

# Planning Committee

**MEMBERS:** Councillor Murray (Chairman); Councillor Coles (Deputy-Chairman); Councillors Choudhury, Jenkins, Miah, Murdoch, Robinson and Taylor

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## Agenda

**1 Minutes of the meeting held on 12 December 2017.** (Pages 1 - 4)

**2 Apologies for absence.**

**3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**

**4 Urgent items of business.**

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.

**5 Right to address the meeting/order of business.**

The Chairman to report any requests received to address the Committee from a member of the public or from a Councillor in respect of planning applications/items listed and that these applications/items are taken at the commencement of the meeting.

**6 2 Burrow Down. Application ID: 171388.** (Pages 5 - 12)

**7 3 Brand Road. Application ID: 171322.** (Pages 13 - 18)

**8 8 Auckland Quay. Application ID: 171438.** (Pages 19 - 24)

**9 8 Chiswick Place. Application ID: 171283.** (Pages 25 - 34)

**10 26 Denton Road. Application ID: 171224.** (Pages 35 - 42)

**11 Bar Coda 125 Langney Road. Application ID: 170928.** (Pages 43 - 52)

**12 Heatherleigh Hotel, Application ID: 171333.** (Pages 53 - 72)

**13 Former Police Station, Grove Road. Application ID: 171819.**  
(Pages 73 - 86)

- 14 Minster House York Road. Application ID: 171170.** (Pages 87 - 92)
- 15 Minster House, York Road. Application ID: 171171.** (Pages 93 - 100)
- 16 South Downs National Park Authority Planning Applications.**
- 17 Appeal Decisions.** (Pages 101 - 112)
  - 1) 2 Tamarak Close.
  - 2) 21 Derwent Road (includes costs decision).
  - 3) Store to the rear of 315 Seaside.

**Inspection of Background Papers** – Please see contact details listed in each report.

**Councillor Right of Address** - Councillors wishing to address the meeting who are not members of the Committee must notify the Chairman in advance.

**Disclosure of interests** - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.

In the case of a DPI, if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

**Public Right of Address** – Requests by members of the public to speak on a matter which is listed in this agenda must be received in writing by no later than 12 Noon, 2 working days before the meeting e.g. if the meeting is on a Tuesday, received by 12 Noon on the preceding Friday). The request should be made to Local Democracy at the address listed below. The request may be made by letter, fax or electronic mail. For further details on the rules about speaking at meetings please contact Local Democracy.

**Registering to speak – Planning Applications** - If you wish to address the committee regarding a planning application you need to register your interest with the Development Control Section of the Planning Division or Local Democracy within **21 days** of the date of the site notice or neighbour notification letters (detail of dates available on the Council's website at [www.eastbourne.gov.uk/planningapplications](http://www.eastbourne.gov.uk/planningapplications)).

Requests made beyond this date cannot normally be accepted. This can be done by telephone, letter, fax, e-mail or by completing the local democracy or planning contact forms on the Council's website.

**Please note: Objectors** will only be allowed to speak where they have already submitted objections in writing, new objections must not be introduced when speaking.

## Further Information

Councillor contact details, committee membership lists and other related information is also available from Local Democracy.

**Local Democracy**, 1 Grove Road, Eastbourne, BN21 4TW

Tel: (01323) 415023/415021 Text Relay: 18001 01323 410000, Fax: (01323) 410322

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For general Council enquiries, please telephone (01323) 410000 or E-mail: [enquiries@eastbourne.gov.uk](mailto:enquiries@eastbourne.gov.uk)

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Tuesday, 12 December 2017  
at 6.00 pm



## Planning Committee

Present:-

**Members:** Councillor Murray (Chairman) Councillor Coles (Deputy-Chairman)  
Councillors Choudhury, Jenkins, Miah, Murdoch, Robinson and  
Metcalf (as substitute for Taylor)

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### **74 Minutes of the meeting held on 21 November 2017.**

The minutes of the meeting held on 21 November 2017 were submitted and approved and the Chair was authorised to sign them as an accurate record.

### **75 Apologies for absence.**

An apology for absence was received from Councillor Taylor.

### **76 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**

There were none.

### **77 Urgent items of Business**

The committee was reminded that the consultation period for the demolition of St Elisabeth's church closed on 8 January 2018. The Senior Specialist Advisor for Planning suggested that a response supporting the demolition of the Church could be sent on behalf of the Council.

**RESOLVED:** That the Senior Specialist Advisor for Planning prepare and send a response supporting the demolition of the Church on behalf of the Council.

### **78 1 Stuart Avenue. Application ID: 170900.**

Variation of condition 2 of planning permission granted 06 March 2017 for the proposed erection of a 4 bed detached dwelling house (ref: 170058) to retain the dwelling as built (includes omission of chimney, amendments to windows and doors at ground floor and increased height of ground floor above ground level from 0.15m to 0.25m, proposed rear terrace and new fence to east elevation 2.1m in height) – **OLD TOWN.**

NB: Councillor Miah was not present for this item.

**RESOLVED: (Unanimous)** That the proposed changes to the building be agreed subject to the following condition:

- 1) That the building shall not be occupied until the proposed fence is in situ in accordance with the approved details.

**79     21 Susans Road and 10 Pevensey Road. Application ID: 170725.**

Full height extension to side of Susans Road elevation (north west elevation) with false pitch roof and front facing windows and door to street, infilled shop window on Susans Road elevation to be replaced with door to street and window, two roof lights to rear, reinstatement of light wells with associated lower ground floor door and window configurations and decorative railings to be installed along road- facing frontages. Conversion of shop unit to residential with all associated internal alterations and removal of shopfront on Pevensey Road elevation to provide bay window. Development will result in net increase of three dwellings, 6 to 9 (revised description) – **DEVONSHIRE**.

NB: Councillor Miah was not present for this item.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions:

- 1) Time
- 2) Drawings
- 3) Construction method statement
- 4) Hours of development
- 5) Matching materials
- 6) Traffic management scheme & associated tree protection
- 7) Detailed drawings of levels, sections and structural calculations AIP document (Highways)
- 8) No occupation until existing vehicular access is physically closed
- 9) No contaminated materials onsite

**Informative:**

- 1) Party Wall Agreements may be required
- 2) Stopping up Order
- 3) Section 278 Agreement with ESCC Highways
- 4) Licence to remove access and kerb required from ESCC Highways

**80     Eastbourne Pier. Application ID: 171163.**

Paint the entrance mall roof white in colour with a metal protective and sealant paint – **DEVONSHIRE**.

Mr Gulzar, applicant, addressed the committee stating the importance of maintaining and protecting the pier.

The committee discussed the application and queried the use of a different colour paint, such as grey, to blend better with the surroundings.

NB: Councillor Miah was not present for the first part of the debate on this item and did not take part in the debate or vote thereon.

**RESOLVED: (By 4 votes to 3)** That listed building consent be refused on the grounds that because of the choice of colour and materials used, the painting of the roof areas to the entrance feature to the Pier would harm the special historic interest of this Grade II\* Listed Building. This would result in less than substantial harm to this heritage asset without sufficient mitigation through demonstrable public benefits of the proposed works. This is contrary to paragraph 134 of the National Planning Policy Framework, Policy B1, D10 and D10A of Eastbourne Core Strategy (adopted 2015) and UHT1 and UHT17 of the Borough Plan (saved policies) 2007.

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.

**81 South Downs National Park Authority Planning Applications.**

There were none.

**82 Appeal Decision.**

4 Walnut Tree Walk. The Inspector dismissed the appeal.

The meeting closed at 6.32 pm

**Councillor Murray (Chairman)**

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<b>App.No:</b> 171388 (HHH)	<b>Decision Due Date:</b> 11 January 2018	<b>Ward:</b> Old Town
<b>Officer:</b> Danielle Durham	<b>Site visit date:</b> 5 <sup>th</sup> December 2017	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> 15 December 2017 <b>Neighbour Con Expiry:</b> 15 December 2017 <b>Press Notice(s):</b> NA		
<b>Over 8/13 week reason:</b> Cycle of Planning committee		
<b>Location:</b> 2 Burrow Down, Eastbourne		
<b>Proposal:</b> Proposed in-fill ground floor extension and porch to front elevation and first floor extension to cover the entire ground floor footprint along with associated alterations and new proposed driveway. (Revised application following refusal of PC 170902)		
<b>Applicant:</b> Mr Hoxha		
<b>Recommendation:</b> Approve Conditionally		

## Executive Summary

This application has been referred to the Committee due to the number of objections and following a request by a councillor for the Planning Committee members to debate the issues around this proposed extension.

The proposed extension is considered to be an appropriate extension that respects the character, size and scale of those properties within the immediate vicinity of the site.. It is considered therefore that the extension would not impact significantly on the character of the site and surrounding area.

Given the significant changes of levels across the site, no off street parking is proposed, as this results no change from the existing arrangement it is considered the reliance of street parking in area of limited parking stress would be acceptable.

This application is recommended for approval.

## Relevant Planning Policies:

National Planning Policy Framework

7. Requiring good design

Eastbourne Core Strategy Local Plan Policies 2013

B1 Spatial Development Strategy and Distribution  
B2 Creating Sustainable Neighbourhoods  
C4 Old Town Neighbourhood Policy  
D5 Housing  
D10a Design

Eastbourne Borough Plan Saved Policies 2007

US1 Hazardous Installations  
HO2 Predominantly Residential Areas  
NE14 Source Protection Zone  
HO20 Residential Amenity  
UHT1 Design of New Development  
UHT4 Visual Amenity

**Site Description:**

The site consists of a bungalow on a corner plot. The property is close to the edge of the boundary with the South Downs National Park. This area is on a steep incline and the site itself is on a much higher ground level than the road. The site does not currently have vehicular access or off street parking. There is a variety of types of properties in this area, ranging from two storey houses on Burrow Down to a bungalow set back from the road with access from Priory Heights behind 2 Burrow Down.

The front garden to the property currently bordered with large and established hedging.

**Relevant Planning History:**

170902

Proposed two storey extension: First floor extension to cover entire ground floor and second floor comprised of rooms in roof with roof lights. Proposed garage to side elevation along with the provision of a new vehicle cross over, new porch and associated alterations. (amended plans submitted)

Householder

Refused

10/10/2017

**Proposed development:**

Extensions to ground floor-

The ground floor of the property would be extended front corner elevation to extend the existing kitchen, infilling the corner to give a rectangle footprint of the building. The applicant has also proposed a pitched roof porch covering.

First floor extension-

This is across the entire extended footprint of the bungalow and is now proposing a shallow pitch to the roof and deleting the roof accommodation

from the scheme. The reduction in the pitch of the roof has reduced the height of the building by approximately 2m.

The applicant has been amended following the officers recommendation to remove the driveway element of the proposal.

#### Materials-

The applicants have proposed post and rail fencing to the boundary.

The roof tiles are proposed to be Marley Modern in smooth grey. The applicant has proposed facing brickwork to match the existing on the ground floor and Marley Cedar weatherboard cladding in C10 Blue Grey to the first floor elevations.

#### Associated alterations:

The windows on the ground floor side elevation facing Priory heights are proposed to be increased in size along with the windows on the ground floor rear elevation. The applicants have also proposed glass doors on the rear elevation providing access to the rear garden.

The conservatory to the side elevation facing number 4 Burrow Down would also be removed.

The applicants have also proposed amending the steps serving the front door turning them 90 degrees.

#### **Consultations:**

##### External:

##### Southern Gas Networks

There is a high pressure pipeline in the vicinity of the works. The proposals would require the exact location of the pipeline and other SGN assets to be located before any works commences, either by electronic detection or by hand excavated trial holes as specified in document SW/2. The works must be supervised by a SGN representative.

Vehicle crossings over the pipeline must be kept to a minimum and must cross at 90 degrees. The crossing will require agreement with SGN and may require design and calculations, as evidence to prove there is minimal added stress to the pipeline. Method statements must be agreed before works commence.

##### Neighbour Representations:

6 Objections have been received and cover the following points:

- Visual impact
- Impact to the environment; wildlife and neighbours during construction

- The proposal would appear dominant and over bearing due to the location
- Overlooking from the additional floor
- Loss of light/ overshadowing
- Loss of privacy
- No dimensions shown on plans
- Discrepancies over the height of the proposal in relation to the neighbouring properties – predominantly that adding another storey would not be lower than the height of the neighbouring properties
- Overbearing
- The driveway would be dangerous
- Roof lights would rapidly follow with rooms in the roof
- Bungalows should be extended sympathetically and protected so that they can contribute to the heritage of the area.

### **Appraisal:**

#### Principle of development:

There is no objection in principle to the extension of the property and making alterations to the building provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity and is in accordance with the policies of the Core Strategy.

2013, and saved policies of the Borough Plan 2007 and the National Planning Policy Framework (2012).

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

Due to the detached nature of the property and the location and orientation within context of the surrounding neighbouring properties it is not considered there would be a significant loss of light or over shadowing caused to properties surrounding the site to warrant a refusal of the application on this ground.

The issue of overlooking has been raised by a number of neighbours. It is considered that there would be limited overlooking caused by the proposal. Number 1 Burrow Down is at a distance of approx. 26m from the site at such a distance this does not lead to a significant adverse impact of overlooking. The windows facing the property are street facing windows. Due to the elevated ground level even at the existing ground floor level of 2 Burrow Down are level with the first floor windows of number 1. The elevated position may increase the sense of perceived overlooking from a higher level however it is not considered that this would be significant to warrant the refusal of the application for this reason. The perception of overlooking from the proposed first floor windows is partly mitigated as number 4 Burrow Down has existing first floor windows of a higher level providing an existing perception of overlooking from this level. The proposed first floor windows

would not be considered to create a significantly additional level of overlooking or perception of overlooking, over and above the existing levels.

The terraced properties on Priory Heights are at an obtuse angle to the proposal site and the proposed windows at first floor level. Due to the angle there would be no direct overlooking it has been considered necessary to condition that there would be no permitted development rights to add additional windows to the rear first floor elevation along with that the proposed windows are obscure glazed as they are proposed to serve, bathrooms, stairwell and dressing area.

There are no windows on the side elevation of number 4 Burrow Down to the south of the site. As Such there would be no overlooking of habitable rooms by way of the extension.

There is approx. 26m between 2 Burrow Down and 5 Priory Heights as such it is considered that at 26m apart any overlooking would not be considered sufficient for refusal due to the significant distance between the properties. In addition it has been conditioned that the windows are obscure glazed to minimise the perception of overlooking from first floor windows over the properties on Priory Heights.

The other properties on Priory Heights are at a sufficient distance that overlooking would not be considered to cause a significant adverse impact.

Design issues:

The proposed developments are considered to be in keeping with the street scene as the property would be of a similar height bulk to others in the area. It is also considered that the development would cause minimal loss of natural screening and would not significantly adversely impact the local distinctiveness of the area.

Impact on character and setting of a listed building or conservation area:

The property is not in a conservation area or a listed building as such there is considered to be no significant adverse impact to either a conservation area or listed building.

Although the building is a bungalow and there are not many examples of bungalows in the immediate vicinity, as the property is not a listed building or in a conservation area there is no specific protection afforded that would prevent the principle of extending the property

Impacts on trees:

The trees/ hedging plants on the site are not protected by TPO or tree conditions the proposed works would as such have no adverse impact to protect trees. The property is also not within the South Downs National Park and as it is over 35m from the boundary of the national park, along with the minimal expansion of the footprint of the building, as it predominantly

extends upwards, it would not be considered to have a significant adverse impact to the wider landscape.

Impacts on highway network or access:

The original scheme proposed a driveway with access from Priory Heights, this was deemed not suitable given the proximity to the existing junction between Priory Heights and Burrow down and it would lead to confusion over priority, this has now been deleted from the current scheme.

Due to the location and proximity with the High Pressure Gas Main it is appropriate to condition that the SGN pipeline is located prior to work, that works are supervised by a SGN representative and that no mechanical excavations are undertaken within 3m of the pipeline for safety purposes.

Other matters:

The process of constructing the proposed additional floors and the disruption of the works is not a material planning consideration as this would be temporary and works would eventually be completed.

The loss of a view is also not a material planning consideration.

It has also been raised by objectors that the applicants may wish to do a loft conversion in the future, although it would be unlikely to be possible with the proposed roof height, it is considered that it is appropriate to condition the planning consent to remove permitted development rights in order that the loft cannot be converted under permitted development as this type of proposal was refused under planning application 170902.

**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:**

It is considered that the proposed development will not negatively impact the amenity of the occupiers of surrounding properties or be detrimental to the character and appearance of the area. Proposal therefore complies with local and national policies.

**Recommendation:**

Approve Conditionally

**Conditions:**

- Time
- For the avoidance of doubt this application promotes extensions to the existing property and does not sanction the demolition of the existing

property and rebuild, this should for the content of a further application.

- No permitted development rights to loft space
- Obscure glazing to all rear first floor windows
- Removal of permitted development rights for windows on first floor rear elevation
- The location of the High pressure gas main must be located prior to commencement of works by electronic detection or hand excavation supervised by an SGN representative
- No mechanical excavations are permitted within 3m of the SGN's pipework at any time

### **Summary of reasons for decision**

It is considered that the amendments made to the proposal along with the proposed conditions would mitigate against concerns raised.

### **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.

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<b>App.No:</b> 171322	<b>Decision Due Date:</b> 25 December 2017	<b>Ward:</b> Hampden Park
<b>Officer:</b> William De Haviland-Reid	<b>Site visit date:</b> 12 December 2017	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> 28 November 2017 <b>Neighbour Con Expiry:</b> 28 November 2017 <b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> Within time		
<b>Location:</b> Kenley House, 3 Brand Road, Eastbourne		
<b>Proposal:</b> 2no. Single storey extensions to the side and rear of the host property.		
<b>Applicant:</b> Mr Simon Naish		
<b>Recommendation:</b> Approve Conditionally		

## Executive Summary:

The application is brought to committee by request of an objector to address committee.

The proposed development provides an acceptable form of residential development that would be consistent with the site and surrounding area.

Scheme is recommended for approval with conditions.

## Planning Status:

A detached property located within a predominantly residential area. The property is not a Listed Building nor is it located within a Conservation Area.

## Relevant Planning Policies:

National Planning Policy Framework 2012

- 2. Ensuring the vitality of town centres
- 3. Supporting a prosperous rural economy
- 7. Requiring good design
- 8. Promoting healthy communities
- 12. Conserving and enhancing the historic environment

Core Strategy Local Plan 2013 Policies  
B2 Creating Sustainable Neighbourhoods  
C7 Hampend Park Neighbourhood Policy  
D5 Housing  
D10a Design

Eastbourne Borough Plan Saved Policies 2007  
HO2 Predominantly Residential Areas  
HO20 Residential Amenity  
NE16 Dev within 250m of former landfill site  
UHT4 Visual Amenity  
US4 Floor Protection and Surface Water

**Site Description:**

A detached property located in 3 Brand Road, Eastbourne.

Many of the properties in this area are of a broadly similar design and have a front and rear gardens.

The application site has a driveway in place of the front garden and a garage extension to the North elevation and a glass conservatory to the West (rear) elevation. The south Elevation (side) has a grassed area used primarily as a private rear garden.

**Relevant Planning History:**

EB/1958/0249  
Erection of domestic garage.  
Granted.  
1958-06-26

EB/1955/0418  
Alterations, making 2 existing flats self-contained.  
Granted.  
1955-12-08

EB/1958/0192  
Erection of detached house, with garage.  
Granted.  
1958-05-23

020760  
Provision of replacement conservatory at rear.  
Planning Permission  
Approved unconditionally  
04/03/2002

**Proposed development:**

It is proposed to create an annexe extension to the rear of the property and also extend the side of the property.

Annexe extension on North (side) elevation

The annexe extension is single storey with a flat roof with a mono pitched roof to the front.

The height to the top of the flat roof is 3.2m and extending to the side of the property and having a floor area of 56sqm.

This new floor area accommodates a residential annexe containing separate living and sleeping accommodation from the main house.

There will remain access to the rear annexe via a separate door to the front of the property and from the hall in host property itself, with a door to the rear of the annex allowing access to a small courtyard which can also be accessed by the main house.

There are no windows to the North elevation facing the neighbouring property.

West (rear) extension to the host property

The extension to the rear of the property measures a total height of 5.64m tall and 2.67m to the eaves height. The total width of the proposed West (rear) extension is 7m and the total length is 8.88m. The total area of the proposed extension is 60.59m<sup>2</sup> and the extensions planned use is for a kitchen and dining room to the main family home.

To the South facing elevation of the extension there will be bi-fold patio doors which open onto a patio area which is replacing the decking which already exists. The North area of the extension has a small window which looks onto the courtyard and towards the boundary with No 5 Brand Road

The West (rear) extension will also have 6 no. roof lights (3 on either pitch of the roof).

**Neighbour Representations:**

There have been two neighbour representations

*1no. Letter of Support:*

"I have no objection to the Proposal"

*1no. Letter of Objection requesting to speak at Committee and covering the following points:*

- *Size, scale and bulk of the extension out of character with the wider area*
- *Potential impacts upon the boundary wall*
- *Maximum height of the extension of 4.2m would be overpowering and unneighbourly; no need for an annex to be so high*
- *Loss of light*
- *Height would overshadow limited amenity space currently enjoyed by neighbour*
- *Length of side extension given stepped nature of the existing properties would accentuate the impacts*
- *Roof lights may cause impacts*
- *Given extent of additions these may affect the spacious setting and character of the area*
- *Result in a form of overdevelopment of the site and result in town cramming*
- *Size of the annex is sufficient to sustain as an independent dwelling*
- *Difficulty for the Council to enforce interconnectivity to the main house*
- *Use of the annex may have an adverse impact upon the enjoyment of the adjacent property.*

## **Appraisal:**

### Principle of development:

There is no objection in principle to the proposed development and making alterations to the building provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity and is in accordance with the policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007 and the National Planning Policy Framework (2012).

The main issues to consider with this application are the design of the proposed extensions with the resulting impacts upon the character of the plot in particular and the wider area generally and the potential impact that the development may have upon neighbouring amenity.

### Impact of proposed development on amenity of adjoining occupiers:

Given the size of the extensions their relationship with the common boundaries and their separation to the neighbouring dwellings/plots it is considered that any impacts resulting from light loss would be less than substantial and a refusal based solely on this issue could not be substantiated.

It is noted that the rear extension incorporates a kitchen window that directly faces the shared boundary between Nos 3/5 Broad Road. It is considered

that any perceived overlooking from this window is mitigated by the distance to the boundary and the height of the retained boundary wall.

Similarly the inclusion of roof lights and bi-folding doors to the rear extension would not give rise to any material impacts to the occupiers of the neighbouring plots/properties.

#### Size of annex

The scheme clearly proposes an annexe for dependant relatives; the size of the proposal reflects the needs/aspirations of the applicant however a kitchen/diner and separate bedroom/shower is not an uncommon form of annexe accommodation across the Borough.

The objector has commented that the size/design of the annexe is such that it could sustain independent living; this is always an area of concern when dealing with annexe proposals; however consistent with other similar proposals a condition is recommended to control/prevent the independent use of the annexe.

The use of the annexe may well give rise to a greater intensity of use to parts of the existing garden/plot closer to the common boundaries than currently exists, this impact however does not amount to material harm sufficient to justify a refusal of permission.

#### Design

It is considered that the extensions have been designed taking architectural references from the host and neighbouring properties and as such are considered to be an acceptable form of development that is respectful to the character of the site and the surrounding area.

Given that the scale, form and design of the extensions are not outwith many others across the Borough it is considered that a refusal could not be substantiated.

#### Other Matters

Given the proximity of the annexe to the common boundary a condition is proposed controlling water runoff.

#### Impact on character and setting of a listed building or conservation area:

The host property is not located within a Conservation Area and not a Listed Building.

#### Impacts on trees:

There are no trees and or soft landscaping that are considered to be an impediment to development.

Impacts on highway network or access:

Given that the proposal relates to a domestic extension and additional ancillary accommodation it is considered that the development would not have any material impact upon the local highway impacts.

**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:**

It is considered that the proposed development will not negatively impact the amenity of the occupiers of surrounding properties or be detrimental to the character and appearance of the area. Proposal therefore complies with local and national policies.

**Recommendation:**

Approve Conditionally

**Conditions:**

- 1) Time Limit
- 2) Approved Plans
- 3) No PD for windows and dormers within the extension approved
- 4) Ancillary use
- 5) Surface water run off

**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.

<b>App.No:</b> 171438	<b>Decision Due Date:</b> 30 January 2018	<b>Ward:</b> Sovereign
<b>Officer:</b> William De Haviland-Reid	<b>Site visit date:</b> 08/01/2018	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> 5 <sup>th</sup> January 2018 <b>Neighbour Con Expiry:</b> 5 <sup>th</sup> January 2018 <b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> Within time		
<b>Location:</b> 8 Auckland Quay, Eastbourne		
<b>Proposal:</b> Proposed rear extension, rear & front facing dormer alterations, front porch infill and stair window alterations. Internal alterations.		
<b>Applicant:</b> Mrs S Parker		
<b>Recommendation:</b> Approve Conditionally		

## Executive Summary:

The application is brought to committee by request of an objector and Councillor Di Cara.

The proposed development provides an acceptable form of residential development that would not cause a significant loss of amenity to the neighbouring properties or the wider street scene.

Scheme is recommended for approval with conditions.

## Planning Status:

A residential property located within a predominantly residential area of Eastbourne, Sovereign Harbour. The property is not a Listed Building and is not located within a Conservation Area.

## Relevant Planning Policies:

National Planning Policy Framework 2012

- 7. Requiring good design
- 8. Promoting healthy communities

Core Strategy Local Plan 2013 Policies

B1 Spatial Development Strategy and Distribution Sustainable Centre

B2 Creating Sustainable Neighbourhoods  
C14 Sovereign Harbour Neighbourhood Policy  
D5 Housing High Value Neighbourhoods  
D10a Design

Eastbourne Borough Plan Saved Policies 2007

NE16 Dev within 250m of former landfill site  
US5 Tidal Flood Risk  
HO2 Predominantly Residential Areas  
HO20 Residential Amenity  
UHT4 Visual Amenity

**Site Description:**

The detached host property is located within Sovereign Harbour with a direct marina frontage (from rear garden).

At the front of the property is white cladding on the first floor, with 2no. dormers on the front plane of the roof. The ground floor has a bay window and double doors which are slightly set back.

The rear of the property has a first storey balcony and two small rear dormers. The first floor also has cladding.

The rear garden is of two levels and leads down to the waterfront which has a jetty attached.

**Relevant Planning History:**

100443  
7 Auckland Quay  
Single storey extension at rear.  
Householder  
Approved conditionally  
01/10/2010

110539  
7 Auckland Quay  
Single storey extension at rear (revised scheme to EB/2010/0481)  
Householder  
Approved conditionally  
10/11/2011

140131  
7 Auckland Quay  
Single storey extension to garage to form garden store.  
Householder  
Approved conditionally  
26/03/2014



170838

9 Auckland Quay

Single storey rear extension to existing house, along with extended terrace in rear garden with steps to the lower ground level (amended description)

Householder

Approved Conditionally

10/08/2017

171078

8 Auckland Quay

Proposed 2 storey rear extension, rear & front facing dormer alterations, front porch infill and stair window alterations and rear facing flat roof terrace.

Refused :- *It is considered that the proposal will adversely affect the amenity of the neighbouring properties by virtue of direct overlooking. As such the proposal fails to comply with Eastbourne Core Strategy Local Plan Policies 2013 B2 and also Eastbourne Borough Plan Saved Policies 2007 HO20.*

10/11/2017

171259

9 Auckland Quay

Erection of single storey ground floor full width rear extension internal alterations at first floor, and installation of 2 no. new roof lights at second floor.

Approved Conditionally

04/12/2018

### **Proposed development:**

The application has been submitted to overcome the concerns raised with the previous refusal (171078 Reason for refusal outlined in history section above)

The application has a number of key elements to it namely:-

- Rear extension,
- Rear & front facing dormer alterations,
- Front porch infill and stair window alterations.
- Internal alterations.

The main changes to the scheme(from the previous refusal) relate to the reduction in the depth of the two storey rear extension and the insertion of privacy screens to the first floor balcony.

### **Consultations:**

### **Neighbour Representations:**

5 neighbours have written objecting to the scheme highlighting in the main the following issues:

- The glass panels on the balconies and the two 1.8 meter high screens on the first floor balconies are not in keeping with the original 'Millwood Homes Design' and does not do justice to the homes appearance.
- Overlooking/loss of privacy from balconies
- Disrupt building line
- If balconies are used would increase noise pollution
- Rear extensions often controlled to limit the use of as a balcony
- Given limited separation would dominate the amenities of the occupiers of the adjoining properties
- Given limited width of carriage way to the front of the property there may well be construction issues/problems including parking and storage/delivery of building materials.
- Scheme does little to overcome the concerns of previous refusal
- Loss of light and overshadowing from the scale of the development
- Other extensions in the area have been limited to single storey only
- Disproportionate to the host property
- Glass screens would dominate the neighbouring plots and increase perceived overlooking
- Would set an undesirable precedent which would damage the character of the area.

### **Appraisal:**

#### Principle of development:

There is no objection in principle to the proposed development and making alterations to the building provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity and is in accordance with the policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007 and the National Planning Policy Framework (2012).

The main issues to consider for this application are the effects on the amenity of the neighbouring properties and the effects on the amenity of the surrounding area.

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

The dormers on the front of the property are larger than the existing and measure broadly 2m in width and 3m height.. It is considered that the proposed dormers will offer no more a view than that of the existing dormers already existing within the property and as such do not affect the amenity of the neighbouring properties.

The first floor extension at the rear of the property has been reduced by 2m, while retaining the second floor terrace, however the terrace does not look into neighbouring properties as either side of the proposed terrace is a pitched roof which stands at 2.6m tall from the terrace floor level.

Since the original application the first floor terrace has seen the addition of 1.8m high obscure glass privacy screens on either side of the elevations, this mitigates direct overlooking into neighbouring plots/properties. Notwithstanding this it is acknowledged a number of properties along this stretch of the harbour-side have rear balconies as part of their original design concept. Given this and the desire to maximise harbour views it is considered that a refusal based on an in principle objection to balconies could not be justified.

The privacy glass is not considered to be overbearing to the neighbouring properties due to the position and location of the host property and separation in relation to the neighbouring properties being number 7 and 9 Auckland Quay.

The siting of the two storey part of the rear extension is such that it would not result in any material loss of light or overbearing impact upon the occupiers of the neighbouring properties.

#### Design issues:

The design of the dormers at the front albeit larger than those that currently exist are reflective of the scale of the host property and retain key features (pitched roof and tiled roof)

As with any extension the character and appearance of the host property will change and in this instance it is acknowledged that the proposed extension to some degree will be visible from public vantage point around the harbour. It is considered in this regard that the impacts of the proposal in design terms are insufficient to substantiate a refusal.

A number of respondents to the application have commented that the design would be contrary to the original design ethos of the properties in the stretch of the harbour; it is considered that the character of the wider area is not formed by any unified architectural character and as such the proposed extension would not be discordant.

#### **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:**

It is considered that the proposed development will not negatively impact the amenity of the occupiers of surrounding properties or be detrimental to the character and appearance of the area. Proposal therefore complies with local and national policies.

**Recommendation:** Approve Conditionally

**Conditions:**

- 1) Time limit
- 2) Approved Plans

**Informatives:**

This application relates to an extension to a single family dwelling house any other use of the property would require formal planning permission.

**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.

<b>App.No:</b> 171283	<b>Decision Due Date:</b> 31 January 2018	<b>Ward:</b> Meads
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 14 November 2017	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 29 November 2017 <b>Neighbour Con Expiry:</b> 29 December 2017 <b>Press Notice(s):</b> 6 November 2017		
<b>Over 8/13 week reason:</b> In time		
<b>Location:</b> 8 Chiswick Place, Eastbourne		
<b>Proposal:</b> To demolish existing single garage, move rear garden boundary within site and erect a 2 storey 2 bed detached dwelling		
<b>Applicant:</b> Mr A Bree		
<b>Recommendation:</b> Refuse planning permission.		

## Executive Summary

The proposals are considered to have overcome some of the previous concerns raised during previous applications. The design of the dwelling is considered acceptable in and of itself. However the amendments to the design of the proposal have increased the impacts on the immediately adjacent neighbouring properties.

The size of the dwelling, the height and length within the site is considered unneighbourly and overbearing on No.7 and 8 Chiswick Place. The siting of the proposal is also considered will result in significant impacts on the setting of the conservation area by direct impact on views from Blackwater Road along the rear of the terrace of Chiswick Place.

The siting of the proposal results in a significant loss of rear garden of No.8 Chiswick Place which results in a reduction in the status and setting of that building. The view across the rear of the terrace is considered to form that boundary with the conservation area, the views will mostly be lost given the height and length of the proposed dwelling.

Therefore it is considered that the modest benefits from the provision of one additional residential unit would not outweigh the significant and demonstrable harm caused to the setting of the conservation area or the amenity of surrounding residential properties.

## **Relevant Planning Policies:**

### National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
12. Conserving and enhancing the historic environment

### Eastbourne Core Strategy Local Plan Policies 2013

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C1: Town Centre Neighbourhood Policy
- D1: Sustainable Development
- D2: Economy
- D5: Housing
- D10: Historic Environment
- D10A: Design

### Eastbourne Borough Plan Saved Policies 2007

- UHT1: Design of New Development
- UHT2: Height of Buildings
- UHT4: Visual Amenity
- UHT15: Protection of Conservation Areas
- HO1: Residential Development Within the Existing Built-up Area
- HO2: Predominantly Residential Areas
- HO7: Redevelopment
- HO20: Residential Amenity
- TR2: Travel Demands
- TR6: Facilities for Cyclists
- TR11: Car Parking

## **Site Description:**

The site comprises an existing garage and parking space accessed from Blackwater Road located to the rear of 8 Chiswick Place, and includes part of the garden of 8 Chiswick Place. It is located immediately adjacent to number 27 Wish Road which also faces Blackwater Road, an attractive late 19<sup>th</sup> Century residential building faced in flint and brick with a garden to the rear running parallel with Wish Road.

The site falls within the Town Centre and Seafront Conservation Area, comprising its outer boundary, with 27 Wish Road and the remainder of Blackwater Road to the west falling within a designated area of high townscape value. To the north the site falls within the wider setting of a group of listed buildings at 1-24 Cornfield Terrace (Chiswick Place runs in to Cornfield Terrace following the junction with Blackwater Road). Immediately

opposite the site is St Andrews Church, a building that is designated as a building of local interest within the Eastbourne Townscape Guide and falls within an area of high townscape value.

### **Relevant Planning History:**

161364

To demolish existing single garage, move rear garden boundary within site and erect 2 storey two bedroom detached dwelling

Planning Permission

Refused for the following reasons;

1. Because of the alignment, layout and siting in close proximity to the neighbouring property at 27 Wish Road; the roof pitch of the proposed building and its detailed design the proposal would fail to harmonise with its immediate surroundings.
2. Because of its siting, bulk and mass and location forward of the established building line along Blackwater Road the two storey residential building would harm the character and appearance of the town centre and seafront conservation area and the setting of the group of buildings at 1 to 8 Chiswick Place.
3. Because of the windows being sited in close proximity to neighbouring residential windows and gardens the proposal would result in an unacceptable degree of perceived and actual overlooking. This would fail to protect the amenity of existing and future residents.

26/01/2017

170849

Pre-application discussions were had with the applicant following the previous refusal. The response given was that concerns remained regarding the impact on the conservation area and the blocking of an important vista across the rear elevation of the terrace, however in principle the proposal could be acceptable providing a high quality of material is proposed and the height and width kept to a minimum.

25 July 2017

### **Proposed development:**

The proposal includes the demolition of the existing garage on the site and the construction of a two storey, detached two bed dwelling. The dwelling is proposed 5.6m from the rear elevation of the existing property at No.8 Chiswick Place.

The proposed first floor is within the roof slope with three lead clad domed dormers to the front facing Blackwater Road.

The boundary wall will be replaced with brick wall and flint panels, a single gate for pedestrian access and double gates for vehicular access.

The property is proposed sunken into the site by approximately 0.7m to minimise the height, with the car parking area for one vehicle, level with the road.

The proposal has been amended from that previous refused in 2016, in that the proposal is now two storeys, with the first floor in the roofs pace rather than a true two storey property. The dwelling is proposed to be level with the Blackwater Road elevation of the adjacent No.27 Wish Road, the now more elongated dwelling projects further into the rear garden of No.8 Chiswick Place than was proposed under the previous application.

### **Consultations:**

#### Specialist Advisor (Planning Policy)

The proposed development is within the Town Centre neighbourhood (policy B2). Policy B1, as mentioned in the Spatial Development Strategy, states that higher residential densities will be supported in sustainable neighbourhoods; the Town Centre is the 4<sup>th</sup> most sustainable neighbourhood in the borough. Policy C1 is The Town Centre Neighbourhood Policy, which sets out the vision for this area as the following; *"The Town Centre will maintain its status as a sustainable centre by maximising its economic potential and attract more shoppers, workers, residents and visitors through schemes and proposals for redevelopment detailed in the Town Centre Local Plan"*. It aims to strengthen and regenerate the area to increase the amount of tourism, cultural and community facilities available in the neighbourhood.

This site would be considered a brownfield site and the strategy states that 'in accordance with principles for 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'. Redevelopment of brownfield land is also supported by the NPPF.

Policy HO2 of the Eastbourne Borough Plan identifies this location as being predominantly residential. 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). This application will result in a net gain of 1 dwelling, the Council relies on windfall sites as part of its Spatial Development Strategy policy B1, as stated in the Core Strategy.

The proposed development at the site of 8 Chiswick Road is located within a sustainable neighbourhood and would increase residential density in line with policy B1. The development is also located on brownfield land which is considered more sustainable than development of greenfield land and is supported by the NPPF.

For the above reasons this development would be looked on favourably from a planning policy perspective.

#### Specialist Advisor (Conservation)



Following the previous refusal a revised scheme in its pre-application form was presented to the Conservation Area Advisor Group in August 2017. The Group felt that the revised proposals addressed concerns expressed at a previous meeting and believe that the scale and more modest design as submitted aligns better with the surrounding street scene.

Conservation Area Advisory Committee: At its committee of the 28<sup>th</sup> November 2017 Members made the following comment...*The Group endorsed the proposals and congratulated the architects on the design, having incorporated all of their previous requests.*

#### CIL

The proposed development would be CIL liable.

#### Southern Water

No objection, a formal application for connection to the public sewerage system is required in order to service this development. It is the responsibility of the developer to make suitable provision for the disposal of surface water.

#### **Neighbour Representations:**

4 objections have been received and cover the following points;

- Close proximity to No.27 Wish Road
- Loss of Garden to No.8 Chiswick Place
- Overshadowing and loss of light to No.8
- Proposal is too small compared with large buildings surrounding
- Views of back of Chiswick Place properties
- Impact on environment and wildlife.
- Loss of boundary wall
- Proposed construction does not accord with the appearance or historical character of the houses in Chiswick place.
- Overlooking of back gardens
- Impact on parking
- This further density will further deteriorate the historical look of Chiswick Place and the Conservation Area.
- Loss of open space feel of the area
- Overdevelopment of a small garden
- Garage should be removed and garden reinstated

#### **Appraisal:**

##### Principle of development:

On the basis of historical mapping the existing garage has been in situ since the 1920's, and the current boundary / hardstanding has been in situ since at least 2009 on the basis of photographic records. In land use terms there is no policy protecting the existing use.

The NPPF puts great weight on the presumption in favour of sustainable development, however this should not be to the detriment of other material considerations. The NPPF also gives great weight to the conservation of designated heritage assets and seeks a high quality of design in new development.

The previous application was refused for three reasons, this application seeks to overcome those reasons by way of an amended design.

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

This proposal seeks to mitigate any overlooking to surrounding residential properties by only proposing dormers to the front elevation facing Blackwater Road to serve the first floor bedrooms.

An objection has been received to the rooflight in the rear roofslope, in that this could afford overlooking towards the rear gardens of Chiswick Place. This serves a stairwell and could be therefore be removed to overcome this issue.

The neighbouring property to the west, no.27 Wish Road, has some windows in the side elevation however these are further along the elevation facing the garden of No.7 Chiswick Place and therefore the impact on these would be minimal given the existing garage location.

The biggest impacts of the proposal will be on the properties of Chiswick Place. The proposal would reduce the rear garden to No.8 to 5.6m from the rear elevation (not including bay projection). The proposal is for a pitched roof; however given the steep pitch the bulk would be considerable when viewed from the rear of No.8. This will be exacerbated by the fact the No.8 is converted into flats with the lower ground floor below the Road level. Even though the property is proposed sunken it is considered this bulk would be overbearing and unneighbourly given the close proximity and result in a loss of outlook.

There would also be a significant impact on the neighbouring property at No.7 Chiswick Place which is also separated into flats. The garden level of this property is considerably lower than the application site. Although the proposal is to be sunken into the ground the resultant impact is 11.5m in length of development at 2.8m in height to eaves level above the ground level. Given the steep pitch of the roof it is considered that although the dwelling is to the north of the property therefore there are unlikely to be impacts of loss of light or overshadowing the development is still a large bulk projecting the majority of the length of the garden which is considered unneighbourly and overbearing.

There may be an issue of ownership as the dwelling is shown abutting the boundary wall between no.7 and 8 with the roof and guttering overhanging

that wall. I do not know the extent of the ownership of that wall but it appears that the guttering would overhang into No.7's rear garden. This could be controlled by condition if other aspects of the proposal were considered acceptable.

Design issues and impact on character and setting of a listed building or conservation area:

The design of the proposal has been amended significantly since the previous refusal adopting a totally different design approach which simply in terms of the design of the building relates better to the surrounding development. The rendered elevation would be in keeping with Chiswick Place properties, and would mostly be hidden behind the new boundary wall regardless. The use of a matching roof tile to surrounding properties and the smaller domed dormers would result in a development which is subservient in size to the neighbouring properties. The previous design concept was pastiche with busy elevations trying to mimic the neighbouring No.27 Wish Hill.

In and of itself the design of the property is attractive, simplistic and would not detract from the street scene in its design terms.

The concept of the design is to keep the height of the roof low to reduce the impact on the view across the rear of the properties of Chiswick Place. This terrace forms the boundary of the conservation area. The boundary wall is proposed to be replaced with brick and flint panel to reflect the wall detail adjacent. There is no objection to this. However the height of the proposal above the wall is still significant. This proposal also projects further into the garden of No.8 Chiswick Place than previously proposed.

For the reasons discussed previously the subdivision of the rear plot of 8 Chiswick Place is historic and the existing garage a longstanding lawful use. However the reconstruction of the boundary wall and further diminishment of the garden area (the boundary is to be moved further towards that property) would result in a reduction in the status and setting of that building and is unacceptable in conservation terms. The position of the dwelling means it would obscure views across the rear of the property which provide a distinctive vista from Blackwater Road and which serves to define the boundary of the conservation area.

Policy D10 of the Core Strategy 2013 requires all significant heritage assets to be protected and enhanced including conservation areas. Policy D10A requires exemplary standards of design and architecture that respects Eastbourne's unique characteristics, ensuring that development contributes to local distinctiveness and sense of place, appropriate and sympathetic to its setting in terms of scale, height, massing and density, and its relationship to adjoining buildings and landscape features. Policy UHT1 of the Borough Plan requires that development harmonises with the appearance and character of the local environment, Policy UHT2 requires that development takes account of its effect on the skyline and long distance views. Policy UHT4 requires that

proposals with an unacceptable detrimental impact on visual amenity (including the effect on important vistas) must be restricted. The proposed development is considered unacceptable in design terms due its siting, mass and scale and due to its adverse impact on the streetscape setting and townscape vistas within the the town centre and seafront conservation area.

#### Impacts on trees:

It is noted that there are a number of shrubs and small trees in the surrounding area including a number located in close proximity to the application site. I do not regard these as significant in terms of the character of the conservation area or the biodiversity of the area and are not a constraint on the development of this site. There is no evidence that the site comprises a significant wildlife habitat or contains protected species.

#### Impacts on highway network or access:

The application proposes off street parking for one vehicle utilising the existing drop curb from Blackwater Road. The ground level will be reduced to sink the dwelling into the site but the car parking will be level with the pavement. Further detail regarding the construction and surface water drainage could be controlled by condition if the application was considered acceptable.

The one off street parking is considered to be sufficient for a dwelling of this size in this location in close proximity to the Town Centre, its amenities and public transport.

#### **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:**

It is considered that some elements of the previous reasons for refusal have been overcome by this application. There is no objection to the design of the proposed dwelling however the impacts on the conservation area, the loss of the open vista and views of the rear of the terrace is considered harmful to the setting of the conservation area. The resultant impacts from the elongation of the proposed dwelling to resist projecting forward of the front elevation of No.27 Wish Road is that the development has greater impact on the amenity of No.7 and 8 Chiswick Place. The development along the majority of the boundary is considered overbearing and unneighbourly on No.7 given the height, and much of the garden of No.8 would be lost with the rear elevation faced with a significant wall and roof pitch.

Therefore it is not considered that in its current form the proposal can be supported and it is recommended that planning permission is refused for the following reasons;

1. Because of its siting, bulk and mass the development would result in harm to the character and appearance of the Town Centre and Seafront Conservation Area and the setting of the group of buildings at 1 to 8 Chiswick Place by way of impact on the vista and views into the Conservation Area from Blackwater Road. This is contrary to paragraphs 53-68 of the NPPF, paragraph 7 policy D10 and D10A of our Core Strategy (Adopted 2013) and policy UHT1, UHT4 and UHT15 of our Borough Plan (saved policies) 2007.
2. By virtue of the height and length of the property the proposal would result in an unneighbourly and overbearing form of development on No.7 Chiswick Place, and by virtue of the close proximity to the rear elevation of No.8 would be overbearing and unneighbourly resulting in a loss of outlook from the rear elevation of this property. This would fail to protect the amenity of existing and future residents and is contrary to paragraph 17 of the NPPF, policy B2 of our Core Strategy (adopted 2013) and policy H020 of our Borough Plan (Saved Policies) adopted 2007.

**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.

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<b>App.No:</b> 171224 (PPP)	<b>Decision Due Date:</b> 5 December 2017	<b>Ward:</b> Meads
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 24 November 2017	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 1 December 2017 <b>Neighbour Con Expiry:</b> 1 December 2017 <b>Press Notice(s):</b> 13 November 2017		
<b>Over 8/13 week reason:</b> Planning Committee Cycle		
<b>Location:</b> Meads House, 26 Denton Road, Eastbourne		
<b>Proposal:</b> Single storey rear & side extension to provide 10 additional bedrooms & ancillary space for special needs care housing purposes. Addition of a new internal passenger lift and internal refurbishments to suit the new layout. The rear extension will be located within the existing garden at a lower level to the existing ground floor. Provision of new parking spaces for visitors and staff within the front garden. Demolition of the existing garage structure and associated hard- landscaping.		
<b>Applicant:</b> Mrs Prital Moskal		
<b>Recommendation:</b> Grant planning permission subject to conditions		

## Executive Summary

The proposal will provide additional quality accommodation for residents of the care home. The extensions are considered acceptable in terms of impact on residential amenity of neighbouring properties and given the design will preserve the character of the conservation area.

The proposal exceeds the ESCC recommended parking provision for a care home, and will provide more formal parking areas than at present. Therefore it is not considered that the proposal will result in a severe increase in the demand for on street parking to the detriment of existing residents.

Therefore it is recommended that planning permission is granted subject to conditions.

## Relevant Planning Policies:

### National Planning Policy Framework

- 2. Ensuring the vitality of town centres
- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 11. Conserving and enhancing the historic environment

Eastbourne Core Strategy Local Plan Policies 2013

B1 Spatial Development Strategy and Distribution

B2 Creating Sustainable Neighbourhoods

C11 Meads Neighbourhood Policy

D10 Historic Environment

D10a Design

Eastbourne Borough Plan Saved Policies 2007

UHT1 Design of New Development

UHT4 Visual Amenity

UHT15 Protection of Conservation Area

HO2 Predominantly Residential Areas

HO20 Residential Amenity

TR2 Travel Demands

TR11 Car Parking

**Site Description:**

The application relates to an existing residential care home, which accommodates 16 residents in single rooms. The facility is classified as special needs housing.

The property was originally constructed as a large detached family home, but over the years has been converted and extended to support the current use which has been in operation for 24 years.

The current accommodation is not ideal and the applicant submits that additional rooms and residents are required to sustain the business and support the required staffing levels.

The site is situated within the Meads Conservation Area. No.28 Denton Road to the south is a single family dwelling. Whilst No.24 to the north is converted into 3 self-contained flats. To the rear of the site (west) the property borders the University playing fields.

**Relevant Planning History:**

EB/1983/0046

Change of use from single private dwelling to Rest Home, with owners' accommodation. Granted, subject to conditions.

1983-03-15

040477

Single storey extension at side.

Planning Permission

Approved conditionally

04/10/2004

050433

**Proposed development:**

The application proposes;

- The erection of a lower ground floor rear extension to the southern boundary;



- A two storey extension, ground and lower ground to the side and rear to the northern boundary replacing existing buildings; and,
- A ground floor extension between the existing sun lounge and the proposed two storey extension.

These extensions provide accommodation for a further 10 client bedrooms.

## **Consultations:**

### Specialist Advisor (Conservation)

The core of the proposal is the generation of additional resident accommodation, and it seems sensible to start with this element. This envisages a new structure being erected to the rear of the property, occupying part of a generous garden area that has already been subject to development, specifically in the form of the creation of a day room in the 1980s. This proposal is ambitious in its scope and styling, creating an L-shaped garden-facing enclosure that extends from the day room along the entirety of the side and rear of the property, but with limited, if not zero, visual impact from the open areas to the rear due to the construction methodology employed.

The proposed design for the new accommodation is unashamedly contemporary, avoiding any more obvious inclination towards Edwardian pastiche by opting for a light, sleek, open and low-rise wraparound building that takes inspiration from its verdant setting and the tradition of courtyards and enclosures widely used to good effect in other shared residential settings such as monasteries and universities. The effect is accentuated through the incorporation of a green roof, and the landscaping of the gardens, which softens the design and reinforces the strong connection between the new accommodation and its garden location. Although the overall garden footprint is reduced as a result of the build, the design reinforces the centrality of the outdoors as part of the life of the home, and actively enhances direct exposure to, and appreciation of, local planting and greenery on the part of residents.

The demolition of the garage and erection of a new side extension has more immediate possible impact on the protected streetscape, given its location at the front of the building, albeit in a recessed position. From the public comments submitted, it is clear that there is some confusion as to the nature of the development proposal for this building, with reference to both a single and double storey extension. To be clear, the side extension is single storey, brick-built and designed in a style intended to be sympathetic to, and align well with, the original building on the front elevation, whilst creating valuable new storage and office capacity. Its overall impact is neutral and relatively modest.

The final element, namely adaptations to the front of the property to create more parking, does have an adverse impact on the visual amenity of the area, with a loss of planting to allow for more expansive paved surfacing. More careful thought is required as to whether it is possible to accommodate both functions; and if so how. A more inventive layout and smart planting should be possible.

Overall, I think the application invites commendation for its bold attempt to craft a distinctive residential extension in a care setting that, whilst deploying a bold contemporary styling, manages to acknowledge- and even honour- its host setting. The

side extension, by contrast, is more conservative and muted, drawing direct influence from, and complementing, the main property. The redesign of the front garden, if it could be remodelled to include additional soft landscaping would have an appropriate impact upon the local street scene.

Conservation Advisory Committee:- Welcomed an exceptionally strong design and requested further work should be undertaken on the design and layout of the frontage carpark in order to mitigate public impact.

#### Southern Water

Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

Condition requested in relation to details of the proposed means of foul and surface water sewerage disposal. The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

#### SUDS

We note the proposed use of a green roof to the proposed extension. Public sewer records show a public surface water sewer in Denton Road, which is most likely serving the site. Therefore subject to the green roof being taken forward to implementation and Southern Water agreeing to the additional impermeable area into the public sewer system, the County Council as the Lead Local Flood Authority has no objection to the proposal.

#### Neighbour Representations:

33 objections have been received and cover the following points:

- Increased traffic
- Greater demands for parking
- Increased activity will erode the residential character of the area
- Not in keeping with conservation area
- The view from Carlisle road and across Moira house playing fields will be affective
- Extensive extension in a back garden which is out of keeping with the area.
- Removal of soft landscaping to the frontage will be harmful to the street scene and therefore conservation area
- Development of this scale will set a precedent for other gardens to be development.
- Impact on amenity of adjacent properties
- Property is in close proximity to neighbour at No.28 and therefore impacts of noise/activity from a care home will be increased by the increase in occupant's therefore more intensive use of the property.
- Inappropriate change in a conservation area with will cause the loss of important features which contribute to its character.
- Impact on trees
- Over development

#### **Appraisal:**

Principle of development:

There is no objection in principle to the proposed extension of the care home, providing there would be no significant impact on the amenity of the surrounding properties and the design was appropriate for the setting in accordance with relevant sections of the NPPF 2012, policies of the Core Strategy Local Plan 2013 and saved policies of the Borough Plan 2007.

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

The impact on the property to the south No.28 Denton Road is minimal. The garden of this property is significantly higher than the application site therefore although the extension is significant in size projecting the entire length of the garden, the roof would be below the boundary wall and would therefore have no impact in terms of loss of light or outlook or be overbearing on this properties boundary. The neighbouring property has a well-loved landscaped garden, the proposal will bring activity to the rear garden, however the extension is faced out onto the landscaped garden to the north and as such it is not considered that there would be disturbance by way of light or noise activity that could not otherwise be associated with the garden.

To the north, the adjacent property is converted into flats. There are existing buildings to this boundary which would be replaced by the new extension to lower and ground floor levels. A pitched roof is proposed and the building is set away from the boundary by 1.5m. The depth of the extension is relatively large at 12m including the covered veranda to the rear. The ground floor of the neighbouring property is a single flat with large rear garden. The open aspect to the rear and wide plot reduces the impact of what is a large projection of rear extension. Given the detached nature and set back from the boundary it is not considered the proposal will have significant impacts on the adjacent property to the north.

Design issues and impact on character and setting of a listed building or conservation area:

The rear extensions will be marginally visible from the rear playing fields. The rear lower ground floor extension is substantial however the garden is generous and can accommodate such an extension whilst still maintaining a sufficient area of outside space for residents. The proposed extension is modern proposing a green roof and focussing the new bedrooms onto the landscaped garden. This design approach is considered appropriate given the context and setting.

The side extension which appears single storey to the front elevation and extends to lower ground floor at the rear is modest and brings through the pitched gable front designs of the main building. Given the setback from the front elevation the impact is somewhat neutral. Subject to detailed design and materials being appropriate there are no concerns regarding the impact of this extension on the conservation area setting.

The linking ground floor extension is flat roof, and mostly glazed in elevation, this is read a modern linking section and will have little overall impact.

When read as a whole the extensions are significant, however the host building and plot are generous and can therefore accommodate such a level of extension. Subject to conditions regarding materials and detailed design it is considered that the extensions would preserve the character of the building and its conservation area setting.

Impacts on trees:

None.

Impacts on highway network or access:

The design and access statement suggests that 6 people are currently employed by the home, working shifts; they work at a ratio of 1 member of staff per 5 residents. The D & A suggests that the property currently has 3 parking spaces for staff and two for visitors, though none of these are actually marked out. The proposal will provide 5 staff spaces and three visitor spaces within the front of the property for the now 26 occupants. The plans also show two accesses which means car can come in one and out the other without the need for a turning space.

ESCC Highways suggest for a care home, one vehicle parking space per 4 rooms. Therefore for the proposed 26 rooms, they suggest 6 off street parking space. The proposal is in excess of this at 8 spaces.

Following comments by the Conservation Officer in regard the front garden area and concerns that angled parking spaces were too close to the building to be achievable the Agent has amended the design to the front garden to provide parallel spaces and increase the foliage to soften the appearance. This can be further controlled by condition regarding the planting scheme to achieve a suitable design.

The amount of spaces provided is considered acceptable and in excess of the recommendations for a care home facility by ESCC Highways. It is acknowledged that a number of objections have been received on the basis of the impact on the demand for on street parking. Denton Road is heavily parked given the sports centre and university in close proximity. One side of Denton Road is single yellow lines preventing parking. Most properties, albeit some are converted into flats have some off street parking spaces.

Only one of the two access' is currently formalised, the second access would need to be formalised. Given the road is unclassified there is no objection to the additional access, a lamppost adjacent may need to moved given the close proximity. Given this is the side of the road which is yellow lined the new access would not result in the loss of an on street parking space.

Given the above it is not considered that the proposed development would result in significant impacts on the highway network.

**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 extension is considered acceptable in terms of the bulk and scale, and would not result in significant impacts on the amenity of existing residential properties adjacent to warrant refusal of the application.

The design and bulk are considered acceptable in terms of the conservation area setting and the appearance of the side extension which is visible from the street albeit set back from the front of the property will preserve the character of the property and therefore the Conservation Area.

The amount of parking spaces proposed is considered acceptable given the resulting number of rooms at the facility. The appearance of the front garden in terms of planting can be controlled by condition.

**Recommendation:** Grant planning permission subject to the following conditions;

1. Time for commencement
2. Approved drawings
3. Materials shall be as stated on the approved drawings unless agreed otherwise.
4. Details of landscaping to the front forecourt prior to the occupation of the development.
5. Car parking to be laid out prior to occupation
6. Additional access provided prior to commencement
7. Construction traffic management plan
8. Construction of the development shall not commence until details of the proposed means of foul and surface water disposal have been submitted, if the green roof is not implemented then an alternative means of surface water disposal needs to be submitted for approval.
9. SUDS details/proof of implementation

**Informatives**

1. Southern water informative - surcharging
2. Southern water informative – Application to the public sewer

**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.

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<b>App.No:</b> 170928	<b>Decision Due Date:</b> 27 October 2017	<b>Ward:</b> Devonshire
<b>Officer:</b> Thea Petts	<b>Site visit date:</b> 11 <sup>th</sup> September 2017	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 25 <sup>th</sup> August 2017 <b>Neighbour Con Expiry:</b> 25 <sup>th</sup> August 2017 <b>Press Notice(s):</b> 25 <sup>th</sup> August 2017		
<b>Over 8/13 week reason:</b> Requirement to obtain revised drawings and committee cycle		
<b>Location:</b> Coda Bar, 125 Langney Road, Eastbourne		
<b>Proposal:</b> Demolition of existing Coda bar Class A4 and erection of a 4 storey building to provide 10 residential apartments with associated secure parking, cycle storage, refuse and recycling storage, amenity space and external landscaping.		
<b>Applicant:</b> Mr Gary Ablewhite		
<b>Recommendation:</b> Approve conditionally		

## Executive Summary:

Scheme proposes the demolition of the existing building (Coda Bar) and replacement with 2 new blocks incorporating 10 flats across four floors with associated parking (12 spaces).

The scheme was reported to Planning Committee in September 2017 and was deferred in order to allow officers to negotiate revisions to the scheme to reduce the maintenance access issues to the existing SW sewer that runs through the site.

The scheme has been following objections from Southern Water in order to allow for continued maintenance of their sewer infrastructure.

The loss of the public house is regrettable however the proposed redevelopment would go some way to meeting local housing need within a sustainable centre.

The design/appearance of the replacement building is acceptable providing a suitable level/quality of accommodation that fits within the character of the wider setting. The proposal is recommended for approval

**Planning Status:**

Existing public house/bar with bedsits above (across 3 ½ floors) and associated car park

**Relevant Planning Policies:**National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
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
12. Conserving and enhancing the historic environment

Core Strategy Local Plan 2013 Policies

B1: Spatial Development Strategy and Distribution  
B2: Creating Sustainable Neighbourhoods  
C3: Seaside Neighbourhood Policy  
D1: Sustainable Development  
D5: Housing  
D10: Historic Environment  
D10a: Design

Eastbourne Borough Plan Saved Policies 2007

HO2: Predominantly Residential Areas  
HO20: Residential Amenity  
NE14: Source Protection Zone  
LCF24: Redevelopment of Public Houses  
TR6: Facilities for Cyclists  
TR11: Car Parking  
UHT1: Design of New Development  
UHT4: Visual Amenity  
US5: Tidal Flood Risk

Local Employment and Training Supplementary Planning DocumentTechnical Housing Standards

Nationally Described Space Standard

**Site Description:**

The application site, which is roughly triangular in shape, stands on the north of Langney Road, where it adjoins Bourne Street. The application site shares boundaries with Rush Court to the side (North West) and Bourne Primary School to the other side and the rear (north and north east). To the immediate east, fronting the road, stands a former substation (outside of the site). A triangular shaped island stands in the road in front of the site in the



middle of the Bourne Street and Langney Road junction. This island hosts a pumping station and public conveniences (now closed).

The building on the site is detached, has three and a half floors and is Victorian, retaining some traditional features (such as timber sliding sash windows). A car park stands to the side of the building (east) and is accessed via an existing dropped kerb at the centre of the front of the site.

The established street scene is somewhat eclectic, with Coda Bar remaining as one of the few Victorian buildings on the north side of this stretch of Langney Road. To the west and north (Bourne Street) lie various blocks of flats of three storeys, built in a generic style with pitched roofs. To the east stands the Salvation Army Citadel, which has a unique and bold appearance in the street. The Bourne School buildings are set back from the road, meaning that the backdrop for the development is predominantly open space of the playground serving the school.

**Relevant Planning History:**

001333

Demolition of existing public house and re-development for six one-bedroom and three two-bedroom flats.

Planning Permission

Approved conditionally

14/03/2001

060021

Amendment to Condition 1 of planning permission 001333 to extend the period in which development must be commenced by 3 years.

Planning Permission

Approved conditionally

20/03/2006

**Proposed development:**

The proposal is to demolish a current Public House (use class A4) and to erect two four storey buildings to provide ten residential units with 12 off street parking spaces.

The footprint of the building is not uniform/square as this is reflective of the shape of the existing site and the desire to retain sewer maintenance access.

Both of the buildings are 4 storey and set under a flat roof with the uppermost level recessed slightly from the bulk of the building.

**Consultations:**

Internal:

Specialist Advisor (Arboriculture) – no tree related issues and recommends a soft landscape condition.

Specialist Advisor (Planning Policy) – no objection, in principle

- The vision for Seaside is to enhance its level of sustainability and to play an important role in the delivery of housing.
- The National Planning Policy Framework supports sustainable residential development and planning permission should be granted to meet local and national housing needs
- The site has previously been identified in the Council's Schedule of Development Sites for the Core Strategy, site reference CC171. The application will result in a net gain of ten dwellings, which will provide one additional unit to the potential number identified in the Schedule of Development Sites. This additional unit will further assist in meeting the housing target on a site which has already been identified as suitable for development.
- The proposal is contrary to policy LCF24. However, the loss of the existing public house has been accepted, in principle, through a previous extinct permission (ref: EB/2000/0655).
- As of July 2016, Eastbourne had a 2.9 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. Para 14 of the NPPF identifies that where relevant policies are out of date, permission should be granted 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.
- It is considered that the positive contribution to the housing target is a benefit which outweighs the loss of the public house. Therefore the proposal is in accordance with the NPPF.
- The development doesn't meet the threshold for affordable housing.
- Although it is considered that the loss of the public house in the Seaside Neighbourhood is contrary to policy, Eastbourne cannot demonstrate a five year housing land supply and therefore the policy is considered out of date. Moreover the proposal would positively contribute to the housing numbers.

Regeneration – recommend approval subject to Local Labour Agreement

- In accordance with p.11 of the Council's Local Employment and Training SPD, this proposal qualifies for a local labour agreement as it meets the residential threshold for development

External:

Southern Water – recommend conditions

- *There should be no development within 3m either side of the public sewer.*
- Southern Water requires a formal application for connection to the sewer (covered by
- informative)
- If drainage apparatus is diverted, a condition is recommended pertaining to the measures to be taken in diverting the sewers

- It is the developer's responsibility to make suitable provision for the disposal of surface water

County Archaeologist – recommends a condition requiring further investigation is imposed on any approval.

Highways ESCC – No objections to the proposal and recommend conditions

- The ESCC Parking Calculator requires 12 parking spaces to serve the development; Parking spaces 10-12 might be difficult to access and manoeuvrability within the site might require extra movements, however, this is not considered likely to negatively affect the highway
- The proposed cycle parking numbers comply with ESCC standards, however this provision needs to be covered
- The proposed development will likely be fewer than the number of trips associated with the current A4 and HMO use and as such, the highway network will be unlikely to be affected
- The applicant has provided a travel plan; this is considered acceptable as a method to raise awareness of and encourage other modes of travel from the site
- The access is not to be subject to alteration to facilitate the development. The access is considered appropriate for serving the proposed development and will accommodate two way vehicular flows
- The refuse collection point is within the site and within 25m of the highway and as such, is considered to comply with the relevant good practice guidance
- The site is within easy reach of public transport links. There are bus stops serving major routes within 250m of the site and Eastbourne Railway Station is 1km away, which is an acceptable distance. The site is also within an acceptable walking distance to the Town Centre.
- The proximity of Bourne County Primary School to the site requires the need for a Construction Traffic Management Plan (condition recommended)
- Hardstanding should be drained by means of oil trap gullies or oil/petrol interceptors

**Neighbour Representations:**

No objections have been received.

Two notes of support have been received and cover the following points:

- Proposed scheme will regenerate the area
- The redevelopment will be better than a closed pub
- Hopefully parking will not be affected, but otherwise development is likely to be better than existing

**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 has previously been identified in the Council's Schedule of Development Sites for the Core Strategy, site reference CC171 and a previous permission (ref: 001333) has set the principle for residential development on the site.

As the Council cannot demonstrate a five year housing land supply, local policies should be regarded as out of date. Para 14 of the NPPF identifies that where relevant policies are out of date, permission should be granted 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Residential amenity for future occupiers

The development proposes the creation of 10 flats, all of which comply with or exceed the requirements of the Technical Housing Standard in terms of overall floor space. The proposed bedroom sizes also significantly exceed these requirements.

Unit	Occupancy	Floor Space	Complies with Nationally Described Space Standard?
1	2 bed, 3person	65m <sup>2</sup>	Yes
2	2 bed, 3 person	64m <sup>2</sup>	Yes
3	2 bed, 3 person	65m <sup>2</sup>	Yes
4	2 bed, 3 person	64m <sup>2</sup>	Yes
5	2 bed, 3 person	64m <sup>2</sup>	Yes
6	2 bed, 3 person	65m <sup>2</sup>	Yes
7	2 bed, 3 person	64m <sup>2</sup>	Yes
8 (2 storey)	2 bed, 5 person	110m <sup>2</sup>	Yes
9	1 bed, 2 person	51m <sup>2</sup>	Yes
10	1 bed, 2 person	51m <sup>2</sup>	Yes

There are no concerns that the current scheme does not provide suitable outlook for future occupiers. It is noted that there will not be far reaching views offered to the rear of the ground floor units as a wall bounds the west of the site (Rush Court). However, there are no windows proposed to look out onto this wall and the rear and front facing windows are considered adequate in providing light to habitable rooms.

Some amenity space is allocated for each unit. This is considered to be a desirable feature and merit to the scheme. Most of the amenity space is provided by balconies, but the ground floor units have small gardens and a terrace.

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

The removal of the public house use and its replacement with self-contained residential units and ancillary car parking is likely to have a positive effect on the residential amenity enjoyed by nearby residents. This is principally due to the late opening hours of the existing pub and associated potential for late night noise nuisance.

The existing building on the site is tall; the proposed building is to be no taller, but will have increased bulk. Nevertheless, the proposed building is not likely to affect the amount of light received into adjoining residential sites.

It is noted that the proposed building has many balconies serving the residential units. However, it is not considered that these balconies will result in the loss of privacy for any adjacent property. The Bourne School playground will be overlooked, but this is not considered to reduce privacy – especially considering that the playground is already significantly overlooked by the HMO rooms on the upper levels of the existing building and many other buildings that adjoin the school campus.

As the development site is located within immediate proximity of many dwellings, the hours of construction and demolition shall be restricted in order to preserve amenity.

#### Design issues:

The design of the current proposal is of a modern form and does not propose a pastiche of the existing building. The previously approved scheme (ref: 001333) proposed a development which would pick-up on the features of the building to be demolished. However, it is not considered that a modern development should be rejected just because of a departure from the existing character of the site. The bulk of the proposed building is stacked towards the front, with the bulk of the building located to the centre-west of the site (close to the position of the building to be demolished). As the existing building is built up against the highway, the character of a tall and flat frontage is already present. The triangle island in the middle of the road will buffer the visual appearance of any development on the site when viewed from Langney Road, a main thoroughfare.

The proposed scheme is considered to be appropriate in this location, with a number of design details included which echo the more distinctive and positive design choices used in the area. The most notable would be the use of brickwork to form the main elevations of the building and to highlight details. The use of this material is a key element to the harmonious blending of the old development with the new in this location.

The visual emphasis are to the design draws the eye to the horizontal, much like the Victorian terraces of Langney Road and the more modern blocks of flats on Langney Road and Bourne Street. Balconies too are included within the design to the front and rear. Both of which are commonplace on the nearby blocks.

The depth of the proposed building are considered to be appropriate for the site, with a good amount of open space to the rear of the site it is not considered that the site would be overdeveloped as a result of the scheme, and the proposed building will look of a suitable scale within the site.

Issues with the positioning of a foul sewer running under the site has led to the re-designing of the scheme to respond sensitively to this constraint. The inclusion of undercroft parking and the retention of the existing access are symptomatic of this constraint also.

However, the off-road parking will resultantly be obscured from view of the street. This is considered to be an additional benefit in favour of the proposed scheme as it allows compliance with relevant policies which seek to avoid having extensive off-road parking visible from the street.

Impact on historic assets:

The site does not fall within an Archaeological Notification Area, nor is the building Listed or is it within a Conservation Area. However, ESCC Archaeology has been consulted as the scheme constitutes 'major' development. It has subsequently recommended a condition requiring archaeological investigation due to the potential for significant pre-historic and Romano-British finds on the site (specifically below the existing beer garden to the rear).

Impacts on trees:

There are no tree related implications with this proposal.

Impacts on highway network or access:

When consulted, ESCC Highways do not consider that the scheme is inappropriate – indeed the proposed scheme meets the parking space requirements. The number of cycle parking spaces has been provided for each dwelling in line with ESCC recommendations also. However, the cycle parking needs to be covered and secure to comply with ESCC recommendations. As such, details will be secured by way of a condition.

Overall, the current use is considered to exceed the number of trips to and from the property in comparison to the proposed use. Therefore, this is considered not to have a negative effect on the highway network.

ESCC support the inclusion of the Travel Plan and have requested a condition is attached to any permission granted to ensure its implementation.

Planning obligations:

The proposed development breaches the threshold for the requirement of a Local Labour Agreement as ten residential units will result from development (in-line with the adopted SPD). As such, this should be secured using an appropriate legal mechanism if the scheme is approved.

Sustainable development implications:

The location of the site for housing is considered to be sustainable in terms of its proximity to travel links and nearby amenities.

Other matters:

A public sewer runs through the centre of the site. Southern Water requested confirmation from the applicant about the location of this sewer, as the plans available to Southern Water show only the approximate location of this sewer. The applicant has confirmed that the sewer location as referred to in the planning application documents is accurate. The scheme has been amended to meet the access/maintenance requirements for Southern Water's sewer.

The existing public house has previously attracted some anti-social behaviour and the revocation of the license (August 2016). Although this is not in itself considered to be a material planning consideration, the potential for crime and disruption of residential amenity is considered to have the potential to be a material consideration. As such, the proposed development, if it goes ahead, would attend to this issue and remove the potential for anti-social behaviour associated with the public house use.

The loss of the public house is technically contrary to Policy LCF24 of the Borough Plan (Saved Policies). However, as the Council cannot demonstrate a five year housing land supply, this policy is considered to be out of date and the principle of the redevelopment of the site was set previously in 2000 (ref: 001333). Therefore the scheme should not be refused based on this policy.

The provision for waste storage is considered appropriate and corresponds to requirements previously discussed with the Specialist Advisor for Waste.

**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 be appropriate for the site and coupled with the demolition of the existing public house, may have a positive effect on this part of the town. The design is considered to be good and the provision for the amenity of future occupiers is also appropriate.

As such, the scheme is recommended for conditional approval

**Recommendation:**

Approve conditionally

**Conditions:**

1. Time
2. Drawings
3. Construction Method Statement – temporary buildings etc.

4. Hours of demolition/construction
5. Car parking
6. Secure and covered cycle parking
7. Vehicle turning space in accordance with plans
8. Construction Management Plan
9. Submitted Travel Plan shall be implemented prior to occupation
10. Visibility splays to be provided prior to occupation and retained thereafter
11. Programme of archaeological works to be submitted prior to development and a written record of findings to be submitted within 3 months of completion of archaeological works
12. No bonfires
13. No contaminated materials to be brought on site
14. Hard and soft landscaping
15. local labour initiatives

**Informatives:**

- 1) Southern water - connection to sewer

**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.



<b>App.No:</b> 171333	<b>Decision Due Date:</b> 26 December 2017	<b>Ward:</b> Devonshire
<b>Officer:</b> Luke Simpson	<b>Site visit date:</b> N/A	<b>Type:</b> Variation of Condition
<b>Site Notice(s) Expiry date:</b> 24 November 2017 <b>Neighbour Con Expiry:</b> 27 December 2017 <b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> Committee Cycle		
<b>Location:</b> Heatherleigh Hotel, 63-66 Royal Parade, Eastbourne		
<b>Proposal:</b> Re-Application for removal of condition 13 following grant of planning permission (141521) to allow for the creation of 24 residential flats.		
<b>Applicant:</b> Mr A. AGGARAWAL		
<b>Recommendation:</b> <ol style="list-style-type: none"> <li>1 Approved Conditionally</li> <li>2 Delegated to the Senior Specialist Advisor to negotiate relevant adaptations, alterations to the S106 agreement.</li> </ol>		

## Executive Summary

Members will recall that this application was reported to planning committee in August 2017 where the officer's recommendation was overturned and the application was refused for the following reason:-

*The proposed loss of this holiday accommodation provision in the Primary Sector of the Tourist Accommodation Area identified by the Tourist Accommodation Retention SPD is considered to be harmful to the character, form and function of this area which would be likely to affect the local tourist economy and as such is found to be discordant with Policy TO2 of the Eastbourne Borough Plan in conjunction with the Tourist Accommodation Retention SPD.*

The application has been represented with formal plans dropping the unit number from 28 to 24 along with supporting information outlining that the site has been actively marketed for holiday accommodation without any success and that local specialist agents have recommended that the likelihood of securing funding/purchaser for these holiday units is remote.

The applicant's also endorse the view of the Eastbourne Hospitality Association in that the site has been vacant for nearly a decade and as such has not contributed to the local holiday accommodation market and for the Council to continue to insist on the potential of holiday accommodation at the site may well result in this building on this prominent site falling further into disrepair.

Officers Comments:-

It is acknowledged that the application is supported with plans identifying that the existing property can be converted 24 apartments a reduction from 28 apartments previously refused. This reduction in the unit number has the direct result of increasing the floorspace of some of the apartments and thereby improving the quality of the living environment for the future occupiers of the proposed units.

With reference to the planning permission that has been issued for the site it is acknowledged that from the 28 units proposed only 7% complied with national space standards, this moves to 41% with the scheme before members.

It is acknowledged that whilst non-compliance with the National Space Standards is regrettable, this proposal does involve the conversion of an existing building and the enhancement (outlined in previous paragraph) delivered by way of this scheme would improve the quality of the living environment for the future occupiers of the units. (see table below for compliance with the national space standards.

Members views on the merits of this application are noted (drawn from the previous refusal) however the officer's professional recommendation remains as with the previous scheme that this proposal passes National and Local Planning policy criteria and should be supported.

By supporting this application it would ensure that this long term vacant building will be brought back into beneficial use and that a number of new residential units (as a windfall) would make a positive contribution to meeting the local housing need.

(Appendix A is a copy of the August Committee Report that proposed full residential and Appendix 1 is a copy of the original report for the conversion of the property into flats and tourist accommodation.

## PROPOSED ACCOMMODATION SCHEDULE

Flat Number	Type	Size	National Space Standards
1	2 Bed 3 Person	69	61
2	2B 3P	64	61
3	1B 2P	39	50
4	1B 2P	44	50
5	2B 4P	68	70
6	2B 3P	62	61
7	2B 3P	62	61
8	1B 2P	40	50
9	1B 2P	42	50
10	2B 4P	60	70
11	2B 4P	63	70
12	2B 3P	65	61
13	2B 3P	66	61
14	1B 1P	36	39
15	2b 4P	58	70
16	2B 4P	65	70
17	2B 3P	63	61
18	2B 3P	61	61
19	1B 2P	25	39
20	2B 3P	56	61
21	2B 3P	61	61
22	1B 2P	28	50
23	2B 3P	56	50
24	2B 4P	58	70

### APPENDIX A

#### **Application to allow full residential for 28 flats**

<b>App.No:</b> 170820 (VCO)	<b>Decision Due Date:</b> 21 August 2017	<b>Ward:</b> Devonshire
<b>Officer:</b> Thea Petts	<b>Site visit date:</b> Numerous	<b>Type:</b> Variation of Condition
<b>Site Notice(s) Expiry date:</b> 21 July 2017 <b>Neighbour Con Expiry:</b> 21 July 2017 <b>Press Notice(s):</b> NA		
<b>Over 8/13 week reason:</b> Given cttee cycle this application is being reported to planning committee beyond the 8 week determination		

**period; an extension of time is being negotiated.**

**Location:** Heatherleigh Hotel, 63-66 Royal Parade, Eastbourne

**Proposal:** Application for removal of condition 13 following grant of planning permission(141521) to allow the creation of 28 residential Flats

**Applicant:** Mr A. AGGARAWAL

**Recommendation:**

1. Agree that in principle that holiday let tie can be lifted
2. Defer the application and invite officers/owner negotiate an alternative layout/mix similar to that within Table No 2.
3. Delegated to the Senior Specialist Advisor to negotiate relevant adaptations, alterations to the S106 agreement.

**Background:-**

Members will recall that an earlier application was reported to this committee that promoted the conversion of a former hotel into a mixed development comprising 12 holiday flats and 16 residential apartments. The proposed holiday lets would be operated/managed by an existing hotel in Royal Parade. This application was granted and supported with a legal agreement in April 2016. The full committee report for this case is appended to this report in **Appendix 1**.

The applicants have supplied a statement outlining that they have been unable to secure development finance or a development partner to support the conversion works and operate the holiday let element of the consent if it were not to be run by the existing Royal Parade hotel. This has resulted in the building remaining empty, falling further into disrepair and now becoming more of a focus for anti-social behaviour.

The application is accompanied by a statement from The Eastbourne Hospitality Association (EHA) that outlines that building (having been vacant for a significant number of years) has not contributed to the holiday infrastructure of the town and as such its loss would not be felt. In addition given the key/prominent location of the existing building and its current state of disrepair (visual eyesore) it impacts heavily on the character and appearance of the area, which has its own tourist impacts. In view of these issues the EHA fully support the application.

*It is noted that since the earlier application that the Seafront Local Plan did not materialise and that an updated/revised Tourist Accommodation strategy has been adopted. In broad terms this strategy has identified a primary secondary location for tourist accommodation and also outlined the type/scope and nature of supporting evidence that is required to support any change of use away from tourist accommodation. The strategy also recognised the important part that the EHA could have in evaluating the merits of a particular submission*

**Officers Assessment:-**

*Principle:-*

*It is clear that by way of the earlier approval that Members are satisfied that the loss of the former hotel has been justified and is acceptable.*

*What falls to be considered/determined under this submission therefore is whether Members remain of the view that some form of holiday accommodation should be provided/retained at the site.*

*Officers acknowledge that the building has been vacant for a significant period of time and as such has not made a positive contribution either to holiday accommodation at the site or the character of the wider area. Set against this background there is some merit in the officer's views in exploring alternatives development options for the site.*

*Space Standards:-*

*If members were to support the deletion of the holiday unit tie from the scheme then it would result in 28 self contained flats. These flats would vary in type and size and when assessed against the National Space standards only two would deliver accommodation above this minimum threshold. It should be noted however that 16 of the units have already obtained consent for residential use under the previous approved scheme and could still be implemented in that regard.*

*It is acknowledged that full compliance with the National Space standards may well be an unrealistic ambition for this site given that it relates to the conversion of an existing building and that the former support for holiday lets (and their small size) was on the understanding that these units would not be occupiers/patrons sole place of residence.*

*Affordable Housing:-*

*At present, no Affordable Housing assessments/statements have been included within the submitted documents. It is anticipated that an Affordable Housing contribution would be required unless the applicant can demonstrate that such a contribution would make the development unviable.*

*Notwithstanding this, the application site stands within a Low Value Neighbourhood and as such in policy terms there would be a 30% Affordable Housing Contribution.*

Further to this officers will seek a resolution in negotiating an amended scheme.

Below are two tables:

- table 1 outlines the dwelling mix and their relative sizes
- table 2 highlights a potential alternative layout that has been prepared by officers.

It is clear from these tables that support for the current scheme would deliver 28 small apartments the majority of which do not comply with the National Space Standards and if an alternative layout could be delivered there is the potential for fewer apartments but built to a higher/greater space standard

**TABLE 1:**  
Application proposed layout/mix (shaded non compliance with National Space Standards)

<i>Flat Number</i>	<i>Type</i>	<i>Size (m2)</i>	<i>National Space Standards (m2)</i>
1	2 Bedroom 4 Person	59	70
2	2B 4P	54	70
3	1B 2P	32	50
4	2B 4P	60	70
5	2B 4P	64	70
6	1B 2P	26	50
7 Holiday Flat (HF)	2B 4P	51	70
8 HF	1B 2P	34	50
9 HF	1B 2P	40	50
10	2B 4P	62	70
11	2B 4P	66	70
12	1B 2P	27	50
13 HF	1B 2P	41	50
14 HF	2B 3P	53	61
15 HF	1B 2P	41	50
16	2B 4P	60	70
17	2B 4P	67	70
18	1B 2P	43	50
19	1B 2P	42	50
20 HF	1B 2P	34	50
21 HF	1B 2P	39	50
22 HF	2B 3P	47	61
23	1B 2P	46	50
24	2B 3P	47	61

25	2B 4P	71	70
26 HF	1B 2P	37	50
27 HF	1B 2P	51	50
28 HF	1B 2P	41	50

**TABLE 2**

*Potential alternative layout/mix (Shaded non compliance with National Space Standards).*

<i>Flat Number</i>	<i>Type</i>	<i>Size</i>	<i>National Space Standards</i>
1	2 Bed 3 Person	69	61
2	2B 3P	64	61
3	1B 2P	39	50
4	1B 2P	44	50
5	2B 4P	68	70
6	2B 3P	62	61
7	2B 3P	62	61
8	1B 2P	40	50
9	1B 2P	42	50
10	2B 4P	60	70
11	2B 4P	63	70
12	2B 3P	65	61
13	2B 3P	66	61
14	1B 1P	36	39
15	2b 4P	58	70
16	2B 4P	65	70
17	2B 3P	63	61
18	2B 3P	61	61
19	1B 2P	25	39
20	2B 3P	56	61
21	2B 3P	61	61
22	1B 2P	28	50
23	2B 3P	56	50
24	2B 4P	58	70

*Parking: It is also acknowledged that given the footprint of the site and its site coverage that there is limited availability for off street parking to support the former or proposed use. It is clear therefore that there will be a reliance on any shortfall being accommodated within the surrounding highway network. The principle of reliance on off-street parking was accepted on the recent approval given and as such remains relevant with this submission.*

*Recommendation:-*

- 1** Agree that in principle that holiday let tie can be lifted
- 2** Defer the application and invite officers/owner negotiate an alternative layout similar to that within Table No 2 or better.
- 3** Delegated to the Senior Specialist Advisor to negotiate relevant adaptations/ alterations to the S106 agreement.

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### **Appendix 1 Original Application**

<b>App.No:</b> 141521 (PPP)	<b>Decision Due Date:</b> 25 March 2015	<b>Ward:</b> Devonshire
<b>Officer:</b> Leigh Palmer	<b>Site visit date:</b>	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 2 March 2015 <b>Neighbour Con Expiry:</b> 2 March 2015 <b>Press Notice(s):</b> 17 February 2015		
<b>Over 8/13 week reason:</b>		
<b>Location:</b> Heatherleigh Hotel, 63-66 Royal Parade, Eastbourne		
<b>Proposal:</b> Proposed change of use from redundant hotel into 12no. holiday flats and 16no. residential flats including demolition of 4no. garages at rear, alterations to remaining three garages to form secure cycle storage and refuse storage, together with the formation of parking spaces. Removal of front sun lounge.		
<b>Applicant:</b> Mr A Aggarwal		
<b>Recommendation:</b> Grant Permission subject to conditions and legal agreement.  The S106 should cover local employment initiatives, the delivery of affordable housing and controls over the timing of the delivery of the refurbishment of the hotel/guest house, the S106 should express that no more than 5 of the residential units hereby approved shall be sold/occupied until such time as the retained hotel/guest house has been fully refurbished in accordance with conditions.		

### **Executive Summary:-**

*This application proposes the loss of hotel accommodation within the defined tourist accommodation zone; policy (TO2) is long standing and is in essence*



*a negative/restrictive policy with only the loss of accommodation being supported in wholly exceptional circumstances and based on sound and robust evidence.*

*Members should note that this policy along with the policy outlining the extent of the Tourist Accommodation Zone itself (TO1) will be reviewed under/within the emerging Seafront Local Plan; this policy review is in its formative stages and as such it should carry very little weight in the assessment of this application.*

*Members should also note the views of the Council's Tourism Officer (TO) and Eastbourne Hospitality Association (EHA) (in relation to the Courtlands Hotel application) whereby they suggest in broad terms that if Eastbourne is to prosper then there needs to be a refocus in the type and nature of the accommodation that is provided. Both the TO and EHA outline in their responses that it would be preferable if Eastbourne had fewer bed-spaces but of a higher quality. This higher quality would support the ambition to move Eastbourne away from the coaching trade and more over to the independent traveller. In this regard this application mirrors the ambitions of the TO and EHA.*

*Notwithstanding the support for the scheme from the TO and EHA members should have regard to four issues:-*

*1. The deliverability of the enhanced accommodation.*

*Officers are satisfied that sufficient controls could be delivered via planning conditions and S106 agreement to ensure that the retained holiday accommodation is refurbished prior to a proportion of the residential units being sold/occupied (see conditions below).*

*Members should be aware that whilst we can control the delivery of the enhanced holiday accommodation the planning system cannot make someone actually open and run the business.*

*2. The prematurity of supporting the scheme ahead of the Seafront Local Plan.*

*Any decision would be based on the evidence behind the application and all other material considerations. If refused then the decision would be based on the policy as it currently stands and as Members will be aware this is a longstanding policy that has been consistently applied. Support for the scheme could only be made if the evidence supported the claim that the current business was unviable.*

*The Seafront Local Plan is in its very formative stages and should not carry any material weight in the determination of this application, so there are no issues on prematurity grounds here.*

3. *Whether this scheme provides a set of unique circumstances such that they could not be readily repeated on other sites/properties in the Tourist Accommodation Zone and thereby reduce the accommodation in an uncontrolled manner.*

*The site has been vacant for a significant period of time and as such has not made a contribution to the available holiday accommodation with the tourist accommodation zone. Notwithstanding this it remains appropriate that officers assess and test the application against current policy.*

*Officers are satisfied that if refurbished the type and nature of the accommodation falls within the grading threshold that is very common within Eastbourne (2\* - 3\*) and to some extent there may be perceived to be an oversupply. In this regard the delivery of fewer bed spaces at the site but finished to a higher/more modern quality would add to the range/type of accommodation available and may better support the wider tourist economy.*

*In addition to the grading level, the size, location and the room frequency rates (an indication of the client group and repeat business) are such that the principle of the loss of tourist accommodation could be supported, especially as the use has been redundant for a significant period of time. In addition this scheme proposes the retention of enhanced accommodation within a building that will have the ability to operate independently.*

*The retained holiday lets will be serviced and managed by a parent hotel with seafront location and as such the likelihood of this set of circumstances being repeated elsewhere in the Tourist Accommodation Zone is remote/ but not unlikely.*

*As with any application any future submission that promotes the loss of tourist accommodation would be based on its individual merits and as such whilst supporting the scheme would not create such a precedent that would obstruct alternative decisions on other sites/properties in the future.*

4. *Whether members feel that sufficient evidence accompanies the application to demonstrate that the current business is unviable.*

*In broad terms officers accept that the provision of a smaller operating establishment supported by a parent hotel would make the business more viable and deliver a return on investment that would be likely to sustain going forward.*

*The evidence submitted with the application has been independently assessed by an external consultant; their conclusions are that the scheme has satisfactorily assessed and demonstrated compliance with the local policy and as such the loss of the tourist accommodation is acceptable in principle.*

*Scheme proposes the reuse of a vacant hotel within the tourist accommodation zone into a mix of holiday flats and residential apartments for open sale/let.*

*It is considered that the proposal has satisfactorily demonstrated that the hotel in its current form is redundant and unviable and that the split use for/as holiday lets supported by an existing 'parent' hotel and open use residential accommodation is considered to be appropriate and acceptable.*

*A suite of conditions are proposed to control the long term availability of the holiday let accommodation.*

**Constraints:**

*Town Centre and Seafront Conservation Area, and within the Tourist Accommodation Zone.*

**Relevant Planning Policies:**

*National Planning Policy Framework*

*The NPPF was formally adopted on 27 March 2012 and sets out the Government's economic, environmental and social planning policies for England. These policies articulate the Government's vision of achieving sustainable development, which should be interpreted and applied locally to meet local aspirations.*

*Paragraph 21 goes on to state that local planning authorities should support existing business sectors, taking account of whether they are expanding or contracting. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow for rapid response to changes in economic circumstances.*

*With regard to main town centre uses, such as hotels, paragraph 24 states that local planning authorities should apply the sequential test and require such uses to be located within town centres, and then to edge of centre sites.*

*The NPPG was published as an online resource to guide plan-makers, applicants and decision-makers on 6<sup>th</sup> March 2014. With regard to tourism, paragraph 007 of the section on ensuring the viability of town centres, directs the reader to tourism planning guidance hosted on the Visit England website. This states that:-*

*"There may be circumstances where a traditional market has changed and the local tourism provision needs to restructure; in some areas long standing changes in visitor numbers may have left a considerable surplus of hotel, guest house, pub and bed & breakfast accommodation. This can leave many businesses struggling on very low turnover, unable to reinvest in improving their facilities. In such circumstances, owners and developers will need to work*

*collaboratively with local planning authorities and others to provide where appropriate a productive alternative use for premises.”*

*Eastbourne Core Strategy Local Plan Policies 2013*

*B1 Spatial Development Strategy and Distribution Sustainable Neighbourhood*

*C3 Seaside Neighbourhood Policy*

*D3 Tourism Tourist Accommodation Area*

*D5 Housing Low Value Neighbourhoods*

*D10 Historic Environment Archaeological Notification Area*

*D10 Historic Environment Conservation Area*

*Eastbourne Borough Plan Saved Policies 2007*

*T01 Tourist Accommodation Area*

*T07 Preferred Area for Tourist Attractions*

*T09 Commercial Uses on the Seafront*

*T08 New Tourist Attractions and Facilities*

*T02 Retention of Tourist Accommodation*

*T05 New Tourist Accommodation*

*UHT15 Conservation Area*

*US5 Tidal Flood Risk*

**Site Description:**

*The application site comprises the Heatherleigh Hotel, a 55 bedroom hotel on a level rectangular site of some 0.093 hectares, located at the junction of Royal Parade and the Redoubt Road. It incorporates a small 'bedsitter' manager's flat.*

*It is situated towards the north-eastern periphery of the Tourist Accommodation Area as defined in the Eastbourne Borough Council Local Plans, but backs onto substantial residential hinterlands beyond. It is only 150 metres from the absolute north-eastern boundary of the Tourism Accommodation Area which sits at the junction of Royal Parade and Carlton Road.*

*The site is located directly opposite the Redoubt Fortress and areas of greensward, as well as the bowling greens, beyond which is the shingle bank leading up to the coastal walk and cycle way, and beach. Properties along the frontage in this part of the Town feature a variety of hotels, guest houses, private houses and tourism-let apartments.*

*The application building, which rises to maximum height of 4 storeys above street level; (5 including the basement), is effectively comprised of 2 large properties which appear to have been amalgamated following the granting of planning permission in 1958.*

*The premises also include a block of 7 garages, (proposed to be partially demolished); along the back of the site, together with some open parking, fronting onto the Rylstone Road at the rear, a wholly residential road as are others in the vicinity to the rear.*

*The general theme of local development in this area is a narrow strip of often tourism related uses along the frontage, (within the Tourist Accommodation Area), and a substantial residential hinterland beyond, with predominantly recreational uses opposite. The road frontage is generally similar in style along this frontage, with the feel of originally having been residential properties, such as that of the application site, with largely similar Victorian and possibly Edwardian styling.*

*The character is markedly different further along Royal Parade to the south-west, where the properties are generally much more substantial and higher. They have a different character, materials and design, mostly in hotel use, from the junction between Royal Parade and Cambridge Road, and heading further south-west, towards the pier and the central part of the seafront area, and commencing with the Langham Hotel.*

### **Relevant Planning History:**

*Following the creation of the hotel in the 1950's there has been numerous applications relating to extensions and adaptations to the hotel building.*

### **Proposed development:**

*Application seek approval to convert the existing vacant hotel into 28 flats, 12 would be tourist lets and the remaining 16 would be for open market occupation.*

*In terms of the actual conversion works, these are taking place over all 5 floors of the property, as follows;*

- **Basement:** Conversion to 6 flats; (4 x 1 bedroom and 2 x 2 bedroom).
- **Ground floor.** Conversion to 7 flats; (3 x 1 bedroom and 4 x 2 bedroom).
- **First Floor:** Conversion to 6 flats; (3 x 1 bedroom and 3 x 2 bedroom).
- **Second Floor:** Conversion to 6 flats; (3 x 1 bedroom and 3 x 2 bedroom).
- **Third floor:** Conversion to 3 flats; (1 x 1 bedroom and 2 x 2 bedroom).

Therefore, the scheme will provide a total of:

- **28 flats**, The flat sizes range from 25.5 sq. metres to 71 sq. metres
- 14 x 1 bedroom and 14 x 2 bedroom,

The flats are also:

- Divided into **holiday lets** and **open market units**, with:
- **12 holiday let units** and **16 open market**, and therefore almost a 50/50 split. The split reflects the differences between the 2 separate original dwellings which made up the current hotel, and are clearly separated by the main staircase.
- The applicants have very carefully laid out the development so that the **holiday let units would all be sited in the westernmost part of the premises**, the 'half' of the floor space which belonged to the dwelling which was incorporated into the overall hotel following the 1958 planning permission.

This layout will therefore ensure that the units are properly segregated, and that they follow a logical division, thus ensuring that the holiday and open market lets are wholly separated, and make it much less likely that there could be future support for the loss of these holiday lets to unrestricted housing. The holiday let units will be spread out over the 4 floors of the western-most half whilst the open market housing will be laid out over the 5 floors of the eastern-most element.

The **Holiday let** units would be laid out as:

- **9 x 1 bedroom and 3 x 2 bedroom flats.**
- This **number of 1 bedroom flats will be appropriate as the smaller unit elements** would be more likely to be marketable as holiday lets, with a significant part of business being for the singles market or couples, but allowing for a few family units as well.

The holiday lets would also be operated in conjunction with the applicants' core business of coaching holidays from their nearby business centre at the Hilton Royal Parade, where these units would be administered in connection with their overall holiday business.

**Supporting Reports:-**

*The application has been submitted with a number of supporting reports which in the main conclude that the building has fallen into significant disrepair and that the costs involved in bringing it back to current standards at a time when the hotel market is in a state of flux would be unviable and also unrealistic.*

*Given the sustainable location and that the proposed use would be likely to result in a reduction in the level of private motor vehicle use then the change of use is likely not to result in any material increase in off-site impacts.*

*The support for the application would retain an element of tourist accommodation at the site and would also realise the full development potential of the site.*

*To the rear of the plot the scheme proposes 7 off-street parking spaces along with bike storage for 20 cycles and a further enclosure that would accommodate up to 24 refuse/recycling bins.*

### **Consultations:**

#### Internal:

*Estate Manager:- No comments/objections to the scheme*

*Tourism Manager:- No direct response to this application but in relation to a very similar application at the Courtlands Hotel they supported the views of the Hospitality Association whereby the view that fewer bed-spaces but higher quality was promoted.*

#### External:

*Southern Water Services:- No objections subject to an informative requiring the applicant obtains SW approval for the conventions prior to the sue commencing.*

*Environment Agency:- No objections to the proposal*

*Eastbourne Hotels' Association:- Support the application for the following reasons:*

- The hotel is unsustainable in its current form*
- Evidence from other recent applications still stand*
- The hotel has not contributed to the hotel stock for a significant period of time.*
- Not economically viable to refurbish and run as a hotel*
- Fewer holiday rooms but better quality would be better for the town as a whole.*
- Parking no worse than as its former use as a hotel*
- Further deterioration would be harmful to the area and may follow the same path as the Lynwood and the Latham*
- Town has more than adequate bed stock to cope with demand (Premier Inn and the re-opening of the Ambassador*

*County Archaeologist:- Works involved do not constitute any risk to archaeological remains and thereby no objections are raised*

*Highways ESCC*

*Neighbour Representations:*

*1 letter of support has been received commenting in the main on the following issues:-*

- No realistic chance of the property ever being viable as a hotel again,*

*5 letters of objection has been received and cover the following points:-*

*The area already suffers from parking issues, particularly in the summer months. I don't believe the proposal adequately deals with the parking issues for 28 new dwellings.*

*No constriction works before 9am and or after 6PM as this may conflict with guests at nearby properties.*

*Concerns over the likely occupiers of the users*

*This area due in part local support and investment from the local community is a safe environment and an attractive holiday spot, anything that would detract from this would be damaging to Eastbourne's Tourism as a whole*

*Refuse areas being unsightly*

*The rear of the building needs to be refurbished as much as the front as this is where the wider community live.*

***Appraisal:***

*Principle of development:*

*The proposal complies with the adopted planning policy for the loss of tourist accommodation and as such there is no objection to the principle of the change of use.*

*The scheme proposes the retention of an element of tourist accommodation with the remainder of the property being converted into residential apartments. It is considered that the proposed residential accommodation would provide 'windfall' units in an area of the town where they are needed and given the general sustainable location of the site it is considered to be supportable in this regard.*

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



*The property has a history of hotel/holiday accommodation and as such the local community would have experienced some degree of activity associated with this business operation. It is accepted that this activity has reduced during the periods of inactivity/close business. Notwithstanding this a refusal based on the impacts from the increased commercial activity at and within the vicinity of the site could not be substantiated.*

*Similarly local residents will experience some loss amenity through the activity associated with on street parking, however it is considered that this loss of amenity would be less than the if/when the hotel was fully functioning.*

*Design issues:*

*The application proposes that the new uses should follow broadly the former split between the properties. In addition the scheme relates to a change of use and as such save for modest repairs and refurbishment there are no significant external changes.*

*Given this it is considered that there should not be any material impacts upon the character of the host property or the character of the wider area*

*Impacts on highway network or access:*

*It is accepted that the site has not been active for a number of years and to some regard the local community has grown used to this. The regeneration of the site into holiday accommodation and also open market residential properties would generate some pressure for on street parking, however when compared to the lawful use of the site the impacts are considered to be less than substantial in NPPF terms and therefore a refusal on this issue could not be sustained*

*Other matters:*

*The applicants are happy to accept controls/limitations upon the tourist and residential accommodation in order to ensure that the long term availability/retention of the tourist accommodation.*

**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.*

**Recommendation:**

*Grant Permission subject to conditions and legal agreement.*

*The S106 should cover local employment initiatives, the delivery of affordable housing and controls over the timing of the delivery of the refurbishment of the hotel/guest house, the S106 should express that no more than 5 of the residential units hereby approved shall be sold/occupied until such time as the retained hotel/guest house has been fully refurbished in accordance with conditions.*

**Conditions:**

*1Time Limit*

*2 In accordance with the approved drawings*

*3Details, including Samples, of a Good Quality of Materials to be used on external elements of the proposed development, where required, to be submitted to the satisfaction of the Council.*

*4Controls over Construction and Demolition Times.*

*5Making good after demolition of conservatory and garages.*

*6Tree Planting and Landscaping.*

*7Boundary Treatment.*

*8Refuse enclosure.*

*9Vehicle and bicycle parking to be provided and retained, in accordance with the approved plans,*

*10Surface and Foul Water Drainage Arrangements.*

*11Hard Surfacing Details.*

*12Details of any external lighting required.*

*13Controls to ensure retention of tourist let uses.*

*14Control to limit the occupancy of the open residential units instil such time as the holiday accommodation has been refurbished and is trading.  
(Ok to delete if dealt with via the S106)*

**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.***



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<b>App.No:</b> 170819 (PPP)	<b>Decision Due Date:</b> 26 September 2017	<b>Ward:</b> Upperton
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 13 September 2017	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 22 July 2017 <b>Neighbour Con Expiry:</b> 22 July 2017 <b>Press Notice(s):</b> 26 June 2017		
<b>Over 8/13 week reason:</b> To negotiate on Travel Plan proposals and cycle of planning committee		
<b>Location:</b> Eastbourne Police Station, Grove Road, Eastbourne		
<b>Proposal:</b> Proposed refurbishment and extension of former Police Station, with roof extension to existing building and 5 storey side/rear extension to create 50 flats in total.		
<b>Applicant:</b> Mr Lacey		
<b>Recommendation:</b> A: Subject to legal agreement covering : <ul style="list-style-type: none"> <li>• Local Employment Issues</li> <li>• Affordable Housing Issues</li> <li>• Highway Issues; the securing of the Travel Plan (including monitoring fee) and the Traffic Regulation Order</li> </ul> Then planning permission be granted subject to conditions outlined at the end of the report.  B: If there is a delay in the processing of the S106 agreement (more than 8 weeks from the date of this resolution and without any commitment to extend the time) then the application be refused for the lack of infrastructure provision.		

## Executive Summary:

The development will result in significant social benefits, providing greater than 30% affordable housing, and contributing significantly to the housing numbers in the town centre. The development is considered sustainable and in line with local and national planning policy, as such it is considered acceptable in principle.

The impacts on existing residential properties, in terms of the bulk of the proposal, overlooking, privacy and impacts on light or outlook are considered not significant to warrant the refusal of the application. And, the design concept is well conceived and will result in an attractive residential development which respects the character of the area and the setting of the adjacent buildings including the Town Hall.

Therefore the proposals are considered acceptable for the reasons set out in the report subject to a S106 agreement and conditions as set out below.

### **Relevant Planning Policies:**

#### National Planning Policy Framework

- 2. Ensuring the vitality of town centres
- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 11. Conserving and enhancing the historic environment

#### Eastbourne Core Strategy Local Plan Policies 2013

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C1 Town Centre Neighbourhood Policy
- D1 Sustainable Development
- D5 Housing
- D8 Sustainable Travel
- D10 Historic Environment
- D10a Design

#### Eastbourne Borough Plan Saved Policies 2007

- UHT1 Design of New Development
- UHT2 Height of Buildings
- UHT4 Visual Amenity
- UHT15 Protection of Conservation Area
- UHT17 Protection of Listed Buildings and their Settings
- HO2 Predominantly Residential Areas
- HO7 Redevelopment
- HO9 Conversions and Change of Use
- HO20 Residential Amenity
- TR2 Travel Demands
- TR6 Facilities for Cyclists
- TR11 Car Parking
- NE14 Source Protection Zone

#### Eastbourne Town Centre Local Plan 2013

- TC6 Residential Development in the Town Centre
- TC9 Development Quality

### **Site Description:**

The site refers to vacant building which was formerly Eastbourne Police Station.

The existing buildings cover the majority of the site with a three storey, plus basement frontage to Grove Road, the main building covers the length of the site. A more modern addition which formed a double height is situated to the rear of the site. The site has an existing vehicular access from Grove Road between the main building and that of the Medical Centre adjacent. The main police station building is a red brick building with

detailed art deco style fenestration. The building is considered to make a positive contribution to this part of the Grove Road street scene.

The rear of the building is visible from public viewpoints across the Town Hall car park to the south-west and from Old Orchard Road to the north. The area is a mix of commercial and residential.

The site is within the Town Centre of Eastbourne, which has a mainline rail and other transport links.

The site is situated adjacent (to the north) of Eastbourne Town Hall which is a Grade II Listed Building. The site is not currently within a Conservation Area. However the Town Centre and Seafront Conservation Area which includes the Town Hall but not this site and The Saffrons Conservation Area are in proximity to the application site and therefore the site is considered within the wider setting of the conservation areas/listed buildings.

**Relevant Planning History:**

There have been a number of applications in the history of this building relating to the operational needs/requirements of its former use as a police station. No applications have been submitted/determined in relation to the re-use of the site.

**Proposed development:**

The application proposes the redevelopment of the building/site to provide 50 self-contained residential flats.

The development would be facilitated by a roof extension (fourth floor) to the existing police station building and a mansard roof extension facing Grove Road, to provide 31 flats over 5 floors within this refurbished part of the site.

The development also proposes the demolition of the more modern rear addition to the building to provide a further 19 flats over a 5 floor extension.

**Consultations:**

Conservation Area Advisory Committee - The application was presented to the Conservation Area Advisory Group on 4<sup>th</sup> July 2017. The group in principle applauded the applicant's intentions with regard to the retention of the police station frontage. They felt however that the proposal was one storey too many and expressed a concern that it would compete with the neighbouring listed Town Hall. It was also suggested that the applicant explore a mansard roof for the rear building.

Planning Policy - Support the proposal, the development is in the Town Centre neighbourhood which is a designated sustainable centre, it is accessible by a range of sustainable transport and will have a relatively significant contribution to housing numbers in the town centre in a sustainable location. Therefore it is considered that this application is in accordance with the adopted policy.

Regeneration – Support the proposal subject to the imposition of local labour requirements on any approval

Grove Road Surgery - Need constant access to the surgery for doctors and emergency vehicles, scheme may impact upon their parking area, damage to vehicles during construction period.

Southern Water – Sufficient capacity for foul connection to service the proposed development

County Archaeologist – Support the scheme subject to conditions

Highways ESCC – The applicant has further considered the parking demand in a more localised area of the site, and takes account of the size of the dwellings being proposed. It is agreed that based on the central location of the site and the availability of travel options there is a good chance that car ownership is less when compared with larger dwellings located further from the town centre. I am able to accept that car ownership for this proposal is likely to be less than as stated in the car parking demand calculator and the calculated bespoke figure of 26 spaces is likely to be more realistic. However, it is deemed necessary that a new 'origin' development provides a mechanism to support sustainable travel choices to reinforce a low car ownership proposal.

A location such as Eastbourne town centre cannot offer front of dwelling parking provision and with parking controlled zones in place, long term parking is accepted to take place slighter further afield. The applicant has considered 500m distance from the site as acceptable and has included roads within this distance within an overnight survey. Please note that an overnight survey is the most appropriate method to survey demand for 'origin' based proposals as development associated vehicles are likely to create a demand for parking spaces overnight. Although I consider 500m to be too far, and that 250-350m would be a more attractive maximum distance, it is more likely that parking on-street may be found within the closer distance and less likely that drivers would have to reach 500m away to find a parking space on street.

The applicant proposes to enhance the travel choices at this site through the provision of:

- 1) A car club vehicle that would include entitlement to 3 years free membership to each first occupant household and be open to wider membership to existing residents in Eastbourne.
- 2) 12 month season ticket for Eastbourne bus network
- 3) £100 cycle voucher per first occupant
- 4) Householder information pack [walking/cycle/public transport routes/distances to local schools, doctors, dentists, hospitals, public buildings, leisure facilities, timetables, etc.]
- 5) Cycle maintenance support scheme

The above can be secured through the provision of a travel plan to be required through a planning condition or S106.

With regard to the car club, an appropriately located parking space for a car has been identified within Grove Road, opposite the site. The alterations to the road markings through a Traffic Regulation Order to be financed by the applicant will be required to secure the space for a car club car and be in place prior to occupation. This can also be secured through a planning condition or S106.



Factors such as the sustainable location, size of proposed dwellings, lower car ownership for small dwellings in town centre positions and travel plan related mitigation measures formulate a site that is conducive to a car free development. As such, my former objection is retracted for the reason that the site is sustainable and offers numerous choices of travel other than the private car, and highway reasons for refusal would be difficult to uphold at appeal.

SUDS – Have requested further information that can be resolved before development commences.

Sussex Police Crime Prevention Officer - In general terms support is given to this application as it reuses a redundant building...the key to ensuring the security of this building and the safety of the occupants is to ensure that accredited security measures are applied to all basement and ground floor and ground floor accessible door and windows, particularly with regard to access controls.

Neighbour Representations:

Press and Public Notice have been displayed along with 211 individual letters to occupiers of neighbouring/nearby properties this consultation regime has resulted in the following responses being received:-

26 letters of objection were received commenting in the main on the following issues:

- Too tall
- Out of keeping with surrounding properties
- Will set an undesirable precedent
- Conflict with conservation principle
- Loss of light
- Lack of private parking on site
- Impact upon parking and other transport facilities
- Parking congestion on the area is under severe pressure
- Impact upon Controlled Parking Zone CPZ, existing residents will not be easily able to find spaces with the CPZ given overpopulation
- Poorly evidence the impact of the development upon the CPZ
- Zone G of the CPZ should be extended to absorb greater pressures
- Should convert the existing building not extend it
- Problems with refuse and emergency vehicles accessing site
- Impacts from construction traffic
- Would impact negatively on the wider setting of the Town Hall
- Loss of historic fabric would be harmful
- The use of non-traditional materials would be harmful
- Have not demonstrated redundancy of B1 space
- No evidence on the sustainability of the development
- Proposed balconies would impact adversely on the amenities of the occupiers of the wider area
- Poorly designed in terms of active surveillance which may lead to an increase in ASB
- Scheme should include underground parking to serve the development
- Loss of privacy through direct overlooking

- New build will cause loss of light
- Scale and density is inappropriate for the site
- May increase local pollution levels
- Congestion will kill local businesses

2 comments of support were received commenting in the main on the following issues:

- Bring new development to the town centre would help to sustain the wider vitality/vibrancy of the town
- Pleased to see empty building brought back into use

### **Appraisal:**

#### Principle of development:

The application would result in the net gain of 50 residential dwellings. The National Planning Policy Framework is clear that sustainable residential development should be granted planning permission to ensure greater choice of housing in the local market and to meet local and national housing needs. The application would contribute positively to the Council's spatial development strategy.

The development site is situated within the Town Centre neighbourhood, within close proximity of the Town Centre and key transport links. The site is considered a sustainable location for residential development of this nature given the context of the site.

It is acknowledged that the Council do not have a current, robust 5 Year Housing Land Supply (5YHLS) and as such this is considered to be a significant material consideration on the determination of this application.

Given the lack of the 5YHLS it is considered that all development sites should be developed to their maximum potential in order to mitigate the shortfall and also to alleviate the pressure for the release of less appropriate sites.

Eastbourne needs to provide new homes to meet local needs. There is very limited supply of developable land in Eastbourne given the urban areas tightly confined by the South Downs, Wealden administrative area, the sea and land subject to flood risk (Eastbourne Park). It is considered therefore that where we have developable sites that they are developed to their maximum potential. The proposed density is driven by the existing buildings on site, much of which is retained, the type of development, and mix of sizes conforms to the Council's Strategic Housing Market Assessment.

The application contributes positively to the Council's spatial development strategy and will assist in ensuring the housing target for the neighbourhood is delivered over the plan period. The site is within the Town Centre Neighbourhood which is designated a sustainable centre, and the development will have a relatively significant contribution to housing numbers in the town centre in a sustainable location. Therefore in principle the redevelopment of the site, and the density of residential accommodation is acceptable and in line with local and national planning policy.

The proposed development will be required to contribute 30% affordable housing provision in accordance with Policy D5 of the Core Strategy and the Affordable Housing SPD. The developer has agreed to the provision of the rear block of 19 flats as

'affordable' which would amount to 38% of the total number of flats. This block is self-contained and has its own access, bike and bin storage therefore making appropriate proposal to meet the affordable housing requirements.

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

The proposal would impact on the existing residential properties surrounding the site in terms of overlooking but is considered acceptable for the reasons outlined in the following paragraphs.

Existing windows within the front elevation of the building overlook to the existing residential units above retail properties of the eastern side of Grove Road opposite. The change of use to residential will change the nature of that overlooking from an office and the times of day that the properties are occupied. However this overlooking is considered normal in terms of separation distances in urban environments and therefore does not substantiate a reason for refusal.

There would be limited additional overlooking from the proposed new build and the existing medical centre. However given the existing use of this building this overlooking is considered acceptable.

It is acknowledged that given the former office use that to some degree there was direct overlooking to the rear of the properties at 55-57 Grove Road and further afield and whilst the creation of residential flats would sustain the overlooking it is considered that the a refusal based on this issue could not be sustained in this central Town Centre Neighbourhood location. To the west of the site is the existing Eastbourne Law Courts, which is currently vacant following the closure of the Court. To the north of this the properties of Old Orchard Road are for the majority separated into self-contained flats. Old Orchard Road properties have large rear gardens, with a separation distance of over 30m rear elevation to elevation, and therefore the impact of the overlooking is somewhat mitigated.

The impact from the bulk of the building would be limited; Old Orchard Road would have a greater sense of being overlooked given the increase in height of the replacement rear building. The total height of the new build is higher (1.5m) than the existing building, albeit the existing building has a pitched roof. The flats to the rear building have been designed so that the living accommodation is north facing, therefore at an angle with the properties of Old Orchard Road which are not directly to the rear of the site. The impact will undoubtedly increase in terms of sense of enclosure the properties of Old Orchard Road however the impacts are considered acceptable when considering the separation distance and the overall benefits of the proposal.

The mansard extension to the front of the existing building and the additional storey to the rear would have limited impacts on properties of Grove Road given the site is to the North West, the limited height of the mansard and as the additional floor is well set back from the front elevation.

Overall the impacts of the proposal on the amenity of existing surrounding residential properties are considered acceptable.

Impact of proposed development on amenity of future occupiers:

The proposal would provide the following accommodation. Recommended floorspace is taken from the Department for Communities and Local Government Technical housing standards – nationally described space standards 2015;

Existing building;

	<b>No.</b>	<b>Min SQM</b>	<b>Max SQM</b>	<b>Recommended size</b>
<b>1 bed 2 Person</b>	9	60	70	50
<b>2 bed 3 Person</b>	7	64	68	61
<b>2 bed 4 Person</b>	14	76	183	70
<b>3 bed 6 Person</b>	1	188	188	95
<b>Total</b>	31			

Proposed rear building (to be affordable housing)

	<b>No.</b>	<b>Min SQM</b>	<b>Max SQM</b>	<b>Recommended size</b>
<b>1 bed 2 Person</b>	3	47	50	50
<b>2 bed 3 Person</b>	15	60	70	61
<b>2 bed 4 Person</b>	1	76	183	70
<b>Total</b>	19			

Two of the one bed flats within the new rear block would be marginally (3 and 2m) below the recommended floorspace of a single bedroom 2 personal occupancy flat. However this is considered marginal, and when including the external balcony area this would increase the floorspace above the minimum recommendations.

All upper floor flats of the proposed new build to the rear will have access onto balconies for some amenity space. The fourth floor extension to the existing building houses three flats which will all have access to small balcony areas.

The flats are considered an appropriate size and all will be provided with adequate levels of outlook and access to light and ventilation. Given the confines of the site some outlook is limited from parts of the eastern elevations and northern elevation of the existing block given the proximity of existing buildings. However flats in these locations are dual aspect so as to maximise outlook, light and ventilation.

The rear new building will have externally accessed cycle and bin storage with the main access to the flats being via a door in the northern elevation with pedestrian access between the two existing buildings fronting Grove Road.

The existing building to the front will have a new access to the rear, with pedestrian access from Grove Road to the south of the existing medical centre. Bin storage is proposed at ground floor level, with cycle parking at basement level within the building. Lift access is proposed to all floors of both buildings.

Therefore it is considered that the proposed development would result in a good quality accommodation for future occupiers.

Design issues and impact on character and setting of a listed building or conservation area:

The proposal seeks to create a high quality residential development within the heart of Eastbourne by reusing a vacant existing building and replacing a poorly designed later addition to the rear.

The site is not situated within a conservation area, however the Town Centre and Seafront Conservation Area and Safrons Conservation Area are in proximity to the site and the adjacent Town Hall is a Grade II listed building. Policy D10a of the Core Strategy Local Plan states that new development will be expected to contribute to local distinctiveness and sense of place, and be appropriate and sympathetic to its setting in terms of scale, height, massing and density and its relationship to adjoining buildings and landscape features.

The views of the Conservation Area Advisory Panel in terms of incorporating a mansard roof has been put to the applicant/developer who has declined this design request as for them it is important the new development should contrast with the old.

In this instance the officers share the developers view and it is considered that the lack of the mansard on the rear buildings is considered to contrast the old and the new parts of the building. The traditional mansard fits with the design and appearance of the retained police station frontage to maintain its street presence. The mansard is considered to compliment the design features which are retained in this street frontage. However the rear blocks are more modern in appearance and material, to have a mansard roof would weaken that design concept and appear pastiche.

The additional floor to the rear of the existing building is proposed to be clad in a contrasting material to the brick main structure and is set in from the edges of the building to 'top out' the building. This rear part of the existing building is visible across the car park of the adjacent Town Hall. The modern appearance of this elevation is considered to contrast with the traditional style of the town hall. To appear pastiche would result in a more bulky and intrusive development. The enlargement of the windows and inclusion of recessed balconies will bring life and activity to this otherwise bland elevation.

Bay windows and recesses add visual interest and assist in breaking up the brick façade. Brick is proposed as a principle cladding material which relates to the existing brick used on the main building. For the new build rear extension three brick types are proposed to create a flecked appearance to the main facades which will also act as a counterpoint to the existing red brick of the Police Station building. The materials are simple and designed to complement the existing building whilst reading as a new addition, and to respect the adjacent listed building which is constructed in high quality brickwork.

Impacts on highway network or access:

The site is located in the town centre, is well connected to public transport services with both rail and bus serves available within 400m and town centre shops are close by. There are general parking restrictions in place along Grove Road and bus stop, disabled parking bays, doctors bays and double yellow lines restricting on street parking.

Policy TR2 of the Eastbourne Borough Plan states that development proposals should provide for the travel demands they create and shall be met by a balanced provision for access by public transport, cycling and walking. Additionally, Policy D8 of the Core Strategy recognises the importance of high quality transport networks and seeks to reduce the town's dependency on the private car.

When in use as the Police Station the existing rear addition (double height ground floor) was used in part as a police compound, our understanding is that this use was limited; it was not general office parking for the workers in the building.

There is an existing roller door which provides vehicular access in the eastern elevation immediately in front of the access to the south of the medical centre off Grove Road. There is also an additional roller door for access in the northern elevation providing vehicular access to the north of the medical centre onto Grove Road. The access road from Grove Road to the south of the medical centre is owned by the Applicant, the access to the north of the medical centre is not owned by the Applicant but they do have a right of way over this land. The land between the rear of the medical centre and the site is owned by the medical centre and used for parking by its staff.

The proposal is for a car free development. Whilst it is acknowledge that there is existing car parking on site this is far from ideal given the limited access. The applicants Design and Access Statement states that they have tested the provision of parking on the ground floor, given the requirements for turning heads and entrance widths the amount of parking possible would be approx. 6 spaces which given the number of flats would not be viable in comparison with the loss of the 4 units. The creation of underground parking is also not considered a viable option given the cost and limited area/access.

The access from Grove Road would be inadequate for any significant amount of vehicle movements given the narrowness. Grove Road is especially busy in terms of footfall and increased traffic at these access' would likely impact on the safety of pedestrians using these footpaths.

Following an objection raised from ESCC Highways into the lack of onsite provision of parking, the developer has put forward mitigation measures, in order to encourage lower car ownership and to promote sustainable forms of travel to and from the site. It is proposed to provide a Travel Information Pack to first residents of the units to be secured through a S106 agreement. This would include the following measures;

- Provision of a car club space on street in Grove Road, space to be agreed but proposal is for space on eastern side of Grove Road outside Tesco opposite the site. This would include funding of the process to implement the Traffic Regulation Order to assign the space on the public highway;

- Provision of 3 years free membership to co-wheels Car Club for each first occupant household;
- 12 month Stagecoach 'megarider' season ticket for the local Eastbourne bus network, per first occupant household;
- Gift voucher for local cycle retailer towards purchase of cycle equipment, up to the value of £100 per first occupant.

These measures would help to mitigate the likelihood of localised parking stress occurring in the streets around the development.

A car club can help to reduce traffic impacts, reducing parking pressure and can therefore improve the urban environment. A car club can be an attractive perk for future occupiers who hold driving licenses but do not own a car, allowing travel by car but without the cost of running a private vehicle. In order to be successful the car club needs incentives, the developer is proposing three years free membership for first occupiers, this is considered sufficient time for users to get used to the benefits. The idea is that within those three years marketing would attract wider use of the car club increasing the likelihood of its sustainability. A year season ticket for the bus network is also considered sufficient time for residents to become accustomed the use of bus travel.

The car club would be the first of its kind within Eastbourne, but they are popular in other towns/cities, where they facilitate higher density development which has insufficient land for parking. The car club vehicle is provided to offset the demand of residential of the site without access to their own vehicle. It would also be available for wider community use. Eastbourne Borough Council are currently considering whether a Car Club option could be available for Council Staff. This would increase the potential viability of the club following the initial set up facilitated by this development.

Lewes District Council set up a car club within Lewes Town Centre, which was funded for two years via Air Quality Grant monies. LDC staff used the car and the club was promoted across Lewes Town. Within 18 months the car club was self-sustaining and has now expanded.

The proposed operator of the Car club is Co-wheels who are a national car club operator run as a social enterprise. Co-wheels have confirmed that the proposed development is potentially viable for car club provision and therefore they are happy to work with the developer to provide a car club vehicle on occupation of the build. Geographically, co-wheels are the UK's largest car club and provide low emission, hybrid and electric cars across 50 towns and cities. Co-wheels is a pay-as-you-go car club which provides members with access to cars via an online booking system. Each member receives a smart card which allows remote entry without the need to pick-up keys. Rates currently start at £4.75 per hour or £33.50 per day + 18p per mile for fuel (no fuel charge for electric vehicles).

East Sussex County Council has confirmed that there has been no desire to extend the existing parking zone and therefore they do not consider it necessary to proceed with a request to fund a consultation on that basis.

Following the above mitigation measures put forward by the Applicant, ESCC Highways have removed their objection. Their full response is available at the beginning of this

report. However they state Factors such as the sustainable location, size of proposed dwellings, lower car ownership for small dwellings in town centre positions and travel plan related mitigation measures formulate a site that is conducive to a car free development. As such, the previous objection is retracted for the reason that the site is sustainable and offers numerous choices of travel other than the private car, and highway reasons for refusal would be difficult to uphold at appeal.

Other matters:

To the west of the site is the existing Eastbourne Law Courts, which is currently vacant following the closure of the Court. This site is likely to come forward for redevelopment at some point in the future. It is important that this proposal does not sterilise this adjacent development site and has been designed 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 development will result in significant social benefits, providing greater than 30% affordable housing, and contributing significantly to the housing numbers in the town centre.

The impacts on existing residential properties, in terms of the bulk of the proposal, overlooking, privacy and impacts on light or outlook are considered not significant to warrant the refusal of the application.

The design concept is well conceived and will result in an attractive residential development which respects the character of the area and the setting of the adjacent Listed Building.

Significantly consideration has been given to the proposal of the development to be car free. It is considered that the mitigation measures set out in the proposed Travel Plan will assist with the impacts of the development in terms of the highway network and demand for on street parking. The social benefits of the car club could be wider impacting that the development itself and this could be a real benefit to the Town Centre.

Therefore the proposals are considered acceptable for the reasons set out in the report subject to the following recommendations.

**Recommendation:**

A: Subject to subject to legal agreement covering:

- Local Employment Issues
- Affordable Housing Issues
- Highway Issues; the securing of the Travel Plan (including maintenance fee) and the Traffic Regulation Order



Then planning permission be granted subject to conditions outlined below;

B: If there is a delay in the processing of the S106 agreement (more than 8 weeks from the date of this resolution and without any commitment to extend the time) then the application be refused for the lack of infrastructure provision.

**Conditions:**

1. Time for commencement.
2. Approved Drawings.
3. Submission of sample of materials to mansard roof, fourth floor extension and rear new build.
4. Details of proposed windows to be submitted prior to works commencing.
5. Southern Water surface water drainage condition.
6. Southern Water foul water drainage condition.
7. Archaeology condition for written scheme of investigation.
8. Cycle storage to be provided in accordance with approved plans prior to occupation of first unit
9. Bin storage to be provided in accordance with approved plans prior to occupation of first unit
10. SUDS details
11. SUDS proof of implementation
12. Submission of Construction Traffic Management Plan (to covers issues like contractor parking – site compound – welfare facilities – days and hours of delivery – route of construction/demolition vehicles to from the site)

**Informatives**

Southern Water informatives.

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.

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<b>App.No:</b> 171170 (PPP)	<b>Decision Due Date:</b> 20 November 2017	<b>Ward:</b> Meads
<b>Officer:</b> Danielle Durham	<b>Site visit date:</b> 9 October 2017	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 19 October 2017 <b>Neighbour Con Expiry:</b> 5 December 2017 <b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> to negotiate amendments		
<b>Location:</b> Minster House, York Road, Eastbourne		
<b>Proposal:</b> Insertion/enlargement of windows to North-West, North-East and South-East elevations. Patio doors to North-West elevation, leading to Yard formed by erection of 1.8m close-boarded fence. Installation of smoke ventilation rooflight above existing stair core.		
<b>Applicant:</b> Mr Mark Hibbert		
<b>Recommendation:</b> Grant planning permission subject to conditions		

## Executive Summary:-

The proposals are to improve the accommodation for future occupiers; the principle of the change of use has already been established. The works are not necessarily required to facilitate that change of use but would provide better light and outlook for future occupiers. Following amendments the impacts on the amenity of nearby residential occupiers is considered acceptable with further controls by way planning conditions recommending installing obscure glazing to sensitive window locations.

Scheme is recommended for approval.

## Relevant Planning Policies:

### National Planning Policy Framework

- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 12. Conserving and enhancing the historic environment

### Eastbourne Core Strategy Local Plan Policies 2013

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C1 Town Centre Neighbourhood Policy
- D5 Housing
- D10 Historic Environment
- D10A Design

## Eastbourne Borough Plan Saved Policies 2007

HO2 Predominantly Residential Areas

UHT1 Design of New Development

UHT4 Visual Amenity

UHT15 Protection of Conservation Areas

UHT16 Area of High Townscape Value

HO20 Residential Amenity

### **Site Description:**

Minster House is an existing part 3, part 4 storey building on the northern side of York Road. The property is not listed, nor is it situated within a conservation area however it is within an area of high townscape value.

The existing building fills the entire site, and was previously offices at ground and first floor and self contained residential accommodation at third floor level, though the building has been vacant for some time.

### **Relevant Planning History:**

EB/1988/0689

CHANGE OF USE OF FORMER PRINTERS TO OFFICES ON GROUND, FIRST AND SECOND FLOORS AND TWO FLATS ON THIRD FLOOR

Approved Conditional

1990 -12-01

161219

Convert B1 (Business use) ground, first, second and third floor to C3 (dwelling house)

Prior Approval under Class O, part 3, Schedule 1 of the Town and Country Planning (General Permitted Development) (England) Order 2016

Granted unconditionally 28 November 2016

171171

Loft conversion/extension to form new dwelling, including dormer constructions and roof terraces to front and rear. Additional roof terrace to front at Third Floor level. Front elevation amended to remove part pitched roof and replaced with flat roof, with amended window configuration. Tower removed on front elevation.

Planning Application currently under consideration.

### **Proposed development:**

This application seeks planning permission for alterations to the building to facilitate the change of use to residential granted by the Prior Approval application in 2016 (Ref: 161219). These alterations are;

- Insertion/enlargement of windows to North-West, North-East and South-East elevations; and
- Patio doors to North-West elevation, leading to Yard formed by erection of 1.8m close-boarded fence; and
- Installation of smoke ventilation rooflight above existing stair core.

### **Consultations:**

### Neighbour Representations:

5 Objections have been received from properties of both York and Bath Road and cover the following points:

- Impact of overlooking properties of Bath Road from windows in this elevation
- Intrusion of privacy and loss of peaceful enjoyment of properties on Bath Road.
- Windows in rear elevation are not required as has windows in the side elevation
- Sense of overlooking from high level balcony
- Light spilling from upper floor windows would impact on enjoyment of rear gardens at night
- Design in keeping with other properties?
- Increased noise from high level terraces on York Road frontage
- Minster house is already out of keeping with the area which are all modest design
- The proposal does nothing to facilitate affordable or social housing
- Unacceptable to have direct views into the rear gardens

1a York Road have commented that consent would be required for work affecting the South- East wall and this should not impair the privacy of nearby gardens.

### **Appraisal:**

#### Principle of development:

The principle of the change of use to residential has already been agreed by the Prior Approval application. This application seeks to improve the standard of accommodation for future occupiers of the residential units to which there is no objection in principle providing the amenity of existing residential properties surrounding the site is not significantly harmed and the design of amendments is appropriate for the setting of the building.

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

The application originally proposed new windows at ground, first, second and third floor level to the north-eastern elevation facing the rear of properties to Bath Road. The ground floor windows were proposed high level, 1.8m above FFL and obscurely glazed but openable, the first floor were proposed high level but clear and openable. However following advice that this was not likely to be acceptable this element of the proposal has been amended. The windows at ground and first floor level in this elevation have now been removed from the scheme.

The windows at ground floor level were wholly unacceptable as they were literally on the rear boundary of the Bath Road properties garden, which has no other boundary treatment. This would result in a significant perception of overlooking even if they were high level internally.

There would be an increased impact from the additional windows in this elevation from increase light spillage to the rear of Bath Road, however this area is heavily populated, with small dwellings, contained within small plots, and in close proximity to each other, with flats about the shops of Grove Road also immediately adjacent. Whilst it would be different to facing a solid wall it is not considered that the size of window at second and

third floor levels would result in significant light spillage to be detrimental to the amenity of the adjacent properties.

The same issue above affects the property adjacent to the south-east no.1a York Road. The originally proposed ground floor window directly onto the rear garden of this property has been removed from the scheme. The first floor window in this elevation is existing and therefore cannot be controlled by this permission.

Other windows in both the south-east and north-east elevations at second and third floor levels are increased in size, however given the height it is not considered that the impacts would be significant to warrant a refusal of the application on this ground.

The new fence to create the yard area for one of the ground floor flats would likely have some impacts on the properties to the west however it is considered that this fence could be installed without the requirement for planning permission given its height and location. This will provide a small outside amenity space for this flat. New doors and windows in this elevation at ground floor level given the proposed fence will have little impact in terms of overlooking to the immediately adjacent residential properties.

Many windows in the eastern elevation which is in close proximity to properties of Grove Road are currently obscured by way of a film over the glass to various degrees, and are proposed to be replaced with clear glass. The existing fire escape stairs to this elevation will be removed, which will improve to a certain extent the perception of overlooking as this could have been used by occupants of the building. Additional windows are proposed at first, second and third floor level. The overlooking at close proximity will increase by way of this application, and as such conditions are recommended to control the extent of the overlooking.

#### Design issues:

The new windows and doors in the elevations would have limited impacts on the overall appearance or design of the building. Whilst the building is higher than surrounding residential properties and visible in wider ranging views the addition of windows is not considered detrimental to the visual appearance of the building.

#### Impacts on trees:

There are no trees to be affected by the proposal on the site given the building fills the entire plot.

#### Impacts on highway network or access:

The principle of the change of use is agreed by the Prior Approval application, therefore the impacts of the change of use on the highway network are not considered as part of this application.

#### **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 proposals are to improve the accommodation for future occupiers, the principle of the change of use has already been established. The works are not necessarily required to facilitate that change of use but would provide better light and outlook for future occupiers. Following amendments the impacts on the amenity of residential properties surrounding is considered acceptable.

**Recommendation:** Grant planning permission subject to the following conditions;

1. Time for commencement
2. Approved drawings
3. Obscure Glazing

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<b>App.No:</b> 171171 (PPP)	<b>Decision Due Date:</b> 20 November 2017	<b>Ward:</b> Meads
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 9 October 2017	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 20 October 2017 <b>Neighbour Con Expiry:</b> 5 December 2017 <b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> Amendments to design and capacity issues		
<b>Location:</b> Minster House, York Road, Eastbourne		
<b>Proposal:</b> Loft conversion/extension to form new dwelling, including dormer constructions and roof terraces to front and rear. Additional roof terrace to front at Third Floor level. Front elevation amended to remove part pitched roof and replaced with flat roof, with amended window configuration. Tower removed on front elevation.		
<b>Applicant:</b> Mr Mark Hibbert		
<b>Recommendation:</b> Refuse Planning Permission		

## Executive Summary:-

In principle the additional flat at fourth floor level is considered acceptable and would provide good quality accommodation for future occupiers. However the addition of the terrace and dormers to the front elevation roof slope and the rear dormer and terrace are considered unacceptable in terms of their design that materially affect the character of the wider area.

Scheme is recommended for refusal

## Relevant Planning Policies:

### National Planning Policy Framework

- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 12. Conserving and enhancing the historic environment

### Eastbourne Core Strategy Local Plan Policies 2013

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C1 Town Centre Neighbourhood Policy
- D5 Housing
- D10 Historic Environment
- D10A Design

Eastbourne Borough Plan Saved Policies 2007

HO2 Predominantly Residential Areas

UHT1 Design of New Development

UHT4 Visual Amenity

UHT15 Protection of Conservation Areas

UHT16 Area of High Townscape Value

HO20 Residential Amenity

**Site Description:**

Minster House is an existing part 3, part 4 storey building on the northern side of York Road. The property is not listed, nor is it situated within a conservation area however it is within an area of high townscape value.

The existing building fills the entire site, and was previously offices at ground and first floor and self contained residential accommodation at third floor level, though the building has been vacant for some time.

**Relevant Planning History:**

EB/1988/0689

CHANGE OF USE OF FORMER PRINTERS TO OFFICES ON GROUND, FIRST AND SECOND FLOORS AND TWO FLATS ON THIRD FLOOR

Approved Conditional

1990 -12-01

161219

Convert B1 (Business use) ground, first, second and third floor to C3 (dwelling house)

Prior Approval under Class O, part 3, Schedule 1 of the Town and Country Planning (General Permitted Development) (England) Order 2016

Granted unconditionally 28 November 2016

171170

Insertion/enlargement of windows to the North-West, North-East and South-East Elevations. Patio doors to North-West elevation, leaving to Yard formed by erection of 1.8m close boarded fence Installation of smoke ventilation rooflight above existing stair core.

Planning Application under consideration

**Proposed development:**

The application proposes conversion of the roof space including extension in roof valley and dormer extensions to the front and rear roof slopes to form new dwelling at fourth floor level and to provide an external amenity space for flat at third floor level.

Front and rear terraces proposed to third (front) and fourth (rear) and new windows to either side elevation at fourth floor level.

The application also proposes the removal of tower on front elevation, making good the roof and raising of window at second floor level on the front elevation.

**Consultations:**

### Southern Water

Require a formal application for a connection to the foul sewer to be made by the applicant or developer. Informative requested if consent granted.

### Neighbour Representations:

5 Objections have been received and cover the following points:

- Increased sense of overlooking to properties of Bath Road
- Light and noise pollution
- Impact on amenity of surrounding properties
- Loss of privacy
- Loss of peaceful enjoyment of rear gardens of Bath Road.
- Overshadowing to neighbouring properties
- The external appearance suits the area why change it.

### **Appraisal:**

#### Principle of development:

In principle the addition of one flat to the building is acceptable if the flat provides quality accommodation for future occupiers, any external changes to the building would not impact on the amenity of existing residents and were acceptable in terms of their design in accordance with the National Planning Policy Framework 2012, Policies of the Core Strategy Local Plan 2013 and Saved Policies of the Borough Plan 2007.

At the heart of the National Planning Policy Framework 2012 is a presumption in favour of sustainable development, and supports sustainable development unless the adverse impacts would significantly and demonstrably outweigh the benefits of the proposed development.

Eastbourne Borough Council accepts that Eastbourne is unable to demonstrate a five year supply of housing land, and therefore in accordance with the National Planning Policy Framework (NPPF), relevant policies for the supply of housing cannot be considered up-to-date. Where policies are out of date, permissions should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when taken as the NPPF as a whole, or specific policies in the NPPF indicate development should be restricted.

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

The additional flat in and of itself would have limited impacts on the amenity of surrounding residents. Prior Approval has been granted for the conversion of the building to residential, 7 flats are proposed over the ground, first, second and third floors, this proposal would bring the total number of flats to 8.

The impacts of the proposed alterations to the building on the surrounding residential properties are limited. The terraces at high level would afford views out from a high level, which may have wider ranging impacts on the amenity of surrounding properties. To the north the building forms the rear boundary of gardens of Bath Road. These properties are small single family dwellings. The impact on those immediately adjacent would be limited given the terrace to the rear roof slope is set back from the eaves of the roof slope overlooking down upon these properties would be difficult given the angle as

the rear gardens are small. The building is taller than most of its surroundings and therefore the terrace would look down upon properties, the sense of overlooking would not be significant to those immediately adjacent given they would have limited views.

The same applies to the front of the property with faces York Road. As the building is higher than the existing properties on the opposite side of York Road the sense of being overlooked would not be considered significant as it is at such a higher level.

The replacement windows at second floor level on the front elevation would increase in the size of windows and the nature of the overlooking would change towards properties opposite given the change of use. However this overlooking from properties directly opposite is considered normal in a urban environment and it is not considered that the increase in size of the window would increase the perception of overlooking significantly to warrant the refusal of the application. The removal of the tower will mean that the terrace at third floor is visible from other viewpoints but it is not considered that this would be detrimental given its location within the roofslope.

Given the height and bulk of the roof extension nor the dormers will have significant impacts on surrounding properties in terms of loss of light or outlook etc.

Impact of proposed development on amenity of future occupiers:

The proposal would create an additional 2 bed, 4 person flat 70m<sup>2</sup> in floorspace at fourth floor level by infilling the existing roof valley with a flat roof extension. The provision of dormers to the front and rear would provide additional head height and outlook for the flat. The floorspace meets the DCLG's recommendation in terms of internal floorspace for this type of accommodation and with the external alterations the quality of the accommodation provided would be good.

The proposed terrace at third floor to the front elevation would be cut out of the existing roof slope to provide 3m<sup>2</sup> of external space for the occupier of a studio flat to the front of the building on this floor. This flat is 35m<sup>2</sup> internal floorspace and agreed under the previous prior approval application for the change of use from office to residential. The provision of the amenity space to the front would improve the quality of the accommodation for the future occupiers. Without this proposal the flat would still have windows to the living accommodation to the western elevation to provide natural light and outlook.

Design issues:

The site is not situated currently within a conservation area, the site is situated within the setting of the Town Centre and Seafront Conservation Area which extends includes the Town Hall at the southern end of Grove Road and the properties of South Street to the South of the site. The boundary of the Conservation Area is currently being considered, with the presumption that the boundary will be moved to incorporate properties of Grove Road immediately adjacent this site. The site is situated within an area of high townscape value.

The design of the proposals to the front elevation has been amended through the application process to these under determination. Originally a box dormer was proposed to the front elevation with an additional terrace. This proposal with two smaller dormers does decrease the visual dominance of the dormers, especially if curved in appearance

and a high quality material is proposed. The revised proposed are considered improvements on the originally submitted.

However given the height of the existing building is significantly over the surrounding properties the visibility of the front roof slope is wide reaching. The roof slope is also long to the front increasing the visual dominance. The site forms the entry to York Road when viewed looking north along Grove Road, it also forms the boundary of the area of High Townscape Value.

Two dormers are proposed to the front roof slope, these are curved roof and separated by 0.7m to minimise the impact visually on the roof slope. These would serve a bedroom and bathroom to the front of the fourth floor flat.

The proposed terrace at third floor to the front elevation would be cut out of the existing roof slope to provide 3m<sup>2</sup> of external space for the occupier of a studio flat to the front of the building on this floor. The cutting out for head height consists of 0.8m of the roof slope being removed, the roof slope would be retained up to what would otherwise be balustrade level. Not proposing a balustrade in another material does to some extent reduce the appearance of the terrace.

Nonetheless the impacts visually on the building when viewed from Grove Road and along York Road are significant. The addition of the terrace at third floor and two dormers at fourth floor visually clutters the roof slope and introduces activity at that level which currently there is none. The visual appearance is altered such that the building appears bulkier and more visually dominant. The views specifically from Grove Road are considered detrimental to the wider street scape, area of high townscape value.

Paragraph 58 of the National Planning Policy Framework states that decisions should aim to ensure that developments function well and add to the overall quality of the area, establish a strong sense of place, respond to local character and history and are visually attractive as a result of good architecture.

To the rear roof slope at fourth floor a box dormer is proposed to provide head height for the living and bedroom of this flat, this is 6.2m in length and marginally set down from the ridge and up from the eaves, with a 7m<sup>2</sup> terrace, set back 0.4m from the edge of the roof slope.

The rear box dormer would be visible in wider views, specifically from York Road. The dormer is bulky on the roof slope and visually dominant on the building.

Policy D10a of the Core Strategy Local Plan states that development will be expected to ensure that the layout and design of development contributes to local distinctiveness and sense of place, is appropriate and sympathetic to its setting in terms of scale, height, massing and density.

Saved Policy UHT1 of the Borough Plan states that development proposals will be required to harmonise with the appearance and character of the local environment, and be appropriate in scale, form setting and alignment.

Given the context of the site and height of the existing building, the proposed dormer to the rear by virtue of its height and size would appear visually bulky and unsympathetic and therefore detrimental to the building and its setting.

The dormers and terrace to the front elevation visually clutter the otherwise simple roofslope detrimental to the setting and character of the dwelling in wider views.

Saved policy UHT4 states the development proposals will be judged having regard to their effect on visual amenity and effect on an important vista. Policy UHT16 states proposals within Areas of High Townscape Value will be required to generally preserve the character and appearance of the area. The site is situated on the edge of this area of high townscape value and the proposal to the front especially affect the views into the area from Grove Road.

Although it brings a sense of character to the building, the removal of the tower is considered acceptable given the structural issues. The proposed replacement windows at second floor level on the front elevation match those below and therefore respect the character of the building and are in and of themselves considered acceptable.

The parapet is raised to incorporate the windows, with the pitched roof behind replaced with a flat roof, this will largely be hidden by the parapet. These alterations are considered acceptable.

#### Impacts on highway network or access:

The change of use of the building to residential has already been agreed by the previous prior approval. The site does not provide any off street parking, the parking on street in the immediately surrounding area is at a premium given the limited number of spaces. However the site is located in close proximity of the Town Centre, its amenities and public transport links. The site is considered sustainable on this basis and as such the additional 1 dwelling is not considered would result in significant impacts on the demand for on street parking or highway safety to warrant the refusal of the application.

#### **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:**

In principle the additional flat at fourth floor level is considered acceptable and would provide good quality accommodation for future occupiers. However the addition of the terrace and dormers to the front elevation roof slope and the rear dormer and terrace are considered unacceptable in terms of their design. Given the height and context of the existing building the roofslopes are visible from wider viewpoints. The design of the rear dormer is large and visually bulky on the roof slope, unsympathetic and detrimental to the host building and its wider setting. The terrace and dormers to the front are considered to visually clutter the roof slope, and are an unsympathetic form of development, detrimental to the visual appearance and wider range views of the host building.

**Recommendation:** Refuse planning permission for the following reason;

Given the height and context of the existing building the roofslopes are visible from wider viewpoints.

The design of the rear dormer is large and visually bulky on the roof slope which by virtue of the height of the building and context of the site is visible in wider views therefore the development is unsympathetic and detrimental to character and appearance of the host building and its wider setting; and, the terrace and dormers to the front roof slope will visually clutter the roof slope, and are an unsympathetic form of development, detrimental to the visual appearance and wider range views of the host building contrary to Section 7 of the National Planning Policy Framework 2012, Policy D10a of the Core Strategy Local Plan 2013, and saved policies UHT1, UHT4 and UHT16 of the Borough Plan 2007.

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.

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## Appeal Decision

Site visit made on 12 December 2017

**by Louise Phillips MA (Cantab) MSc MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 15 December 2017**

**Appeal Ref: APP/T1410/D/17/3188664**

**2 Tamarack Close, Hampden Park, Eastbourne, East Sussex BN22 0TR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Neil Rowsell against the decision of Eastbourne Borough Council.
- The application Ref PC/170788, dated 8 June 2017, was refused by notice dated 15 August 2017.
- The development proposed is an extension to the side to enlarge the lounge and form a third bedroom with en-suite.

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The proposal includes a 1.8m close-boarded fence which is not referred to in the description of development above. It is clear from the Council's report that the fence is relevant to the reason for refusal and so I have had regard to it in my decision accordingly.

### Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area.

### Reasons

4. The site forms part of what is described as an "open-plan" estate and Maywood Avenue, to which the appeal property presents a side wall, is indeed characterised by grassy verges and dwellings with largely open and grassy front gardens. The width of the open spaces between the buildings and the road is fairly consistent along the relevant stretch of Maywood Avenue and this gives regularity to the building line.
5. The proposed development is a single storey side extension to a bungalow which flanks Maywood Avenue and fronts Magnolia Walk, a pedestrian footpath. The extension would be substantial relative to the host dwelling, but it would neither unbalance it nor be detrimental to its appearance.
6. However, by virtue of its width and mass, it would represent a significant encroachment into the open grassy verge adjoining Maywood Avenue. Whilst a 2.0m gap would be retained between the structure and the pavement's edge,

this would be quite narrow in the setting described. Moreover, the fence proposed to enclose the land to the rear of the extension would be incongruous in this area where the majority of flank boundary treatments are brick-built. The few examples of fencing I observed are generally set further back from the highway. Overall, both the extension and the fence would interrupt the typically spacious feel of the road frontage.

7. A block of flats has been constructed upon a once grassy area within view of the appeal site but some distance to the east. This certainly contrasts with the single-storey and two-storey dwellings which prevail along much of Maywood Avenue, but it is opposite several other blocks of flats. Thus the context for this existing development is different and it does not alter my findings in the case before me. Further, none of the other developments presented photographically appear to be sufficiently similar to the appeal scheme to lead me to a different decision.
8. Consequently, I conclude that the proposed development would be harmful to the character and appearance of the area. It would therefore conflict with Policies UHT1 and UHT4 of Eastbourne Borough Plan (2001 – 2011) and Policy D10A of Core Strategy (2013), all of which seek development which will protect the character and appearance of the area, visual amenity and local distinctiveness.

#### Other Matters

9. I understand that the land upon which the development would be constructed was previously overgrown and has been cleared by the appellant. This has undoubtedly improved the appearance of the site and exposed the full extent of the open area adjacent to the property. However, this does not alter the harmful effect that the development would have.
10. There have been no objections to the scheme by neighbouring residents and the additional space that the extension would provide would benefit the appellant and his family. Nevertheless, these factors do not offset the harm that I have found.

#### **Conclusion**

11. For the reasons given above, the proposed development would conflict with the development plan and the other material considerations to which I have had regard neither outweigh nor alter that conflict. Thus the development would conflict with the development plan taken as a whole and I therefore conclude that the appeal should be dismissed.

*Louise Phillips*

INSPECTOR

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## Appeal Decision

Site visit made on 11 December 2017

**by Nicola Davies BA DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 28 December 2017**

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**Appeal Ref: APP/T1410/W/17/3183314**

**Garage block adjacent to 21 Derwent Road, Eastbourne BN20 7PH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs Jeanette Crouch against the decision of Eastbourne Borough Council.
  - The application Ref PC/170607, dated 25 April 2017, was refused by notice dated 23 June 2017.
  - The development proposed is described as "*demolition of existing three garages and erection of chalet bungalow type 1 bedroom single dwelling*".
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### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs was made by Mrs Jeanette Crouch against Eastbourne Borough Council. That application is the subject of a separate Decision.

### Main Issue

3. The main issue raised by this appeal is the effect of the proposed development upon the living conditions of adjoining occupiers.

### Reasons

4. The adjacent basement flat at 17 Darley Road is positioned at a significantly lower ground level to that of the appeal site. Outlook from the kitchen and bedroom of this property is toward the retaining wall relating to the appeal site. An ornamental block and brickwork wall runs along the top of the retaining wall and encloses the southern side of the appeal site. The space between the raised appeal site and the basement flat creates a lightwell for the kitchen and bedroom. The lightwell is also used as a small yard area providing an outdoor seating area for the occupiers of the basement flat.
5. I observed that the retaining wall is in close proximity in the outlook from both kitchen and bedroom windows. Skyward view can be achieved in outlook from these rooms but one would need to be close to the windows. I saw that the kitchen sink is next to the window where skyward views can be enjoyed. As this basement flat does not benefit from any significant alternative outlook the view from these habitable rooms is important to the living conditions of the existing occupiers.

6. The Council has raised concern in its reason for refusal to the size, bulk and siting including boundary treatment of the proposed chalet bungalow. The Council's Appeal Statement makes it clear that it is the size and siting of the replacement boundary treatment that is of specific concern. The scheme proposes to replace the ornamental block and brickwork to the top of the retaining wall with a 1.8m high closeboard fence. This would run along the full southern side of the appeal site.
7. Although the existing wall is approximately 1m tall, the ornamental blockwork permits light to penetrate through this existing enclosure. Despite being positioned to the north of the lower basement, the proposed closeboard fence, being a taller solid enclosure, would create a more oppressive living environment for the existing occupiers. It would also substantially reduce the skyward views. This would also have an increased enclosing impact upon the living environment of the occupiers of this basement flat. This would be harmful to the internal living environment and would also make the yard a less enjoyable outdoor space.
8. I note the appellant's comment that the proposal would comply with the 45 degree rule of thumb generally adopted by local planning authorities. However, I have no substantive evidence before me that would indicate that this authority has adopted such policy or guidance. I therefore give this little weight.
9. For the above reasons, I consider the proposed development would be harmful to the living conditions of adjoining occupiers. The proposal would therefore conflict with Policy B2 of the Eastbourne Core Strategy Local Plan 2013 and saved Policy HO20 of the Eastbourne Plan 2007 that require development, amongst other matters, to protect the residential amenity of existing residents.

### **Other Matters**

10. It is appreciated that the appellant has sought to address issues raised by the Council in respect of the proposed scheme prior to the Council's committee meeting. I note that the Council has not raised an objection to the proposal in respect of its impact upon the conservation area or its appearance within the Derwent Road streetscene. Furthermore, the Council has not raised concern in relation to the living conditions of other neighbouring occupiers, standard of the proposed accommodation for future occupiers, parking or highway concerns, or to the location of the proposed development. However, these matters do not outweigh the harm to the living conditions of the adjoining occupiers identified above or justify the proposed development.
11. The Council confirms that it does not have a 5-year supply of housing in place. Paragraph 14 of the National Planning Policy Framework (the Framework) is therefore engaged, which states that permission should be granted unless, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The proposal would contribute a windfall site to the Borough's housing land supply. Although this is a benefit of the scheme, the contribution made by one dwelling would be modest.
12. I have concluded that the proposed development would cause substantial harm to the living conditions of the adjoining occupiers. This places the proposal in conflict with the environmental dimension of sustainability, as set out in

paragraph 7 of the Framework and this weighs very heavily against the scheme. When the Framework is considered as a whole, I find the scheme does not constitute sustainable development. This is because the positive housing supply and other benefits are significantly and demonstrably outweighed by the identified environmental harm. Furthermore, I conclude that the scheme conflicts with the development plan as a whole.

### **Conclusion**

13. A number of nearby residents and the Meads Community Association raise a series of concerns about the proposal but in view of my conclusions on the main issue there is no need for me to address these in the current decision.
14. Having regard to the above findings, the appeal should be dismissed.

*Nicola Davies*

INSPECTOR

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## Costs Decision

Site visit made on 11 December 2017

**by Nicola Davies BA DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 28 December 2017**

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### **Costs application in relation to Appeal Ref: APP/T1410/W/17/3183314 Garage block adjacent to 21 Derwent Road, Eastbourne BN20 7PH**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Mrs Jeanette Crouch for an award of costs against Eastbourne Borough Council.
  - The appeal was against the refusal of planning permission for development described as *"demolition of existing three garages and erection of chalet bungalow type 1 bedroom single dwelling"*.
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### **Decision**

1. The application for an award of costs is refused.

### **Reasons**

2. Irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The appellant considers that the local planning authority's planning committee acted unreasonably, both procedurally and substantively, in its determination of the application which resulted in the appellant having to avail herself of the appeal process.
4. The appellant suggests that the Council did not set out its reasons for refusal clearly in its decision notice or within the recorded minute of the committee meeting. It is also argued that the grounds of refusal were cursory and unspecified and did not provide a useful indication of the Committee member's specific concerns. This led to the appellant having to adopt a blanket approach to cover all possible areas of concern as part of her appeal.
5. The appellant also highlights that the Council allowed two objectors to publicly address the Committee, one of which had not submitted an objection prior to the meeting. It is asserted that two speakers do not accord with the rules set out in Council's Constitution on Public Speaking at Council Meetings. It is also suggested that the Members placed undue weight upon the objections of these speakers.
6. In addition, the decision reached by the Council's planning committee went against the advice of their Conservation Advisory Group, Conservation Officer and Planning Policy Officer. In doing so it is suggested that the Committee members did not adhere to the advice and guidance set out in its Probity and

Planning document pertaining to decisions made contrary to the officer recommendation.

7. As such, it is asserted that the conduct of Committee members amounts to unreasonable behaviour on the Councils part.
8. The Council's reason for refusal indicates that "*The proposal by reason of its size, bulk and siting including boundary treatment would result in a form of development that would have an unneighbourly and overbearing relationship with the occupiers of the adjacent properties*". Although not expanded upon, this wording is also reflected in the Council committee minute. To my mind, this clearly sets out the Council members specific concerns in relation to the proposed development. I therefore disagree with the appellant on this point.
9. The Council has explained that the two public speakers were an immediately adjoining neighbour and a representative of a community association. As such, they had different interests in the planning application. There is no substantive evidence before me that would indicate that the Council has not followed its democratic processes and procedures in respect to public speaking.
10. It is of course open to Council members to come to a different conclusion to their officers and advisers having heard the views of the public speakers at the Committee meeting. Based upon the available evidence I cannot conclude that the Committee members disregarded the Council's Probity and Planning document which is, after all, an advice and guidance document for members.
11. I note that the appellant, in good faith, sought to address the Council's concerns that arose from the representations received during the course of the Council's consideration of the application. Although the appellant questions whether all the relevant plans/amendments were available to the Committee members, there is no clear reason before me that would lead me to doubt this.
12. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated.

*Nicola Davies*

INSPECTOR



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## Appeal Decision

Site visit made on 8 November 2017

**by J Ayres BA Hons, Solicitor**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 6<sup>th</sup> December 2017**

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**Appeal Ref: APP/T1410/W/17/3179907**

**Store to rear of 315 Seaside, Seaside, Eastbourne BN22 7PA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by THL Developments against the decision of Eastbourne Borough Council.
  - The application Ref PC/170275, dated 8 March 2017, was refused by notice dated 22 May 2017.
  - The development proposed is described in the application form as 'replacement of existing store to form 1 Bedroom dwelling'.
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### Decision

1. The appeal is allowed and planning permission is granted for a replacement of existing store to form 1 Bedroom dwelling at Store to rear of 315 Seaside, Seaside, Eastbourne BN22 7PA in accordance with the terms of the application, Ref PC/170275, dated 8 March 2017, subject to the conditions in the attached schedule.

### Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the area, (ii) the living conditions of future occupiers, and (iii) highway safety with regards to parking.

### Reasons

#### *Character and appearance*

3. The appeal site currently hosts an outbuilding which sits on the boundary with Seaford Road and Seabeach Lane. That building is the subject of this appeal. The outbuilding occupies a significant proportion of the rear of the site, this use of rear gardens to accommodate outbuildings is not uncommon in the area. Seaside hosts a mix of residential and commercial properties whilst the properties to the rear along Seaford Road are residential.
4. The general area is characterised by modest town houses opening directly onto the street or with a small space and low wall to the front, the absence of driveways results in on-street parking, which is not restricted. The area in its entirety has a relatively dense, urban character.
5. The proposal would not increase the existing footprint of the building. The pitched roof would be an aesthetic improvement on the existing situation. It

would be modest in pitch, it would include a window in the elevation facing onto Seaford Road, and a skylight on the opposite side. These design elements would allow the building a sense of residential identity which would assist it to form a positive element of the street scene.

6. Seabeach Lane separates the outbuilding from the dwellings along Seaford Road. There is also some distance between the outbuilding and the main property at No 315. These elements of separation would ensure that the proposal would not have an overbearing relationship with the main property, or the properties in the immediate vicinity. It would contribute, and be seen as part of, the urban character of the area.
7. Accordingly, I find that the proposal would comply with saved Policies UHT1 and UHT4 of the Eastbourne Borough Plan 2003 (the Local Plan) with regards to ensuring good design and visual amenity. It would make a positive contribution in compliance with Policy D10a of the Eastbourne Core Strategy in respect of the design aims of that policy.

#### *Living conditions*

8. The proposal would provide adequate a kitchen and living area, with upstairs bedroom and two bathrooms. The upstairs space would be slightly limited due to the pitch of the roof. However, taking into account the level of amenity space provided in the main living area I consider that overall the proposal would provide an adequate level of amenity space for future occupiers.
9. The kitchen and living space windows would front onto Seabeach Lane and Seaford Road respectively. The close proximity of the windows to the street is not uncommon in the area and the physical location of the windows would not automatically result in a detriment to the living conditions of future occupiers.
10. All main living spaces would be served by windows which would provide natural light. I have not been provided with any technical evidence to suggest that this would be inadequate. There would not be any physical boundaries to the windows serving the living space and the bedroom that may impact the provision of light. The space provided by Seabeach Lane would be adequate to ensure that a good level of natural light would reach the kitchen window.
11. At present the ground floor of No 315 is served by an area of decking immediately adjoining it. Hardstanding then wraps around the main property, creating a space between the main property and the proposal. Part of this space would be fenced and the occupiers of the proposal would have access to this courtyard area via a gate in the fence and their back door. Taking into account the likely limited occupancy of the proposal and the existing recreation area to the side of No 315 which appears to be utilised I do not consider that the proposal would result in an inadequate level of outdoor amenity space.
12. Adjacent to the outbuilding is an area that would provide sufficient space for refuse and also provides a gate out to the street for collection purposes, this space appears to be utilised already for the storage of bins and comfortably accommodates them.
13. This continued arrangement would ensure that refuse is retained on site, out of view of those using the footpath, subject to collection days. As such it would not have a detrimental impact on the streetscene.

14. Accordingly, I find that the proposal would comply with saved Policies UHT1 and UHT4 of the Eastbourne Borough Plan 2003 (the Local Plan) insofar as those policies seek to protect amenity through design.

*Highway safety – parking*

15. The area is not currently restricted with regards to on-street parking. The site would provide cycle spaces, it is close to a number of main transport routes, and also local facilities and services are within walking distance. Therefore occupiers of the proposal would be able to take advantage of its sustainable location with regards to transport and may not be reliant upon a car.
16. That being said, I accept that occupiers may have a vehicle and therefore the proposal may result in additional on-street parking. However, due to the limited occupancy that the proposal would provide it is likely that the increase in vehicles would be minimal. Due to the access to properties that Seabeach Lane provides it would not be possible to utilise the space to the side of the building. However, parking is available on Seaford Road and at the time of my site visit was not restricted. On the basis of the evidence before me I consider that any additional vehicles related to this proposal would not have a detrimental impact on the current parking arrangements for residents.
17. As such the proposal would comply with Policy TR11 of the Local Plan with regards to providing adequate parking.

**Conditions**

18. I have considered the Council's suggested conditions in accordance with advice in the Framework and Planning Practice Guidance. I have amended some of them for clarity.
19. In the interests of certainty a condition is necessary specifying for the development to be carried out in accordance with the approved plans. Conditions relating to materials and the provision of adequate storage space for refuse are cycles necessary in the interests of the character and appearance of the area and local amenity.
20. I have considered the Council's suggested condition revoking permitted development rights relating to extensions, windows and doors. Permitted development rights should only be restricted in exceptional circumstances. Taking into account the important contribution that the outdoor amenity space makes to the proposal, and the proximity of the proposal to the main property and the neighbouring property, I consider such a condition to be necessary in this case.

**Conclusion**

21. For the reasons above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

*J Ayres*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:  
268900-02 Existing Plan;  
268900-05 Site Location and Block Plan;  
268900-06 Proposed Plans and Elevations.
- 3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
- 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 to the building shall be erected, and no window, dormer window, rooflight or door shall be constructed within elevations or the roof slopes of the new dwelling other than those expressly authorised by this permission.
- 5) The dwelling hereby permitted shall not be occupied until details of refuse and cycle storage facilities for both this and the main dwelling have been submitted to and approved in writing by the local planning authority. The storage facilities shall be provided in accordance with the approved details.

### **END OF SCHEDULE**