

Report to: PLANNING COMMITTEE

Date: 23 December 2015

Report from: Assistant Director of Housing and Built Environment

Application Address: 817 The Ridge, St Leonards-on-sea, TN37 7PX

Proposal: Erection of one detached house (one of two houses that were originally approved on 6 December 2012 under planning permission HS/FA/12/00772)

Application No: HS/FA/15/00882

Recommendation: Grant Full Planning Permission

Ward: ASHDOWN
File No: RI70817, 815
Applicant: Mr & Mrs Connolly per Pump House Designs
Pump House Yard The Green
SEDLSCOMBE, East Sussex. TN33 0QA

Interest: Freeholder
Existing Use: Residential curtilage/garden

Policies

Conservation Area: No
National Planning Policy Framework: No conflict
Hastings Local Plan -
The Hastings Planning Strategy: DS1, SC1, H3
Hastings Local Plan -
Development Management Plan: DM1, DM3, DM4

Public Consultation

Adj. Properties: Yes
Advertisement: No
Letters of Objection: 0
Petitions Received: 0

Application Status: Not delegated - Applicant is employee of Hastings Borough Council in a politically restrictive post

Summary

The application seeks planning permission for the erection of one detached 4-bedroom dwellinghouse to the side of the existing dwellinghouse of 817 The Ridge. The main issues are the impact on the amenity of neighbouring residents, the character and appearance of the area and highway safety. After considering all matters, I recommend the proposal for approval subject to conditions.

The Site and its Location

The site is located to the south of The Ridge and comprises the side garden (west) of 817 The Ridge. It lies to the rear (south) of 821 The Ridge and alongside the side boundary of 823 The Ridge. To the rear of the application site planning permission has been granted for 3 dwellinghouses, set at a perpendicular angle to the proposed development, the rear gardens abutting each other. To the rear of this lies the Dunelm/Pets at Home stores.

The existing 817 The Ridge is set back from the road and is accessed via a drive in between 815 and 821 The Ridge. The existing dwelling is of a chalet bungalow style with front and rear facing dormer windows. All boundaries are indicated mainly by vegetation or fences.

The area has a varied character being defined by a mixture of uses and different size buildings including a two storey shop, two storey public house, bungalows, detached properties and two storey terraced houses.

Details of the Proposal and Other Background Information

The proposal involves the erection of one dwellinghouse to the west side of 817 The Ridge.

It is proposed to use the existing access drive for 817 The Ridge and to increase the width to 4.5m for the first 10m from the carriageway. The driveway will be extended in front of the existing and the proposed dwellinghouse providing 2no. car parking spaces for each of the dwellinghouses. Refuse and recycling bins are shown on the plan. The proposed rear garden has a depth of 15 metres. The distance to the side boundary is about 0.8m and the footprint of the building is 7 by 11 metres with an overall height of 7.5m and a pitched roof (chalet style). The accommodation comprises 4 en-suite bedrooms at first floor level. The dwelling has a front facing gable and side facing dormer windows with pitch tile roofs and facing bricks.

This application is a part renewal of extant planning permission HS/FA/12/00772. This application relates to only one of the two originally approved dwellings, the one that was to be built on land to the west of the existing property (817 The Ridge).

In June 2015 planning permission was granted for 3 dwellings to the rear of 815-817 The Ridge. The access drive runs along the eastern side of 817 The Ridge and the second dwelling of the 2012 permission (HS/FA/12/00772) can therefore no longer be implemented.

Previous Site History

HS/FA/15/00237	Erection of 3 dwellings Granted 03 June 2015
HS/FA/12/00772	Erection of two detached houses Granted 06 December 2012

HS/FA/08/00818	Renewal of planning approval HS/FA/06/00004 for erection of single dwelling Granted 16 February 2009
HS/OA/06/00986	Demolition of existing dwellings and outbuildings and redevelopment of site including road junction improvements, new site access road, 7 x dwellings and associated off road parking. Resolved to grant subject to a S106 agreement. 28 February 2007
HS/FA/06/00004	Erection of single dwelling Granted 6 March 2006
HS/FA/05/00617	Erection of single dwelling Refused 29 April 2005
HS/FA/05/00532	Erection of single dwelling Withdrawn 05 August 2005
HS/OA/03/00872	Proposed building plot Refused 04 December 2003

Details of Consultations

As part of this application 12 neighbouring properties were consulted. No objection letters have been received.

Planning Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

Residential amenity

The proposed dwellinghouse will have four bedrooms and a rear garden of 15 metres in length, which ensures that a good quality living environment will be created.

The dwellinghouse faces towards the rear of 821 The Ridge but is at a distance of 38m from the neighbouring property. It is positioned at a lower level and a fence exists between the two properties. This relationship therefore ensures that the proposal will not result in unacceptable overlooking and remains similar to the existing situation with the front elevation of the existing building 817 The Ridge facing 821 The Ridge. The only windows in the side elevation are obscure glazed bathroom windows and therefore there will be no overlooking to the west or east.

There will be some overlooking of the rear gardens of the 3 permitted dwellinghouses to the rear, however, this will mainly affect the end of the gardens and the gardens are already overlooked by the 3 dwellinghouses themselves. There will be no direct overlooking of windows, the only side window at first floor level is an obscure glazed bathroom window.

Given the distances and angles of the proposed development and the existing surrounding development as well as the permitted 3 dwellinghouses, it is considered that the proposed dwellinghouse will cause no harm to the residential amenity of adjoining properties.

Character and appearance of the area

The character of the area is defined by a mix of different sizes of building and uses. It is considered that the proposed dwelling is of a size and scale which is in keeping with other properties found in the area. The proposed residential use is also in keeping with the variety of uses found in the area and this situation has not been altered by the granting of the planning permission for the 3 dwellinghouses to the rear of 817 The Ridge.

With regard to appearance the site is set back from The Ridge and will not form part of the streetscene. Due to the positioning of the building, the proposed dwelling will almost be entirely hidden from view. The main issue is therefore how the dwelling relates to the existing 817 The Ridge. This relationship has not changed since the application for two dwellings was approved in 2012, the proposed dwelling is of similar size and of a similar modern design. It is therefore in keeping with the modern design of the existing 817 The Ridge.

Highway safety

The proposal makes adequate car parking provision for the proposed dwelling and the existing 817 The Ridge with 2 car parking spaces each. The highway conditions of the 2012 permission will be added and will ensure that visibility onto The Ridge is adequate and that all other potential impacts are adequately mitigated against.

Drainage

A foul sewer crosses the site and would have to be diverted. A condition has been imposed requiring sewer diversion details to be submitted for approval.

Affordable housing

The application is subject to a contribution for affordable housing and a completed and signed unilateral agreement for the provision of affordable housing has been received.

Conclusion

The proposal has been designed to ensure that a good quality living environment is created for future occupants without impacting on the amenity of neighbouring residents. The scheme is considered to be in keeping with the character and appearance of the area and helps provide additional family size accommodation in this part of the Borough. It is therefore considered that the scheme represents sustainable development and helps to achieve the aims of the National Planning Policy Framework (NPPF) and local planning policy. I therefore recommend the proposal for approval subject to conditions.

These proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

Recommendation

Grant Full Planning Permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

4178/100/LBP, P4178/1-3, 4178/100/1, 4178/100/2
3. With the exception of internal works the building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday
08.00 - 13.00 on Saturdays
No working on Sundays or Public Holidays.
4. No development shall take place above ground until details of the materials to be used in the construction of the external surfaces of the dwellinghouse hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5.
 - (i) Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal/management have been submitted to and approved in writing by the Local Planning Authority.
 - (ii) Development shall be carried out in accordance with the details approved under (i) and no occupation of any of the dwellings or flats hereby approved shall occur until those works have been completed.
 - (iii) No occupation of any of the dwellings or flats hereby approved shall occur until the Local Planning Authority has confirmed in writing that it is satisfied, that the necessary drainage infrastructure capacity is now available to adequately service the development.
6. No development shall commence on site until full details of the measures to be undertaken to divert the public sewers which are known to cross the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approve details.
7. The development shall not be occupied until details of the materials and layout of the reconstructed access and the specification for the construction of the access have been submitted to and approved in writing by the Planning Authority and the use hereby permitted shall not commence until

the construction of the access has been completed in accordance with the approved details.

8. The access shall be widened to 4.5m for a distance of 10m from the carriageway and all work shall be undertaken and completed by the applicant to the satisfaction of the Local Planning Authority prior to occupation of the development hereby permitted.
9. There shall be no obstruction to visibility (over 0.8 metres above the level of the adjoining footway) in either direction onto The Ridge within splays of 2.4metres x 43metres.
10. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.
11. The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
12. The side facing windows on both dwellings hereby approved shall be obscure glazed with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3, or similar equivalent and be permanently fixed shut and non-opening below 1.8 metres from finished floor level.
13. No development shall take place above ground until full details of all boundary enclosures have been submitted to and approved in writing by the Local Planning Authority. All such boundary enclosures shall be erected before the building to which it relates is occupied.
14. All planting seeding or turfing comprised in the approved soft landscaping scheme drawing No. 4178 / 100 1 shall be carried out prior to the occupation of any part of the development, or with the written agreement of the Local Planning Authority, in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.

3. In the interests of the amenity of the neighbouring residential occupiers.
4. In the interests of the visual amenity of the area.
5. To prevent increased risk of flooding.
6. To ensure that no property is occupied until adequate access and drainage facilities have been provided.
7. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
8. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
9. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
10. To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.
11. In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.
12. To protect the amenities of adjoining residential properties.
13. In the interests of the amenity of the neighbouring residential occupiers.
14. To ensure a satisfactory form of development in the interests of the character and amenity of the area.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.
3. This permission is the subject of an obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
4. The drainage details shall include the SUDS Tool Report available on the East Sussex County Council website.

Officer to Contact

Mrs E Collins, Telephone 01424 783278

Background Papers

Application No: HS/FA/15/00882 including all letters and documents