</b> 72 Sancroft Road, Eastbourne		
<b>Proposal:</b> Erection of new dwelling adjacent to 72 - a replica version of 72 Sancroft Road with matching materials.		
<b>Applicant:</b> Mr A Ward		
<b>Recommendation:</b> Refuse		

**Planning Status:**

Predominantly residential area.

**Constraints:**

N/A

**Relevant Planning Policies:**

Eastbourne Borough Plan 2001-2011

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

Eastbourne Core Strategy Local Plan 2006-2027

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

D1: Sustainable Development

D5: Housing

Supplementary Planning Document

Sustainable Building Design SPD 2013

## National Planning Policy Framework 2012

### **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:**

None

### **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 match the size and appearance of the existing house at 72 Sancroft Road. The finished floor level and height of the proposed house would match that of the existing house but would be set back from no.72 by approximately 1 metre. 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 of the existing house, the footprint of the proposed house would require excavation down into the soil to be level with the existing house.

One 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 provide to serve the existing house, however, this is not specified on the planning application form. This would provide 1 off street parking space for the existing house.

### **Consultations:**

#### Internal:

Arboriculture – No objection subject to conditions requiring tree protection and landscaping.

#### Neighbour Representations:

22 objections have been received from 16 neighbouring properties and cover the following points:

- Overdevelopment of site and barely fits into this small site due to excessive size and mass. Proximity to side boundary would be detrimental to amenity of adjoining residents and general character of the residential area.
- Unsustainable and unsympathetic to 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 appearance of the area.
- Parking is difficult in the street in the evening and weekends and highways survey would be required.
- Would overlook neighbours and be overlooked.
- Would significantly reduce shrubs, plants, trees and garden area.
- 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. Increased risk of an accident taking place.
- 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.
- 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. Therefore, it is considered that the main considerations in the determination of this proposal relate to whether the development 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 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, when viewed from properties to the rear along Cherry Garden Road and opposite along Osborne Road and Sancroft Road.

Due to the size of the footprint extending to within 1.5 – 2.5 metres of the sweeping side boundary, it is considered that it would not only dominate the width of the site, but it is likely that many of the trees and bushes along the boundary would be lost due to the proposed excavation into the sloping ground where retaining walls would be required to hold back the soil leaving a planting area of no more than 0.5 to 1.5 metres wide. No details have been submitted of any trees, bushes or planting to be retained. In this regard, the proposal would fail to enhance the appearance of the area and would have a detrimental impact on surrounding visual amenity.

In addition, no information has been submitted with the application with regards to how the proposal would address differing ground levels across the site, access, and how the sloping front driveway would be addressed as a result. The elevation plans show that the house would be set 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. There is no indication of access down to reach the front door of the house and how this would impact on the character and appearance of the site and on visual amenity. No details have been submitted with regards to the location or height of retaining walls around the house to facilitate its construction below the existing ground level. 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, 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 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 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.

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 and Policy B2 of the Eastbourne Core Strategy.

### Sustainable Development

Policy D1 requires all new development to be sustainable and be well designed and constructed and demonstrate that it has taken account of the principles of sustainable development. All new residential developments should demonstrate that they meet the minimum requirement of Code Level 4 for all new homes from April 2013.

The application has not been accompanied by any justification 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 the proposal would fail to accord with Policy D1 of the Eastbourne Core Strategy and the Sustainable Building Design Supplementary Planning Document.

### 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 which would result in a provision of 4 spaces in total for both houses.

The submitted Design and Access statement states that the proposal would provide 2 off street parking spaces for each house. The proposed layout plans clearly show 1 car on each driveway and there would fail to be sufficient space to accommodate 2 cars in total. In addition, the provision of a crossover to serve the existing house at no.72 would remove an existing on-street parking space. In the absence of any details of overnight on-street parking capacity in the area, it is considered that the proposal is likely to add to existing on-street parking stress in the evenings and weekends.

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

#### Affordable Housing

Policy D5 seeks to deliver housing within the sustainable centres and sustainable neighbourhoods and must take appropriate account of the need identified in the most up-to-date strategic housing market assessment with particular regard to size, type and tenure of dwellings. All development will be required to contribute towards affordable housing where there is a resultant net gain of 1 or more residential units (C3 Use Class).

The proposal would involve a net gain of 1 residential unit within a high value neighbourhood which would trigger a requirement of a commuted financial contribution towards affordable housing. As refusal of planning permission is recommended, this would not be applicable in this instance.

#### **Human Rights Implications:**

It is considered that the proposal would have adverse impacts on the amenities of nearby residents and would not have any negative impact on human rights, equality and diversity.

#### **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.

The application has not been accompanied by any justification 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 the proposal would fail to accord with Policy D1 of the Eastbourne Core Strategy and the Sustainable Building Design Supplementary Planning Document.

With regard to Highway issues, the proposal would fail to provide 2 off-street parking spaces for each of the proposed and existing houses contrary to Policy TR11 of the Eastbourne Borough Local Plan and East Sussex County Council parking standards SPG.

**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 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.

**Appeal:** Should the applicant appeal the decision the appropriate followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**