

SITE PLAN

BEXHILL

RR/2019/399/P

3 Knebworth Road



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Not To Scale

## Rother District Council

Report to - Planning Committee  
Date - 20 June 2019  
Report of the - Executive Director  
Subject - Application RR/2019/399/P  
Address - 3 Knebworth Road  
BEXHILL  
Proposal - Outline: Proposed erection of a 4 bedroom detached dwelling with parking for existing and proposed dwellings.

[View application/correspondence](#)

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**Recommendation: It be RESOLVED: TO GRANT (OUTLINE PLANNING)**

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**Head of Service: Tim Hickling**

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**Applicant:** Mrs D. Merricks  
**Agent:** A&M Architectural Partnership  
**Case Officer:** Miss Rebecca Burt  
(Email: [rebecca.burt@rother.gov.uk](mailto:rebecca.burt@rother.gov.uk))  
**Parish:** BEXHILL  
**Ward Member(s):** Councillors B.J. Drayson and L.M. Langlands

**Member referral: Councillors B Drayson raises concerns in relation to flood risk and drainage, the impact of the development in relation to the character and appearance of the area including car parking and the principle of subdividing the plot.**

**Statutory 8 week date: 25 April 2019**  
**Extension of time agreed to: 21 June 2019**

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This application is included in the Committee site inspection list.

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### **1.0 SUMMMARY**

- 1.1 This is an outline planning application seeking planning permission for the erection of an additional dwelling on the site. The dwelling proposed is a four bedroom unit, two-storeys with parking. Parking is also proposed for the existing dwelling as the proposal includes the loss of the garage.
  - 1.2 The application is recommended for approval having regard to matters such as: the principle of development; subdivision of the plot; living conditions; the effect of the proposal on the visual amenities of the street scene and the locality; car parking; flood risk and drainage; and ecology.
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## **2.0 SITE**

- 2.1 A detached dwelling occupying an elevated position located on the west side of Knebworth Road and within the development boundary for Bexhill. The application relates to the southern garden area where a garage building and driveway is currently sited.
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## **3.0 PROPOSAL**

- 3.1 This application seeks outline permission, with all matters reserved, for the subdivision of the existing garden area serving No. 3 Knebworth Road (the existing dwelling) and the erection of a detached two-storey, four-bedroom dwelling. The dwelling would be sited in the southern part of the garden which is located to the side of the host dwelling. The proposal includes the loss of the driveway and garage for the existing dwelling and therefore proposes a new drive for the existing dwelling adjacent to the northern side boundary in a tandem arrangement. Parking for the proposed dwelling would be on the existing drive, again in a tandem arrangement notwithstanding the loss of the garage.
- 3.2 The application is accompanied by proposed floor plans and elevations drawings and a proposed parking arrangement drawing, however it should be noted that these are indicative and seek to demonstrate how a new dwelling and parking could be located on the application site. A preliminary ecological appraisal is also proposed.
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## **4.0 HISTORY**

- 4.1 RR/85/1075 - Outline: Erect detached dwelling/integral garage. Erect garage for existing dwelling new vehicular access – Refused.
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## **5.0 POLICIES**

- 5.1 The following policies of the [Rother Local Plan Core Strategy 2014](#) are relevant to the proposal:
- PC1: Presumption in Favour of Sustainable Development
  - OSS2: Use of Development Boundaries
  - OSS3: Location of Development
  - OSS4: General Development Considerations
  - BX1: Overall Strategy for Bexhill
  - BX3: Development Strategy
  - SRM2: Water Supply and Wastewater Management
  - CO6: Community Safety
  - EN3: Design Quality
  - EN5: Biodiversity and Green Space
  - EN7: Flood Risk and Development
  - TR3: Access and New Development
  - TR4: Car Parking

5.2 The following policies of the emerging [Development and Site Allocations Local Plan](#) (DaSA) (submitted for examination in January 2019) are relevant to the proposal:

- DHG3: Residential Internal Space
- DHG7: External Residential Areas
- DHG11: Boundary Treatments
- DHG12: Accesses and Drives
- DM2: Development Boundaries

5.3 The National Planning Policy Framework and Planning Policy Guidance are also material considerations.

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## 6.0 CONSULTATIONS

6.1 East Sussex County Council (ESCC) Highways – **NO OBJECTION**

6.1.1 No formal comments made but advised to consult the Minor Planning Application Guidance 2017.

6.2 Planning Notice

6.2.1 14 letters of **OBJECTION** received from 12 separate addresses (summarised):

- Loss of privacy and will overlook our front garden (No.1).
- Parking problems will be more severe in the area.
- Will set a precedent as a number of properties in the area have large plots and garages.
- Knebworth Road often floods and the further lack of grass would make this worse.
- The rear windows of the proposed dwelling would overlook our rear garden which isn't overlooked at present (No.18).
- If our hedge was to be damaged by the build this would result in the loss of privacy.
- The proposed dwelling is not in keeping with the plot ratios.
- All of the detached properties have garages – this proposal results in the loss of garages.
- Out of character with the area and squeezed into a plot.
- The two neighbouring properties to the proposal are some of the oldest in the area and a modern house would be out of keeping.
- The road is currently very busy and the proposal would be dangerous by virtue of an additional egress onto the highway.
- The parking bays are out of character and involve a significant excavation.
- The proposed development is visually overbearing and detrimental to the area.
- The revised plans do not overcome the concerns raised. The tandem parking will only increase the potential for incidents.
- The properties near the end of the road find it difficult to manoeuvre.
- The design of the new property is mundane and dull in the extreme.
- Knebworth Road and the adjacent Warwick Road contain some of the best early 20th century and inter-war houses in the town.

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## 7.0 LOCAL FINANCE CONSIDERATIONS

- 7.1 As the application is outline, the Community Infrastructure Levy (CIL) is not a consideration at present. However, if planning permission and a reserved matters scheme were forthcoming; the development would be one that would be liable for CIL although it may be subject to an exemption.
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## 8.0 APPRAISAL

- 8.1 The main issues for consideration are:

- Principle of development
- The subdivision of the plot
- Living conditions
- The effect of the proposal on the visual amenities of the street scene and the locality
- Car parking
- Flood Risk and Drainage
- Ecology

### 8.2 Principle of Development

- 8.2.1 The site is set within the development boundary for Bexhill and therefore falls within a sustainable area where there is a presumption in favour of infill development subject to complying with all other Local Plan Policies. This includes criteria ensuring that the character and appearance of the locality is respected, that it provides appropriate amenity for existing and future occupiers and it does not unreasonably harm neighbouring amenities. As such, a new dwelling could be acceptable here, if it accords with policies in other respects.

### 8.3 The subdivision of the plot

- 8.3.1 Policy OSS4 (i) of the Rother Local Plan Core Strategy (2014) states that development should meet the needs of future occupiers, including providing appropriate amenities.

- 8.3.2 No.3 occupies a particular wide plot. The proposal seeks to centrally divide the existing amenity space afforded to No.3 which would create long and thin plot sizes for both the existing and proposed dwelling. These plot sizes would be of a similar size to the properties lining the western side of Knebworth Road, albeit the majority of these properties are semi-detached as opposed to detached.

- 8.3.3 The size of the plots are considered to be acceptable. On the indicative plan, the proposed dwelling would be set back into the site in line with existing neighbouring properties. The addition of a dwelling in this location could reflect the established character of the locality.

## 8.4 Living Conditions

8.4.1 Policy OSS4 (i) of the Rother Local Plan Core Strategy (2014) states that development should not unreasonably harm the amenities of adjoining properties and should meet the needs of future occupiers, including providing appropriate amenities and the provision of appropriate means of access for disabled users.

### 8.4.2 *No. 3 Knebworth Road*

8.4.3 No. 3 is the existing dwelling on the site located to the north of the proposal and its owner is the applicant for this application. Nevertheless the impact of the proposed development on No. 3 is a material planning consideration. The proposal represents infill development and leaves acceptable separation distances between dwellings. The indicative plans show a separation distance of just under 4m (measured from side elevation to side elevation). This is not considered to be out of character with the established layout of the locality.

8.4.4 With regards to side windows, the indicative plan shows one first floor window on the elevation facing No. 3. However, this window appears to serve a stairwell and not a habitable room. Consequently, if planning permission was forthcoming, conditions would be imposed requiring this window to be obscurely glazed to protect privacy.

### 8.4.5 *No. 24 Knebworth Road*

8.4.6 No. 24 is the neighbouring dwelling to the south, which occupies a corner plot on the junction of Knebworth Road and Little Common Road. The occupiers of No. 24 have raised a number of objections to the proposed scheme. A private track separates No. 24 and No. 3. The proposal represents infill development and could provide acceptable separation distances between dwellings. The indicative plan shows that the proposed dwelling could be sited just under 13m from No. 24 (measured from side elevation to side elevation).

8.4.7 No. 24 has raised specific concerns in terms of the loss of privacy to their rear garden space caused by overlooking from first floor windows of the proposed dwelling. The properties would sit side by side and the indicative plan indicates that there would be no projection beyond the rear building line of No. 24. In terms of direct overlooking, first floor rear elevation windows are proposed by the indicative drawings. However, they could be set in from the side boundaries and would provide oblique views towards the rear gardens of its adjoining neighbours. This sort of relationship is usually considered acceptable in linear settlement patterns and, subject to reserved matters details, would be unlikely to lead to a harmful impact on the living conditions of the occupants of the neighbouring properties.

### 8.4.8 *No. 1 Knebworth Road*

8.4.9 No. 1 is located behind No. 24, to the south of the application site, forming a backland housing plot. This property is accessed via a private track separating No. 24 and No. 3 and it set on much higher ground to its eastern neighbours fronting Knebworth Road.

- 8.4.10 No. 1 has raised specific concerns in relation to the loss of privacy to their front garden space caused by overlooking from the first floor windows of the proposed dwelling. They state, 'No. 1 Knebworth Road lies behind the proposed site on a raised elevation and we will be overlooked from both the side and rear views of the proposed property resulting in a lack of privacy.'
- 8.4.11 A specific site inspection was undertaken to view the proposal from No. 1 and it is noted that the front garden area of No. 1 was clearly a well-kept and utilised amenity space associated with the enjoyment of the dwelling. Views towards this area could be possible from first floor windows, although due to the orientation of No. 1; these views would be oblique. Due to the fact No. 1 is set on higher ground to the proposed location site and there would be a considerable separation distance, in excess of 20m, from the rear elevation of the proposed dwelling and the garden area of No. 1; it is not considered that the proposed dwelling would harm the amenity of No. 1 and No. 1 does have additional amenity space to the rear.
- 8.4.12 With regards to side windows the indicative plan shows two first floor windows on the elevation facing No. 24 and No. 1; although these windows appear to serve bathrooms and not habitable rooms. Consequently, if planning permission was forthcoming, conditions would be imposed requiring these windows to be obscurely glazed to prohibit overlooking.
- 8.4.13 Based on the above assessment there is not expected to be any harm to adjoining neighbouring amenity.
- 8.4.14 Emerging Policy DHG3 will require new housing development to achieve, at least, the Government's nationally-described space standards. The indicative plans indicate approximately 130sqm of gross internal floor space. This meets the minimum requirement of 124sqm for a 4 bedroom/2floor dwelling and therefore would provide a good standard of accommodation for future occupiers. This policy can only be afforded some weight at present as the DaSA is yet to be adopted.
- 8.4.15 Emerging Policy DHG7 requires new housing development to (i) achieve adequate private external space (normally 10m in length), (ii) provide appropriate parking and cycle storage and (iii) provide adequate waste and recycling storage. With regard to the resultant garden area, there would be a decent sized garden to the rear (approximately 30m) and also to the front.
- 8.5 The effect of the proposal on the visual amenities of the street scene and the locality
- 8.5.1 Policy EN3 (i) states that new development is required to be of high design quality which contributes positively to the character of the site and surroundings, and takes the opportunity to improve areas of poor visual character or with poor townscape quality.
- 8.5.2 Policy OSS4 (iii) states that development should respect and not detract from the character and appearance of the locality.
- 8.5.3 The proposal represents an in-fill development and consideration has been given to the siting of the dwelling. The indicative plan does shows a dwelling accommodated in line with the existing building line of other properties. The

length and height of the proposed dwelling is considered respectable in terms of its relationships with its adjoining neighbours within the streetscene. The layout as shown is not considered to be out of character with the established layout of the locality.

- 8.5.4 During the consultation phase, it was raised with the applicant that the parking arrangement proposed for the existing dwelling would be out of character with the other properties in the area which are characterised by single-file driveways leading up to front doors. The applicant first proposed a wide two bay feature carved into the existing raised front garden which would result in an extensive area of dropped kerb and a significant loss of the roadside verge. This was considered to be harmful to the character and appearance of the area and the applicant subsequently amended the scheme. The scheme now proposes a tandem parking arrangement running parallel to the northern elevation and can accommodate two vehicles similar to the existing arrangement for No. 3. Consequently, it is considered that the proposed amendments overcome this original concern and the scheme would now reflect the character and appearance of the area.
- 8.5.5 In terms of the design of the dwelling; the plans are indicative only and a reserved matters application would be required. It is considered that the elevation design of the proposed dwelling requires more consideration but this would be a reserved matter.

## 8.6 Car Parking and Highway Safety

- 8.6.1 Policy TR4 states that planning decisions are required to '(i) Meet the residual needs of the development for off-street parking having taking into consideration localised circumstances and having full regard to the potential for access by means other than the car, and to any safety, congestion or amenity impacts of a reliance on parking off-site whether on-street or off-street.'
- 8.6.2 The issue of parking has been raised by a local resident. The layout plan indicates four parking spaces to serve the proposed dwelling and the existing. This is considered acceptable having regard to the ESCC parking calculator which requires four parking spaces for the proposed scheme.
- 8.6.3 A number of concerns have been raised in relation to highway safety and the impact of an additional driveway egressing onto Knebworth Road in close proximity to the junction with Little Common Road. ESCC Highways Authority has been consulted on the proposed scheme and has made no objection. It is worth noting that Knebworth Road is an unclassified road and planning permission is not required for new accesses onto to unclassified roads. Therefore, in any event, the Local Planning Authority would be unable to restrict the current occupiers from creating a new access from their existing address. While the works to undertake the access are likely to constitute an engineering operation requiring planning permission in which the Local Planning Authority could consider the design of the access.

## 8.7 Flood Risk and Drainage

- 8.7.1 Policy SRM2 of the Rother Local Plan Core Strategy seeks to secure effective management of water resources. The site is not located within a high-risk

flood zone from tidal or fluvial flooding. However, surface water flood risk is a concern and the Knebworth Road is defined by the EA as 1 in 30-year surface water flooding event area. The application form indicates that surface water drainage would be disposed of via soakaways, although no details have been submitted in relation to this.

8.7.2 Therefore, in the event that planning permission was granted it would be essential to impose a condition relating to surface water drainage to ensure that the use of soakaways was suitable for the site. If soakaways are not considered suitable, then an alternative suitable scheme should be submitted. Infiltration testing is advised and the SuDS tool report should be consulted before a surface water management scheme is submitted to the Local Planning Authority for consideration in consultation with the Lead Local Flood Authority (ESCC). No development should commence before these details have been approved in writing by the Local Planning Authority.

## 8.8 Ecology

8.8.1 A Preliminary Ecological Appraisal has been conducted in support of this application. From the evidence provided, subject to developing the land sensitively, no protected species would be adversely affected by the proposed development. In the event that planning permission was granted conditions could be imposed to secure any necessary protection and enhancements deemed necessary.

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## 9.0 PLANNING BALANCE AND CONCLUSION

9.1 The development proposed is considered to meet the social, economic and environmental role of sustainable development as set out in paragraph 8 of the National Planning Policy Framework and is otherwise consistent with the development plan. Therefore, the proposal can be supported subject to the imposition planning conditions.

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## **RECOMMENDATION: GRANT (OUTLINE PLANNING)**

### **CONDITIONS:**

1. Before any part of the development hereby approved is commenced approval of the details of the access, appearance, scale, landscaping, and layout of the site, (hereinafter called "the reserved matters"), shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out only as approved.

Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with section 92 of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan on Drawing No. 4181-112/B, Dated 30/04/18

Reason: For the avoidance of doubt and in the interests of proper planning, as advised in Planning Practice Guidance Paragraph: 022 Reference ID: 21a-022-20140306.

5. The positions, form and size of the footprints of the dwelling indicated on the submitted location plan are not hereby approved.

Reason: To allow these matters to be properly considered in the context of a detailed reserved matters application and also, in relation to existing trees on the site. To ensure the development accords with Policy OSS4 (iii) of the Rother Local Plan Core Strategy.

6. Pursuant to Condition 1, the development shall not be occupied until parking areas have been provided in accordance with a plan that has been submitted for the consideration and subsequent approval of the Local Planning Authority. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy TR4 of the Rother Local Plan Core Strategy.

7. No development shall commence until a scheme for the provision of foul and surface water drainage works has been submitted to and approved in writing by the Local Planning Authority and none of the dwellings shall be occupied until the drainage works to serve the development have been provided in accordance with the approved details.

Reason: To ensure the satisfactory drainage of the site and to prevent water pollution in accordance with Policies OSS4 and EN7 of the Rother Local Plan Core Strategy.

**NATIONAL PLANNING POLICY FRAMEWORK:** In accordance with the requirements of the Framework (paragraph 38) and with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.