

Tuesday, 27 March 2018
at 6.00 pm
Town Hall, Eastbourne

Planning Committee

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

Agenda

1 Minutes of the meeting held on 27 February 2018. (Pages 1 - 8)

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 Land to the rear of 1 Windermere Crescent. Application ID: 170903. (Pages 9 - 16)

7 2 Clifford Avenue. Application ID: 180170. (Pages 17 - 22)

8 146 Willingdon Road. Application ID: 180065. (Pages 23 - 30)

9 Eastbourne Pier. Application ID: 171394 (LBC), 171397, 171398 (LBC). (Pages 31 - 50)

10 South Downs National Park Authority Planning Applications.

11 Appeal Decision. (Pages 51 - 52)

191 Priory Road.

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).

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

E Mail: localdemocracy@eastbourne.gov.uk

Website at www.eastbourne.gov.uk

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

Members of the public are welcome to attend and listen to the discussion of items in the “open” part of the meeting. Please see notes at end of agenda concerning public rights to speak and ask questions.



The Planning Committee meets in the Court Room of the Town Hall which is located on the ground floor. Entrance is via the main door or access ramp at the front of the Town Hall. Parking bays for blue badge holders are available in front of the Town Hall and in the car park at the rear of the Town Hall.



An induction loop operates to enhance sound for deaf people who use a hearing aid or loop listener.

If you require further information or assistance please contact the Local Democracy team – contact details at end of this agenda.

This agenda and accompanying reports are published on the Council’s website in PDF format which means you can use the “read out loud” facility of Adobe Acrobat Reader.

Please ask if you would like this agenda and/or any of the reports in an alternative format.

This page is intentionally left blank

Tuesday, 27 February 2018
at 6.00 pm



EBC Planning Committee

Present:-

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

98 Minutes of the meeting held on 23 January 2018.

The minutes of the meeting held on 23 January 2018 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

99 Apologies for absence.

An apology was reported from Councillor Jenkins.

100 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.

Councillor Murdoch declared a personal interest in minute 107, 203 Kings Drive as a personal friend and colleague of the applicant and withdrew from the room while the item was considered.

Councillor Metcalfe MBE also declared a personal interest in minute 107, 203 Kings Drive as a friend and colleague of the applicant, however he did not feel this would affect his judgement of the application and remained in the room and voted thereon.

101 Urgent item.

The Senior Specialist Advisor for Planning advised the committee that under Section 100B (4) of the LGA Act 1972, and by reason of special circumstance – namely that he wished to seek the views of the planning committee and advise Members that they would be invited to a pre application session – that the Victoria Drive Medical Centre, Victoria Drive needed to be considered at this meeting.

The Members agreed to consider the application following the conclusion of the stated applications listed on the agenda.

RESOLVED: That for the reasons detailed above, Victoria Medical Centre, Victoria Drive be considered at this evening's meeting.

102 1 Matlock Road. Application ID: 171301.

Proposed demolition of old storage and utility room and the erection of a new utility room and studio – **MEADS**.

Ms Maddell addressed the committee in support of the application stating that it would be an improvement to the area.

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

1. Time for commencement
2. Approved drawings
3. External finishes of the development shall be as stated on the approved drawings
4. No demolition or clearance or building operations except between 0800 and 1800 Monday to Friday 0800 and 1300 on Saturdays and at no point on Sundays and bank holidays.
5. The development shall only be used ancillary to the use of the main property and shall not be used for any other purpose which would include independent residential/commercial use.
6. Rain water goods to be installed entirely on the applicants land.

Informative

A formal application for connection to the public sewerage system is required in order to service this development.

103 8 Auckland Quay. Application ID: 171438.

Proposed rear extension, rear & front facing dormer alterations, front porch infill and stair window alterations. Internal alterations – **SOVEREIGN**.

Mr Allen addressed the committee in objection stating that the screens were out of keeping and would result in overshadowing.

Mr Baker, architect for the applicant, addressed the committee in response stating that the Planning Inspector had dismissed the recent appeal due to overlooking which had now been addressed with the inclusion of the privacy screens.

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

1. Time Limit
2. Approved Plans
3. External materials
4. Privacy screens shall be installed prior to the first occupation of the extension
5. Hours of construction
6. Water run off

Informative:

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

Should the means of access from the rear extension to the rear garden require decking/hard standing to be laid, please be aware that any works which raises higher than 30cm from the natural ground level will require and planning application to be made to the LPA.

104 33 Netherfield Avenue. Application ID: 180003.

Proposed erection of porch to the front elevation and a raised platform to the rear with steps leading down to new patio area – **ST ANTHONYS**.

The committee was advised that the agent confirmed that the property had an existing conservatory to the rear of the building with access to the rear garden via steps raised to patio level and that overlooking from the property had existed previously.

Mr Curtis addressed the committee in objection stating that he was concerned about the loss of privacy he already experienced which would be exacerbated with the addition of the steps. He was also concerned with increased issues with flooding and drainage in the area.

The committee noted that a fence was due to replace the hedging that had recently been removed. They agreed that the application could not be fairly assessed without the fence in place.

RESOLVED: (Unanimous) That the application be deferred until the replacement fence was in place.

105 Land to the rear of 35 Windermere Crescent. Application ID: 171403.

Outline Planning Permission for a 2 bedroom bungalow – **ST ANTHONYS**.

The committee was advised that one further letter of objection had been received relating to the increase in localised flooding due to the geology of the site and extent of surface water runoff.

Mr Richardson addressed the committee in objection stating that the scheme would be an overdevelopment which would increase flooding and drainage issues and result in a loss of light.

Mr Sands, agent for the applicant, advised that the loft space would not be used as accommodation.

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

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.
2. Approval of the details of the layout, design and external appearance of the building, scale, landscaping, and access and parking (herein called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced

3. The development hereby permitted shall be carried out in accordance with the approved site location plan submitted on 21st November 2017
4. No development above slab level shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details
5. No development shall take place until details of a surface water drainage scheme have been submitted to and agreed in writing by the local planning authority. The surface water drainage scheme should be supported by an assessment of the site's potential for disposing of surface water by means of a sustainable drainage system and be carried out or supervised by, an accredited person. An accredited person shall be someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM). Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters
 - b. be supported by a site investigation which incorporates ground water monitoring, preferably in winter, and soakage tests undertaken in accordance to BRE365 (when infiltration is proposed)
 - c. provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime
6. The implementation of the SUDS scheme should be carried out in accordance with the approved details prior to the occupation of the dwellings hereby approved, and following
7. Following completion of the works approved under Condition 5, a statement by an accredited person, someone who is an Incorporated (IEng) or Chartered (CEng) Civil Engineer with the Institute of Civil Engineers (ICE) or Chartered Institute of Water and Environmental Management (CIWEM), confirming that the suds scheme has been fully implemented shall be submitted to the Local Planning Authority
8. No building shall be erected on the site that exceeds 5.25m in external height unless previously agreed in writing by the Local Planning Authority.

106 143 - 145 Terminus Road. Application ID: 171085.

Change of use of a vacant shop (A1) unit to a restaurant/takeaway (A3/A5)
 – **DEVONSHIRE.**

Mr Daily, agent for the applicant, addressed the committee stating that the applicant was happy to support the proposed opening times.

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.
2. You must implement this planning permission in accordance with the following plans approved by this permission:

Site Location and Block Plan: 2715/G012
 Proposed Floor Plan: 2715-PL100 Revision A
 Proposed Elevations: 2715/PL211 Revision A

3. The use hereby approved shall not be open to members of the public outside of the following hours: 11:00 hours – 23:00 hours Monday to Sunday
4. Prior to the operation hereby permitted being brought into use, CCTV shall be installed at the premises that cover the inside of the restaurant as well as the areas immediate outside of the restaurant/bin enclosure/service road. The CCTV images shall be digital and shall be capable of being downloaded by trained staff working within the restaurant.

Informative:

The applicant is advised that the all external works (Shopfront/Flue/Advertisement) should for the subject of additional applications to the Local Planning Authority.

107 203 Kings Drive. Application ID: 171490.

Erection of first floor side extension – **RATTON**.

NB: Councillor Murdoch withdrew from the room whilst the item was considered.

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

1. Time for commencement
2. Approved drawings
3. Materials to match the existing building.
4. Removal of permitted development rights for windows, dormers and roof lights in the extension to protect neighbouring amenity.
5. All rainwater run off shall be dealt with using rainwater goods installed at the host property and not discharged onto neighbour property.

108 Carbrooke Lodge, Watts Lane. Application ID: 171235.

Erection of one bedroom single storey detached dwelling, with accommodation within the roof, to the rear of Carbrooke Lodge facing Selwyn Road with new vehicular access from Selwyn Road and off street parking – **UPPERTON**.

The committee was advised that East Sussex County Council had confirmed that the double yellow lines of Selwyn Road would not need to be removed to create the new access.

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

1. Time for commencement
2. Approved drawings
3. The internal layout of the property shall be as the approved drawings unless agreed in writing by the Local Planning Authority.
4. Materials to be as specified unless agreed in writing and samples provided of brick and roof tiles.
5. The fence to the Selwyn Road boundary shall be erected prior to occupation and shall match, material, style and height of the existing fence to Carbrooke Lodge.
6. Prior to commencement of development a programme of Archaeological works to be submitted
7. Removal of permitted development rights for new windows/doors in any elevation and extensions/windows/doors/roof lights in any roof slope.
8. The access shall have maximum gradients of 4% (1 in 25) / 2.5% (1 in 40) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.
9. Construction of access prior to occupation
10. Construction of parking prior to occupation
11. Development shall not commence until a Construction Traffic Management Plan has been submitted and agreed, this shall include details of the removal and disposal of all spoil from the site.
12. Before any work, including demolition commences on site a Method Statement shall be submitted in relation to the removal of spoil and the retaining walls.
13. Submission of sustainable urban drainage scheme prior to construction
14. Submission of statement following implementation of SUDS scheme.
15. No works of construction outside of 0800 and 1800 Monday to Friday and 0800 and 1300 on Saturdays.
16. Ridge height/Finished floor level condition.

109 The Langtons Guest House, 85 Royal Parade. Application ID: 171310.

Replacement of existing wooden conservatory with conservatory in Upvc – **DEVONSHIRE.**

Mrs Cheater, applicant, addressed the committee in objection stating that the conservatory needed to be replaced and that they had sought the most appropriate solution to maintain the aesthetic of the existing wooden structure.

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.
2. The development hereby permitted shall be carried out in accordance with the approved drawings submitted on 30 October 2017/3 January 2018: Drawing No. Site Location Plan, Submitted 31 October 2017
Drawing No. 2587/1/02, Submitted 03 January 2018
Drawing No. Section Plan - Proposed (Original) submitted 08 February 2018

110 Update on Housing Delivery.

The committee considered the report of the Director of Strategy Planning and Regeneration providing Members with an update on recent housing delivery for the third quarter of the 2017/2018 financial year and the current position in relation to the Five Year Housing Land Supply.

The committee was advised that:

1. Housing delivery in quarter 3 2017/18 was 49 net additional dwellings towards the annual target of 245 unit
2. A total of 114 units were given permission in quarter 3 2017/18
3. There were 591 net additional dwellings with permission that had yet to commence across 91 sites
4. There were 290 units under construction across 43 development sites

The report further detailed new and total commitments.

Eastbourne currently had a housing land supply equivalent to 975 units, which represented 3.16 years supply of land. Therefore a five year housing land supply could not be demonstrated, which meant local plan policies relevant to the supply of housing were out of date and could not be relied upon to refuse development.

RESOLVED: That the report be noted.

111 Local Car Parking Standards for new residential developments.

The committee considered the report of the Director of Strategy, Planning and Regeneration seeking Members views on the issues surrounding local car parking standards for new developments, a report on which was due to be considered by Cabinet on 21 March 2018.

At Full Council on 13 November 2017, a motion that Cabinet consider the cost and viability of introducing a policy on local car parking standards for all new residential developments was resolved.

The report set out the policy context, current parking guidance and issues and concluded that in light of the issues identified within the report, and in particular that any policies created outside of the Local Plan could not be comprehensively implemented, the report to Cabinet would recommend that it was unviable to introduce a policy on local car parking standards for all new residential development at the current time.

The Cabinet report would recommend that that issues relating to car parking and sustainable travel be considered through the Local Plan process, which would allow a more comprehensive and holistic view of car parking, mitigation and managing travel demand across the Borough and the introduction of appropriate policies to deal with this in new development.

The committee noted that the Cabinet report would also recommend that the Council work more closely with East Sussex County Council to address members concerns within the framework of the existing adopted guidance, including applying the existing parking standards more consistently and with additional justification.

The committee agreed that a working group be cross party with consideration to parking requirements in different parts of the town.

RESOLVED: That Cabinet be advised that the Planning committee were in support of developing local policy for parking requirements in Eastbourne.

112 Planning Performance for Quarter 3 (October to December) 2017.

The committee considered the report of the Senior Specialist Advisor for Planning which provided a summary of performance for the third quarter of 2017 (October to December 2017).

The report detailed the following elements:

Special Measure Thresholds – Looking at new government targets

Planning Applications – Comparing volumes/delegated and approval rates

Pre Application Volumes – Comparison by type and volume over time

Refusals of Applications – Comparison of ward and decision level

Appeals – An assessment the Council's appeal record over time

Planning Enforcement – An assessment of volumes of enforcement related activity.

RESOLVED: That the report be noted.

113 Appeal Decisions.

1. 1 & 3 Barbuda Quay. The Inspector dismissed the appeal.
2. 29 Roseberry Avenue. The Inspector dismissed the appeal.
3. 29c St Annes Road. Inspector allowed the appeal.

114 South Downs National Park Authority Planning Applications.

There were none.

The meeting closed at 8.05 pm

Councillor Murray (Chair)

App.No: 170903	Decision Due Date: 16 November 2017	Ward: St Anthony's
Officer: Chloe Timm	Site visit date: 05 March 2018	Type: Planning Permission
Site Notice(s) Expiry date: 28 February 2018 Neighbour Con Expiry: 28 February 2018 Press Notice(s): n/a		
Over 8/13 week reason: Committee Cycle		
Location: Land Rear Of 1, Windermere Crescent, Eastbourne		
Proposal: Amended Proposal for development of 4no. Residential units to include 2no. 1bed houses and 2no. 1 bed flats with courtyard paving to the front and garden areas to the rear. No parking proposed.		
Applicant: Mr Cham		
Recommendation: Approve Conditionally		

Executive Summary:

This application is reported to planning committee due to the number of objections received and officers supporting the proposal.

The application is seeking planning permission for the erection of 4no residential units to include 2no x 1 bed houses and 2no x 1 bed flats located to the rear of 1 Windermere Crescent.

Scheme, design, appearance and car free layout are considered appropriate for the site and surrounding area, precedent for infill development has been created with the Chandler Mews development.

Planning Status:

The site is a currently disused plot of land which was historically the rear garden of 1 Windermere Crescent. It does not fall within a conservation area or within the curtilage of a listed building. The site is located within flood risk zones 2 and 3.

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
- 11. Conserving and enhancing the natural environment

Core Strategy Local Plan 2013 Policies

B1 Spatial Development Strategy and Distribution - Sustainable Neighbourhood
C3 Seaside Neighbourhood Policy
D4 Shopping - Seaside (Seaford Road to Channel View Road) Local
D5 Housing - Low Value Neighbourhoods
C6 Roselands & Bridgemere Neighbourhood Policy
D10 Design

Eastbourne Borough Plan Saved Policies 2007

SH7 District Local and Neighbourhood Centres
US5 Tidal Flood Risk
HO2 Predominantly Residential Areas
HO20 Residential Amenity
UHT1 Design of New Development
UHT4 Visual Amenity

Site Description:

The application site is currently an empty plot of land situated to the rear of 1 Windermere Crescent approximate size of 345m². The site was originally part of the rear garden of 1 Windermere Crescent.

The site is accessible via an un-surfaced track to the East of 1 Windermere Crescent which also provides access to the rear of premises 318 to 334 Seaside Road. The site is broadly level.

Relevant Planning History:

020695

Erection of a detached two-storey three bedroom dwelling with garage, parking and access works.

Planning Permission

Withdrawn

13/06/2002

020799

Erection of a detached one-storey bungalow with garaging, parking and access works.

Planning Permission

Withdrawn

16/12/2002

150361

Erection of 2 x 3 storey semi-detached 4 bed houses and off-street parking accessed from Windermere Crescent (Amended description).

Planning Permission

Withdrawn

17/07/2015

170070

Proposed residential development of 2no. Semi-detached dwellings

Planning Permission

Withdrawn

21/03/2017

Proposed development:

This application is seeking permission for the erection of terraced building of 4no 1 bed units;

Units 1 and 2 will be 1 bed houses approximately 60m²

Units 3 and 4 will be 1 bed flats approximately 50m²

The proposed building will be approximately 16.87m wide and to a maximum height of 5.5m.

The external materials include zinc cladding to the roof, brick and timber cladding to the walls. The properties will have a shared landscaped courtyard to the front and each unit will have their own private outdoor amenity space.

There is no allocated car parking proposed with this scheme.

The houses (units 1 and 2) are accessed via the courtyard and will have a small entrance hallway leading to an open plan living/dining/kitchen and a downstairs WC. Stairs to the rear lead up to the bedroom with ensuite shower room. Rear roof lights illuminate the ground floor level living/dining room area.

The flat (unit 3) ground floor is accessed off of the courtyard will have a small entrance hall leading to an open plan living/kitchen room a single wc and a bedroom with ensuite shower room.

The flat (unit 4) first floor is accessed via an external stairway leading to private outdoor space which is located above the refuse and cycle storage for units 2 and 3. The entrance leads directly into the kitchen/living area with a small hallway off of this with doors leading to a single wc and the bedroom with ensuite shower room. The bedroom is illuminated by high level roof lights. This flat has access to a first floor roof terrace/amenity area.

Consultations:

Internal:

Specialist Advisor (Planning Policy)

The Scheme is not considered to be contrary to any specific local adopted policies. Moreover the NPPF supports sustainable development and Eastbourne is currently unable to demonstrate a five year housing land supply.

CIL

CIL would be chargeable for the dwelling houses

Specialist Advisor (Waste)

The new occupants would be required to place their bins at the end of the access road to receive a collection

External:

Southern Water

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

Environment Agency

No objection to the proposed development as submitted subject to the inclusion of a condition for the implementation of the Flood Risk Assessment should permission be granted.

South East Water

No Comment received

Highways ESCC

No Objection subject to the imposition of conditions.

SUDS

If an appropriate destination for surface water runoff cannot be identified then the development may increase the risk of flooding to the surrounding area.

Furthermore the site is shown to be risk of surface water flooding during the 1 in 30 year flood event which has not been considered as part of the flood risk assessment. It is therefore, even more important that surface water runoff is appropriately managed to avoid increasing the existing risk. We would further suggest that the finished flood levels are set at a minimum of 300mm above the surrounding ground levels to mitigate the risk of surface water flooding to the proposed development.

Neighbour Representations:

Comments received raising concerns over the following points:

- Over development of the site
- Loss of privacy and light and noise pollution
- Highway safety

- Pollution from additional vehicles
- Access road is too narrow
- Issues with refuse collection and emergency vehicles
- No parking facilities
- The site is a rear garden/wildlife habitat and not a brownfield site or small greenfield site.
- The site is inaccessible to emergency vehicles and therefore a fire hazard.
- Drainage and flooding risk
- Access drive is public property
- Materials proposed out of character with the area

A petition signed by 23 residents was received following the initial consultation objecting to the proposal covering the above points.

Appraisal:

Principle of development:

The National Planning Policy Framework supports residential development in sustainable locations, particularly where it can support local housing need. It states that housing applications should be considered in the context of the presumption in favour of sustainable development, unless other material considerations make the prevent this.

This is reinforced within by local plan policies, with one of the key primary development principles being to provide at least 60% of new residential development within the existing built-up area in well-designed schemes that make efficient use of urban land. Policy HO1 also states that planning permission will be granted for residential schemes in 'predominantly residential areas'.

Policy C6 of the Eastbourne Core Strategy Local Plan delivering additional housing through making more efficient use of land within Roselands and Bridgemere and will support economic activity in the town and contribute to the delivery of housing. In principle therefore there is no objection to the site being developed for residential purposes.

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

The land to the rear of 1 Windermere crescent is a substantial sized plot which is currently unused and overgrown. The proposal is considered to make good and effective use of the site.

Amenity of adjoining occupiers

It is noted that the proposal will have an impact on the adjoining properties however this is not considered to be detrimental.

The front elevation (South East) of the proposal will face the rear elevations/gardens/access way to the properties of 118 to 134 Seaside Road. To

the rear (North West) are the gardens of the properties of Windermere Crescent, the side elevation (North East) will face 1 Windermere Crescent and the side elevation (South West) will face the parking area of Chandlers Mews.

Comments have been received regarding loss of privacy should the proposal receive permission to go ahead. The proposed dwellings are located to the rear of all the surrounding properties. The windows and outlook from the proposed units have been designed to try and mitigate a sense of overlooking to the surrounding neighbours.

This has been done using different angles for the proposed windows and as such at first floor level (what would be felt as the most intrusive windows) are high level roof lights on a sloped roof to the rear. This would limit outlook and not provide a direct view into the rear gardens of the surrounding properties. To the front the bay windows have been angled to provide a view up the access way and not directly to the neighbouring properties opposite.

With the location and orientation of the proposed new units any overshadowing to the surrounding properties will not be so severe so as to warrant and or justify a refusal.

Future Occupiers

The proposed new dwellings of unit 1, 2 and 3 will be accessed via a shared landscaped courtyard to the front of the properties. Unit 4 will be accessed via an external stairway on the front elevation.

The proposed new houses, units 1 and 2, are to be an approximate 60m² and are within the nationally described space standards for the requirements of a 1 bed 2 person dwelling over 2 floors.

The proposed flats, units 3 and 4, are to be an approximate 50m² and are within the nationally described space standards for the requirements for a 1 bed 2 person dwelling over 1 floor.

Each dwelling will be provided with its own outdoor amenity space and its own refuse recycling and cycle storage. Units 1, 2 and 3 will have private gardens to the rear and unit 4 will have a raised outdoor area to the front of the flat which with a glazed boundary looking out onto the courtyard.

The dwellings are considered appropriate sizes and all will be provided with adequate levels of outlook and access to light and ventilation.

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

Design issues:

The proposed new development is considered to appropriate in terms of design, bulk and scale. The design of the proposal is not in keeping with the character of the 1930s buildings of Windermere Crescent and is of contemporary design. This is however in keeping with the contemporary style of Chandlers Mews adjacent to the application site.

The materials for the proposed development are brickwork, steel work and cladding with powder coated aluminium doors and windows.

Impacts on highway network or access:

The proposal site is located off the unclassified road of Windermere Crescent.

The proposal does not provide allocated parking for occupants of the dwellings. The access road is inadequate for an allocated parking proposal to be included with the application. The application site is well connected to public transport with bus stops located within 200m of the site and there is unrestricted on street parking on the roads surrounding.

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. The proposal has the support of ESCC Highways department.

Other matters:

This proposal has been amended over the course of the application with the initial proposal being for 3 no 2 bed terraced houses.

Concerns have been raised with regards to access in response to an emergency and that the access road is not wide enough to accommodate emergency vehicles and thus putting the surrounding properties as well as the new proposed properties at risk should a fire occur. Sprinkler systems will be installed to the new dwellings to ensure that they comply with building regulations approval.

Concerns were also raised with regards to the storage and collection of refuse and recycling from the new site. Each unit has been provided with a storage area for bins and for bicycles. Upon visiting the site it was evident that other properties of Seaside Road also store their refuse and recycling bins to the rear of their premises. There is therefore considered to be no material planning concern in relation to this matter.

Issues of surface water disposal will be controlled by planning condition and Southern Water recommends that their consent is required for a formal connection to the local sewer 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 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 car free residential development.

Therefore the proposals are considered acceptable for the reasons set out in the report.

Recommendation:

Approve subject to conditions

Conditions:

- 1) Timeframe
- 2) Drawings
- 3) Surface water drainage/SUDS
- 4) Construction Management Plan
- 5) Flood Risk Assessment
- 6) Construction times
- 7) Hard/Soft Landscaping
- 8) Boundary treatments
- 9) Prior to occupation sprinkler systems to be installed
- 10) Finished floor levels (not higher than 5.5m)

Informatives:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0303 303 0119) or www.southernwater.co.uk

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**.

App.No: 180170	Decision Due Date: 17 April 2018	Ward: Old Town
Officer: Danielle Durham	Site visit date: 09/03/18	Type: Householder
Site Notice(s) Expiry date: 16 March 2018 Neighbour Con Expiry: 16 March 2018 Press Notice(s): NA		
Over 8/13 week reason: Within time		
Location: 2 Clifford Avenue, Eastbourne		
Proposal: Raising of roof ridge height and two dormers and one rooflight on the rear elevation.		
Applicant: Mr & Mrs Hepburn		
Recommendation: Grant Permission		

Executive Summary:

This application is being reported to planning committee at the discretion of the Senior Specialist Advisor and to allow members of planning committee hear the views of local residents and debate the issues involved.

The proposal relates to the raising of the ridge of the original roof, rear dormer windows and roof light; these works facilitate the creation of an additional bedroom suite within the enlarged roofspace.

Scheme is considered acceptable and is recommended for approval.

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure.
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
9. Protecting green belt land

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
13. Facilitating the sustainable use of minerals

Core Strategy Local Plan 2013 Policies

B2 Creating Sustainable Neighbourhoods
C5 Ocklynge & Rodmill Neighbourhood Policy
D5 Housing
D10 Historic Environment
D10a Design

Eastbourne Borough Plan Saved Policies 2007

HO2 Predominantly Residential Areas
HO20 Residential Amenity
UHT2 Height of buildings
UHT4 Visual Amenity

Site Description:

The site consists of a two storey detached dwelling house with a porch extension and a garage that has been converted into habitable rooms, the property retains car parking to the front of the site.

Clifford Avenue is a sweeping crescent connected at both ends to Farlane Road. The road is on a sloping gradient that increases with the increase in house number, with the properties on Farlane Road being at the lowest point and number 10 Clifford Avenue at the highest. Other properties backing onto and adjacent Clifford Avenue

Relevant Planning History:

160930

Single storey front extension to form entrance porch.

Householder

Approved conditionally

29/09/2016

Proposed development:

The applicant is seeking planning permission to increase the ridge height roof by approximately 1m to facilitate a loft conversion with two dormers to the rear and roof light.

There is proposed to be a new bedroom in the roof space which would be approx. 20m² and a new dressing room approx. 12.m² with adjoining bathroom. The bathroom is proposed to have a window facing the properties on Farlane Road which is not identified as being obscurely glazed.

Consultations:External:County Archaeologist - Consultations

Although this application is situated within an Archaeological Notification Area, based on the information supplied I do not believe that any significant below ground archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance.

Neighbour Representations:

4 Objections have been received and cover the following points:

- Light pollution from dormers
- Overlooking and loss of privacy from dormers over gardens
- Loss of light to habitable room and garden
- The increase in height will be overbearing
- There are errors in the existing floor plans and there would be 5/6 bedrooms proposed
- There is error in the plans as there are additional windows
- Loss of privacy from first and second floors
- Over development
- Insufficient parking provision for a 5/6 bed house.
- If the roof of the extension is built with non-matching materials it will be out of keeping with the street design
- There has been ongoing building works at the property 7 days a week from early in the morning to late at night this is annoying at weekends and bank holidays.
- The extension would be overbearing and create a precedent

Appraisal:Principle of development:

There is no objection in principle to home owners wishing to adapt/alter their family homes to suit their changing family needs and circumstances providing any change 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:Impacts upon No4 Clifford Avenue:

It is acknowledged that the adjacent property (No4) has a flank window facing the development site and that this window may be impacted to some degree by the development, however this is a secondary window to this room which is also served by a patio door facing directly down their garden. Given this arrangement

a refusal based on the impacts of the proposal upon this window could not be substantiated.

Given the siting of the application property and its separation it is considered that any loss of light and or overlooking from the proposed dormers would be insufficient to substantiate a reason for refusal.

Impacts on properties to the South:

Given the nature of the proposal and the orientation the existing property and its relationship to neighbouring plots there would be limited impacts in terms of light loss of light and overlooking to the occupiers of the properties to the south.

It is acknowledged that the scheme proposes a gable window within the area of the enlarged roof. This window serves a bathroom so could be conditioned to be obscure glassed and or deleted from the proposal.

Properties to the rear:

The property backing onto the site has a long garden and large trees on the boundary with number2 Clifford Avenue and unlikely to materially impacted by the proposal.

Design issues:

Properties in this street generally are Chalet style houses with a large pitched roof with dormers at first floor in the roof, with shallow depth from front to rear elevations; or, are properties such as the applicants where they are two storey houses which are deep in plan form with shallow roof pitches.

The proposed increase in ridge height would create a new roof with a steeper pitch; in this regard it would present a new front elevation to the street and differ from others in the locality. It is accepted that properties within the vicinity of the site share similar architectural features however there is not a degree of design uniformity such that this proposal would be objectionable in principle. Given that the properties at and within the vicinity do not possess this uniform character it is considered that the proposal could be accommodated without materially affecting the character of the host property in particular or the wider area in general.

The works are proposed using matching materials and as such the materials are not out of character with the design of the building or area.

It is therefore concluded that the proposals by way of the size, height and bulk does not conflict to Policy D10a Design of the Core Strategy Local Plan, UHT2 Height of Buildings and UHT4 Visual Amenity of the Borough Plan Policy.

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

The property is not a listed building nor in a conservation area and as such would not adversely impact either listed building or conservation area.

Impacts on trees:

The works are within the footprint of the building and as such would not adversely impact any trees.

Impacts on highway network or access:

The works are within the footprint of the building and would not result in a loss of parking.

Other matters:

It is acknowledged that the plans show incorrect information with regard to the existing rear windows and the number of rooms within the property. In this regard it is clear that the elevational discrepancy is a drafting error and as this proposal relates to works within the roof this discrepancy is not deemed to have an impact upon the proposal. Further it is clear that the proposal facilitates the creation of an additional bedroom within the roofspace and the number of bedrooms within the entire property is not material to the judgement on this application. This view has been taken given the size of the plot/garden and the availability for off street parking.

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

1. Time Limit
2. Approved drawings
3. Obscure glazing to the high level gable window prior to first beneficial use and remain as such thereafter
4. External materials to match existing

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**.

This page is intentionally left blank

App.No: 180065	Decision Due Date: 20 March 2018	Ward: Ratton
Officer: Anna Clare	Site visit date: 6 March 2018	Type: Planning Permission
Site Notice(s) Expiry date: 16 February 2018 Neighbour Con Expiry: 16 February 2018 Press Notice(s): n/a		
Over 8/13 week reason: to bring to planning committee		
Location: 146 Willingdon Road, Eastbourne		
Proposal: 1no. 3bed dwelling with off-road parking and garage.		
Applicant: Mr & Mrs Weaver		
Recommendation: Grant planning permission subject to conditions		

Executive Summary:

The proposed dwelling will provide a good standard of accommodation for future occupiers and will not result in significant impacts on the amenity of existing residential properties. The design on balance is considered acceptable and given the sustainable location of the site it is recommended that planning permission is granted subject to conditions.

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design

Core Strategy Local Plan 2013 Policies

B2 Creating Sustainable neighbourhoods
 C5 Ocklynge & Rodmill Neighbourhood Policy
 D5 Housing
 D8 Sustainable Travel
 D10a Design

Eastbourne Borough Plan Saved Policies 2007

UHT1 Design of New Development
UHT4 Visual Amenity
HO2 Predominantly Residential Areas
HO20 Residential Amenity

Site Description:

146 Willingdon Road is a detached single family dwelling on the eastern side of Willingdon. The south of the site borders Rodmill Drive. The junction at Willingdon Road and Rodmill Drive is controlled by traffic lights.

The site is triangular in shape with the property set to the north, with a side and rear garden. An existing vehicular access from Willingdon Road serves the property with a hard standing to the front for the parking of cars.

Relevant Planning History:

EB/1978/0330
FORMATION OF VEHICULAR CROSSING TO HARDSTANDING IN FRONT
GARDEN
Approved Conditional
1978-09-05

EB/1950/0237
ERECTION OF HOUSE
Approved Unconditional
1950-06-22

Proposed development:

The application proposes the erection of a detached three bed dwelling on land to the side of the existing dwelling.

The application also proposes the creation of a hard standing to the front of the properties, with two car parking spaces for the existing dwelling and one space and a garage for the new dwelling.

Consultations:

Specialist Advisor (Arboriculture) – Any groundworks within the vicinity of the street trees are likely to affect their long term health and vitality and should be resisted.

Specialist Advisor (Planning Policy)

The application site is located within the Ocklynge and Rodmill Neighbourhood and in a High Value Neighbourhood as defined in the Core Strategy (adopted 2013). It is also situated within a Predominantly Residential Area, policy HO2 of the Eastbourne Borough Plan.

Policy B1 of the Core Strategy will deliver at least 5,022 dwellings in accordance with the principles of sustainable development, more specifically 258 in the Ocklynge and Rodmill Neighbourhood. National Planning Policy Framework (NPPF) supports sustainable residential development. The site has not previously been identified in the Council's Strategic Housing Land Availability Assessment so therefore it would be considered a windfall site. However as the site is located in a private residential garden, it is not considered to be previously developed land as defined by the NPPF. The Council relies on windfall sites as part of its Spatial Development Strategy (Policy B1 of the Core Strategy) and the application will result in a net gain of one dwelling. The proposal is in accordance with local and national policy.

The NPPF (para 9) aims to pursue sustainable development and seeks positive improvements in the quality of the built environment as well as in people's quality of life. Improvements include: replacing poor design with better design; improving the conditions in which people live; and widening the choice of high quality homes. Policy B2 of the Core Strategy states that developments will be required to protect the residential and environmental amenity of existing and future residents and to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. The proposal is considered to satisfy some of the requirements of policy B2 as the dwelling is in conformity with the Technical Housing Standards for a two storey, three bedroom dwelling

Policy D1, in line with the NPPF, states there is presumption in favour of sustainable development. This includes ensuring good connections to public transport, community facilities and services and delivering economic, social and environmental well-being. In compliance with policy D8, sustainable travel will be promoted and all new development should be located within 800m of local services and facilities and within 400m of a bus stop. The site is situated in close proximity to a frequent bus route. Therefore it is considered that proposal in part satisfies policy D8.

In principle the application is supported, from a planning policy perspective, in order to meet local housing need on a windfall site in line with the National Planning Policy Framework (NPPF).

CIL

The development would be CIL Liable.

Southern Water

No objections raised. Require a formal application for a connection to the public foul sewer to be made.

East Sussex County Council Highways

It is understood the access is not ideal as it locates approximately 4m from a junction operated by a traffic light system. However, given a number of properties along Willingdon Road incorporate onsite parking with a vehicular crossover in close vicinity of the junction, it would be difficult to justify a highway refusal on this basis. Despite the proximity to the junction, the safety of the access is satisfactory as it is in current use, and has operated with no traffic incidents in accordance to Sussex Safer Roads Partnership data base. Furthermore considering the 30mph speed limit and the relatively low traffic flow along the A2270, I do not consider the increase in residence and vehicular trips associated with the site would cause a significant impact upon the transport network.

It should be noted that the width of the access is substandard for the requirements of a single shared access. Currently the access is 3m wide leading from the gate to the carriageway, which crosses over the footpath and a grass verge bordering the roadway. This width will need to be increased to 4.5m for the first 6m from the carriageway, in order to allow two vehicles to safely pass when entering/exiting the site. Given the gateway into the site resides 6.8m from the A2270, and visibility into the site is sufficient, the gate can remain at its current width. In addition, the number of parking spaces proposed in the submitted plans does conform to Highway standard, including the: turning area, parking space dimensions (2.5m x 5m) and garage space (3m x 6m). However, an added 0.5m should be added to the width of the parking space adjacent to the garage, to allow the user to exit the vehicle more easily. Providing the stated conditions below are adhered to, I do not wish to restrict grant of consent for this application

Health and Safety Executive

The proposed development does not lie within the consultation distance of a major hazard site or major accident hazard pipeline.

UK Power Networks

Copy of plan with electrical lines and electric plant in close proximity to the site. Should the excavation affect the Extra High Voltage equipment then contact is required with UK Power Networks. Factsheet to be supplied to the applicant.

Neighbour Representations:

3 Objections have been received from neighbouring residents and cover the following points:

- Highway safety due to close proximity with the road junction
- Reversing onto Willingdon Road is dangerous
- Pedestrian safety
- The garden is on a downward slope with evidence of subsidence from the retaining wall
- Highway safety during construction works
- Drainage issues
- The site is too small for another dwelling

- The proposal would fundamentally change the nature of the neighbourhood

Appraisal:

Principle of development:

The Five Year Housing Land Supply is a material consideration in determining this application. Currently, Eastbourne is unable to demonstrate a 5 year supply of land.

At the heart of the NPPF is the presumption in favour of sustainable development. The site is considered a sustainable location. In accordance with paragraph 49 of the NPPF the presumption is in favour of supporting the application unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal.

Therefore the proposed development is acceptable in principle providing the scheme would not result in significant detrimental impacts on the amenity of existing residential properties, the standard of accommodation was acceptable for future occupiers, and the design of the proposed dwelling was in keeping with the context of the area as set out by the Eastbourne Core Strategy Local Plan 2013 and saved policies of the Eastbourne Borough Plan 2007.

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

Given the context of the site the impacts on surrounding residential properties would be limited.

The property would be sited immediately adjacent to the existing property with a separation of 2m to allow rear access for both properties.

The only impact would be on the amenity of the existing occupiers of No.146 given the windows in the side elevation of the main property. These windows are secondary to front and rear elevation windows, and given the separation of 2m between the properties would still benefit from a degree of outlook and natural ventilation. The proposed dwelling has WC at ground floor and bathroom at first floor windows in the side elevation which would be obscurely glazed and therefore there is no issue of overlooking between the properties.

Impact of proposed development on amenity of future occupiers:

The proposed dwelling is a detached 3 bed, 5 person occupancy dwelling of 114m². The DCLG's National housing standards recommend a property of this size should have a floorspace of 93m². The property is in excess of this.

The site is situated on the corner of Rodmill Drive which is a steep hill. The garden slopes towards the rear but is well above the height of the adjacent road.

The retaining wall to Rodmill Drive is the ground level height with the existing hedge providing screening/a boundary treatment. The hedge does provide screening to the garden level, however the ground floor rear windows/doors are likely to be visible from the road when travelling up Rodmill Drive. The hedge is approximately 1.5m/1.8m in height and could be grown to provide additional privacy. This soft screening is important to the street scene and therefore a condition is recommended to prevent a high fence being erected for privacy purposes which would impact on the appearance of the street from Rodmill Drive.

The plans have been amended to step down from the rear elevation, therefore without a raised terrace area, this will prevent a degree and provide more privacy for occupants.

The development would result in the loss of the side and part of the rear garden of the existing property, reducing the rear amenity space to approximately 200m². The new dwelling would be provided with approximately 50m² of rear private amenity space. The amenity space is small for the new dwelling, which is a family property, however on balance it is considered that the proposal would provide a good standard of accommodation for future occupiers.

Design issues:

The eastern side of this part of Willingdon Road is characterised with detached single family dwellings. However further south the character is smaller terrace properties and the western side pairs of semi-detached properties.

Rodmill Drive is a steep hill, the new dwelling's rear and side elevation would be clearly visible from coming up to Willingdon Road from Rodmill Road as is the existing property. However the view of the rear of a property is not considered detrimental to the general character of the area which is residential in nature.

The dwelling is stepped given the corner plot, given the wide variety of character, size and roof design of properties in the area the design is considered acceptable.

The property is proposed to be facing brick and tile which would match the existing property. Within the wider area there are examples of rendered or part rendered properties with a variety of roof tile colour. Therefore the materials proposed are considered acceptable.

The proposal also includes the erection of a garage to the front of the new dwelling. This is proposed 2.2m in height to eaves level, 4m total height with a tiled pitched roof. This would be in the position of the existing shed. Whilst this will be visible over the boundary wall from either Willingdon Road or Rodmill Drive the location of a domestic garage in the front garden is considered acceptable.

Impacts on trees:

There are no trees on the site to be affected by the proposal. The street trees to the front of the site are mature and would be unlikely to sustain any groundworks within or close to their root protection area. In this regard ESCC Highways request to increase the width of the crossing would have an adverse impact on these trees and is not being pursued.

would be unaffected by the increased driveway width. The boundary hedge is discussed above.

Impacts on highway network or access:

ESCC Highways have raised no objection to the use of the driveway for access to two properties. For the reasons outlined above (Impacts on Trees) the width of the access will not be increased in line with their requirements. It is considered that vehicle movements to and from the site would be likely to occur off street and within the front curtilage of the existing and proposed dwellings. It is considered therefore that the existing cross over is likely to be sufficient to meet the highway/access demands.

The Transport Assessment submitted with the application proposed a 'keep clear' sign in front of the access on Willingdon Road. ESCC Highways advised against this for a development of this scale. They note that given there are hatched markings opposite the access, a vehicle intending to enter the site from a northbound direction along Willingdon Road could wait clear of traffic within this hatched area.

The existing property would be afforded two parking spaces within the front forecourt, the new property one space and garage. This number of parking spaces is considered appropriate given the size of property and site location.

Construction traffic has been raised as a concern by local residents. The Agent has provided a statement advising that the existing property would not be occupied for the duration of the build which would allow the entire frontage to be used for the storage of materials and the turning of vehicles. Smaller vehicles could be used to deliver materials which would minimise disruption. A condition is recommended to require submission of a construction traffic management plan prior to the commencement of the development.

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 NPPF is in favour of sustainable residential development. The proposed dwelling would provide a good standard of accommodation for future occupiers and would not result in significant impacts on the amenity of existing surrounding properties. The design, bulk and scale are acceptable given the size and surrounding character.

The existing vehicle access from Willingdon Road is proposed to be widened to allow passing of vehicles and therefore ESCC Highways have raised no objection to the proposal.

Recommendation: Grant planning permission subject to the following conditions;

1. Time for commencement
2. Approved drawings
3. External facing materials of the approved dwelling shall match the existing dwelling, prior to its erection details of boundary treatment between the rear gardens of the existing and proposed dwelling shall be submitted.
4. Existing boundary hedge to Rodmill Drive boundary shall be retained and protected during construction
5. Removal of permitted development rights regarding boundary treatment or other means of enclosure to the Rodmill Drive boundary
6. Removal of permitted development rights for extensions, enlargements, dormers, rooflights to the new dwelling, and outbuildings
7. Submission of construction management plan
8. Construction hours shall be between 0800 and 1800 Monday to Friday and 0800 and 1300 on Saturdays only unless otherwise agreed in writing pursuant to condition No 7 (above).
9. Windows to the northern elevation of the approved dwelling to be obscurely glazed and non-opening unless over 1.7m above floor level
10. Submission of surface water drainage scheme prior to commencement
11. Following completion submission of statement confirming suds scheme has been implemented.
12. Boundary sub division between plot

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**.

Agenda Item 9

App.No: 171394 (LBC) 171397 171398 (LBC)	Decision Due Date: 9 April 2018	Ward: Devonshire
Officer: Chloe Timm	Site visit date: Numerous	Type: Listed Building Consent & Planning Permission
Site Notice(s) Expiry date: 15 March 2018 Neighbour Con Expiry: 15 March 2018 Press Notice(s): 23/03/18		
Over 8/13 week reason: Within Time		
Location: Eastbourne Pier, Grand Parade, Eastbourne		
Proposal: 171394 Proposed erection of 2no kiosks as a like for like replacement to the previous kiosks lost in the July 2014 fire. 171397 & 171398 LBC To construct 2 new Units Similar to the existing Victorian Tea Rooms in the open deck area to fall in line with the existing Character of this Grade 2* listed building		
Applicant: Mr Sheikh Gulzar		
Recommendation: 171394 (LBC) :Refuse 171397 :Refuse 171398 (LBC) :Refuse		

Executive Summary

These applications propose four new buildings to be erected on the open deck area closest to the landward end Eastbourne Pier. These buildings closely mimic the size, footprint and external appearance of existing buildings on the Pier.

The application is not supported by a heritage statement/business plan that identifies how these buildings are to be used and how they may fit within the medium to long term development plans for the pier.

The buildings are to be formed by a steel skeleton clad with glazing and white UPvC frames and infill panels.

Given the lack of supporting information outlining and justifying the harm caused to the existing building and the use of poorly detailed/justified modern materials are likely to cause incremental harm to the heritage asset.

The likely harm to this Grade 2* listed building is considered to be so severe that support for the proposal would undermine the sustained quality of this heritage asset.

All applications are recommended for refusal.

Planning Status:

Eastbourne pier is widely acknowledged as being the finest remaining example of Eugenius Birch's seaside Victorian piers which is reflected in its designation as a grade 2* listed building. The pier began as a promenade pier and was subsequently adapted to a pleasure pier, with the kiosks and entertainment pavilions constructed on the pier itself being built and adapted over time to reflect the changing demands of customers and owners. As such the pier in its current form represents a building that is constantly evolving and changing and cannot necessarily be fixed in a certain point of time.

Site Description:

The Pier has come to be a symbol of the town, because of the affinity people feel with it as representative of the social history and cultural significance of Eastbourne. It is recognised and a major part of the historic seafront as well as part of the Conservation Area. This character includes The Bandstand, promenades, sheltered seating, viewing areas, iron railings and lamp standards, which collectively are indicative of the Victorian and Edwardian expansion of Eastbourne town for residents and tourist.

Constraints:

Listed Building

II*

1971-05-17

Grand Parade - Pier

Conservation Area

Town Centre and Seafront Conservation Area

Relevant Planning Policies:

National Planning Policy Framework 2012

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

Paras 128,

...In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance...

Para131,

...In determining planning applications, local planning authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

Para 132,

...When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Para 133

...Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- *the nature of the heritage asset prevents all reasonable uses of the site; and*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use.*

Para 134

...Where a development proposal will lead to less than substantial harm of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Core Strategy Local Plan 2013 Policies

Policy B2 Creating sustainable neighbourhoods
Policy D10: Historic Environment.

Eastbourne Borough Plan Saved Policies 2007

Policy UHT1: Design of new development
Policy UHT17: Protection of Listed Buildings and their settings.

Relevant Planning History:

Numerous historic applications for listed building consent, with the most recent listed below for information purposes.

141413

Dismantle the existing fire-damaged Arcade frame, together with the removal and replacement of the affected timber deck and deck support steelwork. Removal, refurbishment and reinstatement of existing cast iron balustrade, lighting columns and wind-breaks. Replacement of the Arcade building itself will be subject to a separate application.

Listed Building Consent

Approved conditionally

11/12/2014

150285

Installation of rides and stalls upon the decking at the location of the former Blue Room at Eastbourne Pier for a temporary period of at least 18 months prior to redevelopment.

(Amended description).

Planning Permission

Refused

04/06/2015

160872

Retrospective Listed Building Consent also required for: Painting Lion detailing on 49no. lamp posts (primer undercoat layer and gold metallic outer layer); Painting 13 Domes and Pinnacles (primer undercoat layer and gold metallic outer layer).

Listed Building Consent

Approved conditionally

21/09/2016

170221

To paint the remaining 2 domes in the middle of the Pier in Gold Colour to match the existing 13 domes. To paint the roofs on the entrance mall with a white weather proof sealant paint.

Listed Building Consent

Split Decision Grant the gold domes and refuse the white paint.

02/05/2017

170566

Remove broken rusted shutter and boxing and replace with traditional stainless steel galvanised gates.

Listed Building Consent

Approved conditionally

02/06/2017

171163

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

Listed Building Consent

Refused
12/12/2017

Proposed development:

The works proposed under these applications consist of:-

171394 *Proposed erection of 2no kiosks as a like for like replacement to the previous kiosks lost in the July 2014 fire.*

These two units are identical in shape, form, scale and external design and seek to replicate as far as is practicable to those buildings lost to the fire.

Each of the buildings has a broadly cruciform footprint under a pitched roof that is terminated in gable ends to each elevation. The buildings measure broadly 5.4m in width and 7.4m in length and provides approximately 32Sqm of internal floorspace.

These buildings would have a steel skeleton and roofs are clad in zinc with infill panels and doors. The infill panels are to be formed in white UPvC plastic.

171397 & 171398 LBC *To construct 2 new Units Similar to the existing Victorian Tea Rooms in the open deck area to fall in line with the existing Character of this Grade 2* listed building*

These two units are identical in shape, form, scale and external design and seek to replicate as far as is practicable to the existing 'Tea Room' on the Pier. Each building proposes a broad elliptical footprint under gently sloping roof to an ornament ridge feature running centrally along the ride of the building and a cupula and ornamental finial at either end of the building.

Each of the buildings has an internal floor space of approximately 172 sqm, an overall length (inc overhanging roof) 23.3m and a height to the ridge of the main part of the building of 3.5.

The building is to be formed from a steel skeleton with infill panels and doors. The roof is to be formed with/by 'glass reinforced plastic' (GRP) and the infill panel are to be formed by glazing and white UPvC frames, panels and doors.

These applications propose the construction of new buildings on the deck of the Pier in part to recover examples that once existed and in part to provide some replacements of the lost 'Blue Room'.

The applicant, along with many respondents to the consultation exercise draw attention to and acknowledges the investment that has been made in to the pier. This includes works to repair the substructure and platform of the pier, works to provide additional seating and general repair and decoration which will help sustain the pier as a viable commercial enterprise which is an important asset to the town and integral to its appeal as a tourist destination. In this context the owner sees the replacement/new buildings as being integral to these works and his long term vision for the pier

Consultations:

Internal:

Councillor David Tutt:- Given that the structures are a direct like for like those that currently exist and those that were lost to fire damage I have no objections.

Specialist Advisor (Conservation) Objection:- their full response is appended to this report and in summary form their comments relate in broad terms to the following issues/comments:

- *Recognition that this Grade 2* listed building has evolved over time*
- *Recognition that the design of the new buildings reflects the character and form of existing buildings on the Pier and that these buildings are seen as a replacement for the 'Blue Room' and other buildings lost to the fire.*
- *Recognition that in some way these new buildings and their multi-purpose use would help to support the viability of the Pier*
- *Recognition that the applicant contends that uPVC is cheaper, quicker to produce, easier to maintain and potentially enabling of other long- term projects through the rollover of any cost savings into other development works.*
- *Recognition that there are parts of the Pier (Theatre, Boat Launch) that will take significant investment to restore to full operational benefit and that to some regard this proposal may well support these wider ambitions.*
- *No worked-up proposals for us to assess, and we have no sense of what use the buildings will be put to and/ or whether those structures best suit those still unknown functions, raising the spectre that these substantial new spaces will prove inappropriate and lie empty or be put to temporary ad hoc uses with no economic gain to mitigate what the applicant's agent concedes will be an adverse effect.*
- *External materials being used, specifically the incorporation of uPVC into the structure are considered due to the lack of finesse in the external detailing of the window frames and infill panels are such that the resultant building would erode the value of the historic asset.*
- *Without a defined business plan within which these new buildings could be placed, read and understood it is considered that support for them in the current form would lead to incremental additions to the building which due to their piecemeal form and non-traditional materials would erode the value of the heritage asset and should be resisted in this context.*

External:

Historic England: - Their full response is appended to this report.

In summary their comments relate in broad terms relate to the following issues/comments:

- *the applications are deficient in supporting detail but recognise the applicants desire to increase footfall and spend would go some way to protecting and enhancing the*

longevity and viability of The Pier. The lack of supporting information means that it is difficult to assess the merits of these proposals along with and against the short/medium and long terms plans for the Pier.

- *Recognition that the loss of fire structure has had a significant on the Piers roof-scape*
- *Recognition that these applications are an indication that fire damaged building will not be replaced. Given this there is no objection in principle to the creation of new structures and new roof-scape subject to appropriate design and appearance*
- *Consideration should be whether the design, character (inc. materials) and location of the new structures avoids causing any harm to the significance of the Pier.*
- *That UPvC has been used elsewhere on the Pier does not set a precedent and do not accept that its use would be quicker and cheaper for the life of the development.*
- *They do not endo Must have concern to the long term historic significance of the Pier and not short term expediency.*
- *Object to the use of non-traditional materials for the new structures...In terms of sustaining and reinforcing the historic character HE insist on the use of timber for the external appearance of both the recreated and new structures.*

Eastbourne Society

The Victorian Society: No objection to the principle of replacement buildings on the Pier but the lack of supporting evidence describing how the developments impact upon the heritage asset cannot be fully assessed.

Chamber Of Commerce

Neighbour Representations:

Objections have been received and cover the following points:

Appraisal:

Principle of development:

There is clearly scope/capacity for additional development/buildings on the Pier, especially on the open decked area at the landward end of the pier. It is fair to assume that the content of these proposal and their location are such that if supported and implemented then there would be no potential for The Blue Room (lost in the fire) to be replaced. There is no objection in principle to new built form to be a direct replacement of The Blue Room.

Any new development/structures should be reasoned/justified so that the full impacts of the proposal upon the heritage asset can be assessed and evaluated; whilst these applications are accompanied by a heritage statement it is considered that they do not justify the heritage impacts in NPPF terms. In the absence of having a credible/robust heritage impact assessment it is considered that there is an in-principle objection to the new buildings the subject of this applications.

Design/Conservation Area and Listed Building Issues:

It is noted that the applicants' intention is to mimic in design, form, scale and external appearance to those buildings that currently exist elsewhere on the pier. The buildings which inform the design of these new structures are single storey low span buildings that would create a new silhouette to the roof scape for this part of the pier. There is no objection in principle to the creation of a new roof scape for this part of the pier; it is noted that the proposed buildings are of lower stature than the lost Blue Room.

The proposed buildings are considered functional in terms of creating new internal space (for uses as yet unspecified) but in terms of the external detailing are promoting UPVC white cladding. It is clear from the advice/recommendation from Historic England and the Councils Conservation Officer that the use of non-traditional materials is harmful to this Grade 2* listed building.

The supporting information is considered to be lacking and the drawn information is weak in outlining the extent and specific profiles for the infill cladding and frames. To support this scheme without this knowledge would potentially lead to incremental loss of and undermining the true heritage value of this asset.

It is clear from the table below that the quality of the asset in terms of its form and scarcity is held in high regard as a Nationally valuable asset. As identified by Historic England's consultation response to these applications that the fact that the existing buildings have UPVC within their external fabric is in no way justification for its use on the new units.

Source Historic England Web site March 2018

Grade 1	2.5%
Grade 2*	5.8%
Grade 2	91.7%

Conclusion:

In assessing the proposal against National advice within the NPPF and Local Plan policies it is considered that without evidence to the contrary the creation of the new accommodation in the form, location and design is considered to harm this high status heritage asset.

It is acknowledged that The Pier is one of the most visited attractions for the town and to some regard does elevate Eastbourne above other destinations. It is considered that any decision that may undermine the importance of this structure should be resisted.

Based on the evidence before officers and the reasons outlined in this report it is recommended that all applications should be refused Planning and Listed Building consent.

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:
171394 (LBC), 171397 and 171398 (LBC)

Refuse Listed Building Consent and Planning Permission

Without evidence to the contrary it is considered that the number, location, size, form and external appearance (using non-traditional materials) are likely to cause material harm the quality of this Grade 2* listed building. The proposal would conflict with paragraphs 128, 131-134 of the National Planning Policy Framework and would also therefore be contrary to Policies UHT17 Listed buildings, UHT1 Design of New Buildings, UHT4 Visual Amenity D10 Historic Environment, D10A Design, of the Councils Local Plan and Core Strategy

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**.

This page is intentionally left blank

APPENDIX 2

Conservation Officer Response

Eastbourne Pier is one of the town's most popular locations, and one that occupies a special place in the affections of local residents and visitors to the town. The reasons for this are many and varied, ranging from its proud evocation of a golden age of domestic holiday making, the scale of its ambition and the majesty of its construction to fond personal memories of using the space as an escape from the mundanities of everyday life and as a favoured location to celebrate birthdays and milestone events.

As a premier local heritage asset, and one that is favoured with a Grade 2* listing, it also demands careful stewardship in order to maintain the architectural, historic and social significance that generates that sense of excitement and awe. This requires that all development proposals, inevitable on such a large and exposed structure, be assessed in terms of their impact on the significance of the Pier, with a requirement that it is kept safe from ill-conceived proposals that threaten to degrade it and diminish its importance and appeal for future generations.

There are currently two separate applications tabled for consideration, which seek listed building consent to create a set of new structures for a range of commercial uses. The applications are separate, yet ultimately linked, given their combined overall impact in terms of the reconfiguration at the street end of the Pier. They address a specific deficit situation following the major fire in 2014, which destroyed the large pavilion- the 'blue room' of fond memory- and effectively formed a large open area after its demolition, redefining its established form.

The current owners contend that the applications work with the grain of the Pier, by taking "architectural cues from the remaining built form" and creating new spaces that enhance the existing capacity for "flexibility, multi-purpose function and use ; and it is this adaptability that will ensure the demands of such an important tourist attraction will be met ensuring the Pier has a sustainable future." The placement of the new units in such a way as to create a symmetrical design that honours the original design of the Pier is also seen as an enhancement "of the legibility of the historic context", while the use of timber and steel structures, with zinc roofs, is argued as evidence of sensitivity to the significance of the historic asset through the use of an approach that replicates a traditional form of construction. The applicant acknowledges, however, that the presence of uPVC on infill panels, windows and doors has an adverse effect and introduces a levels of harm, while also contending that this harm is less than substantial and mitigated by the public benefits of the proposal. The case advanced is that uPVC is cheaper, quicker to produce, easier to maintain and potentially enabling of other long- term projects through the rollover of any cost savings into other development works.

As Historic England note in an instructive and carefully nuanced consultation response, the loss of the large pavilion in the 2014 fire has been " particularly harmful to the playful silhouette of the roof scape of the Pier, creating an open area that is described as "inhospitable" and " out of keeping" with an established character of the Pier that extends back to the inter-war years. They differentiate

between the two applications, describing the “authentic recreation” of the units lost to the fire as the “least problematic” element, but with a concern over the use of uPVC as an element of the build. They express greater caution over the design for the larger new pavilions, recognising that their presence, if agreed, will change the character and appearance of the Pier, while also acknowledging that the works outlined in these applications form part of a broader programme of works alluded to by the applicant in his heritage statement and at a helpful three- way meeting between Historic England, the Pier management team and the borough Council in mid-January. Historic England, while welcoming these positive aspirations for the Pier, suggest that information on medium term planning currently in the public domain is insufficiently detailed to make any rounded judgement as to how individual elements such as these applications relate to, and align with, that overall shared vision. They also raise concerns about the materials being proposed for the new structures, most notably the use of uPVC. Specifically, they question whether its use on the Pier by previous owners can be used to provide a precedent, or that it has the potential to deliver quicker results or that any economies derived through its use as an element in these applications would necessarily percolate through to more rapid development elsewhere on the Pier. In their own words, “we must be concerned with the long term historic significance of the pier and not short term expediency”, with a stated preference for the use of timber for both recreated and new structures. Having formally identified concerns, they recognise, however, that the buck stops with us at Eastbourne Borough Council and note that we will need to take a final view as the local planning authority.

In fact, we already have some internal commentary on the applications following their consideration at the Conservation Areas Advisory Group meeting on 20 February 2018, at which both were reluctantly agreed, on the basis that, while imperfect, they create the conditions for enhanced commerciality and could allow for additional future development works at the Pier in hitherto closed areas.

In many ways, in a conservation conversation characterised by heartening collegiality, this issue of a trade between wider public benefit and a compromise on materials goes to the core of disputed territory. Put simply, it is a case of whether the promise of a fully restored period as some indeterminate point justifies the use of a building design, in the case of the larger pavilions, and materials, uPVC, that are not authentic, do not invite positive feedback or enhance the character of the asset. For the applicant, it is a price worth paying. Historic England, by contrast, adopt a position of greater caution. Tellingly, though, they also intimate that the potential for resolution exists.

On reflection, both positions are defensible. Though the applicant’s proposal might initially seem absurd, since it transforms the way we make use of, and ‘read’ the Pier through use of a pedestrian building as its major contributor, a new layout and the use of a material that is ‘out of keeping’ with this Victorian structure, it is possible to discern some merit in the proposal . Specifically, it attempts to make use of the area left bare by fire damage, and to develop a positive patterning that attempts to create a pleasing symmetry in design terms. It is also architecturally inclusive in terms of harnessing the full potential of the entire Pier. At an economic level too, it is to be hoped that additional footfall and spend arising out of the new build structures will generate higher income, which can in turn contribute to a structured programme of development that opens up and rehabilitates currently closed areas such as the theatre. This is a compelling proposition.

Structures change and grow over time as fashion change and new functions emerge, and Piers are no exception. Eastbourne started off as a pier originally characterised by promenading before adapting to provide opportunities for amusements, entertainments and pleasure, so the concept of dynamism and change is an embedded one, and the notion of operating the Pier as a kind of living museum is both misguided and fanciful given its core function. That said, development needs to evidence purpose, clear thinking, and an ability to work with the grain of the structure. One of my major challenges with the current proposal is the lack of supporting material to reinforce the headline proposition that recreating 2 representations each of 2 existing structures will necessarily create new footfall and benefit simply by being there. There are no worked-up proposals for us to assess, and we have no sense of what use the buildings will be put to and/ or whether those structures best suit those still unknown functions, raising the spectre that these substantial new spaces will prove inappropriate and lie empty or be put to temporary ad hoc uses with no economic gain to mitigate what the applicant's agent concedes will be an adverse effect. I note that previously exposed areas at the sea-end of the Pier intended for commercial use remain empty after almost a year.

My other major challenges concern the design of the larger pavilions and materials being used, specifically the incorporation of uPVC into the structure. The application draws on existing forms, and references the 'like for like' element of the application, but in the case of the larger pavilion especially, models a contemporary structure that does not invite praise. Indeed, the Council's own independently commissioned Eastbourne Pier Conservation Strategy, published as recently as 2007, characterised the 'Victorian tea rooms', the inspiration for the larger pavilion, as an especially weak building. We may be honouring a structure that is already in place, but the homage operates from a very low base. The significant presence of uPVC on the tea room building undoubtedly contributes to this underwhelming assessment and its visible identity on all of the replacement buildings if agreed will simply reinforce its overall impact on the Pier. All parties agree that this exerts an adverse effect on significance and is a major cause for concern, and the supporting arguments raised in defence of its use are simply not compelling. Generating a structure with timber windows, doors and infills is unlikely to require little additional effort, or generate substantial additional work if these new areas are well maintained, a proposition that should not trouble the applicant given that the Pier already works with large areas of timber and operates a near continuous maintenance regime as a result of its exposed coastal location. I accept that the initial outlay for timber is likely to be higher than more price-sensitive uPVC products, though the combination of a decidedly limited lifespan for the latter and the consequent need for early replacement suggest that any economic advantage from using uPVC is rather less than imagined.

Overall, my feeling is that however supportive the authority wishes to be supporting the work of the Pier, and great effort has been invested in generating an enabling and collaborative culture over the last eighteen months or so, the mitigation made is not strong enough for us to suspend our concerns about impact on significance, most especially as regards material use. This reflects the Pier's prestigious 2* listing, and the primary requirement for the LPA to safeguard it for future generations. A heritage asset only has value as long as it retains the significance that conferred this protected status in the first place and, however attractive a well-developed commerciality may be for an economically sustainable future, a diminished asset is compromised for good.

This page is intentionally left blank



Historic England

SOUTH EAST OFFICE

Chris Connelley
Eastbourne Borough Council
1 Grove Road
P00727812
Eastbourne
East Sussex
BN21 4TW

Direct Dial: 01483 252038

Our refs: P00739491&

20 February 2018

Dear Chris,

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**EASTBOURNE PIER, GRAND PARADE, EASTBOURNE, EAST SUSSEX, BN21
3EL**

Application Nos. 171398 and 171394

Thank you for your email of 12th February regarding further information on the above applications for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the applications.

Historic England Advice

The statement of significance and heritage statement dated 11th February takes us a little further but not I suggest as much as is possible. The document is long on direct quoting of policy and guidance and short on detailed analysis of the significance of the pier in its entirety or for its key components. I was not clear whether it was intended as a statement for the whole pier to be used for all future proposals or whether it was intended just to support the two most recent applications. If it is the former it is not adequate.

Our meeting on 15th January was I think helpful in building consensus about a way forward for the pier. We share with Mr Gulzar an objective to make it successful and financially viable so that its costly care and maintenance might then be more affordable, the backlog of repairs be steadily addressed and the pier appropriately enhanced including for its "bottom line" operation. We think that future investment leading to changes should pay attention to the existing strong historic character of the pier which typifies what you would expect to find at a late Victorian and Edwardian pleasure pier. This said we accept that piers have nearly always evolved during their lifetimes in order to respond to changing tastes and public expectations. Within reason, we can accept future changes to Eastbourne Pier providing these are approached in ways that sustain its overall historic appearance and are based on a good understanding of what is special about the pier.



EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252020
HistoricEngland.org.uk



Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.



Historic England

SOUTH EAST OFFICE

We have identified the loss to the fire of the large pavilion as particularly harmful to the playful silhouette of the roofscape of the pier that makes it one of the most pleasing examples to see in longer views and a significant contributor to the character and appearance of Eastbourne's seafront. The repair of the substructure and reinstatement of the decking has addressed much of the harm caused to the fundamental structure of the pier, including Birch's original intent. It has however created an open area which is inhospitable for visitors and out of keeping with the character of the pier that has existed since 1925 if not earlier. This area is now more representative of the promenade original character of the pier. We think that the pier is best experienced for its fully developed historic form and not as a mixture of characters. We accept that there is also a financial imperative to address the loss of the pavilion in order to strengthen income streams and thus the funding with which to care for, conserve and enhance the pier.

Of the two applications we regard the authentic recreation of the units lost to the fire as the least problematic. The model of the existing units can and should be accurately followed to ensure an appropriate recovery of the structures before the fire. The question of what materials to use is perhaps the outstanding question - see below.

The two "new design" pavilions in the location of the destroyed large pavilion require perhaps most careful consideration. If you accept that turning the clock back to the day before the fire is not appropriate (and we do not see how this can now be enforced) then we think the consideration should be whether the design, character (inc materials) and location of the new structures avoids causing any harm to the significance of the pier and do they amount to an enhancement. We can see how thought has gone into the design of the new buildings and that these respect the symmetrical appearance of the pier that is a key characteristic of its historic appearance. We have not seen any illustrations of how the new structures would appear in long views and this might be helpful in judging whether these have a sufficient scale to help recover some of the past appearance of the pier. They will certainly not replace the single lost large pavilion and so a new character and appearance to this part of the pier will be established.

We discussed at our meeting the long term plans for the pier which we understand include re-opening of the theatre building/night club at the seaward end. Without wishing to see a full business plan and financial information which might be commercial in confidence we wanted to know more about the medium term plans for the pier so that as each piece of what must be a complicated picture comes forward for permissions it can be set in the context of an agreed and shared vision.. I do not think the heritage statement provides this and it would give us all confidence if the current applications and planned future ones could be set in such a context.

I think the biggest issue raised by the two current applications relates to the materials



EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252020
HistoricEngland.org.uk



Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.



Historic England

SOUTH EAST OFFICE

to be used and specifically whether UPVC should be permitted to be used for the entirely new structures. That such material might have been used in past repairs by previous owners (presumably without LBC) does not in my view provide a precedent. We do not accept the suggestion that UPVC should be accepted because it will be quicker to deliver results. Nor can we accept the hint of a suggestion that use of cheaper materials would enable the available funds to be made to go further and thus results to be delivered sooner. We must be concerned with the long term historic significance of the pier and not short term expediency. I am doubtful that the historic appearance of timber sections and painted wood can be accurately replicated by the use of UPVC and I am aware that debate continues about the duration of the lifetime of man-made materials and the potential to repair these when they fail. I accept that use of timber may be more expensive and that it requires an on-going need for maintenance through regular painting but in terms of sustaining and reinforcing historic character I think we must prefer timber for the external appearance of both recreated and new structures. This is a matter that your Council will need to come to a final view about based on our advice and that by the CAC. You might for example decide that pier structures have constantly evolved and made use of the then available materials. For what will be 21st century additions I think the important factor is that these have the right character and appearance, both at first sight and on closer inspection, alongside the historic parts. I do not think UPVC should be used to repair historic structures and that through time any past use of such materials should be reversed as and when the need for new works arises.

If you think that your Council now has enough information with which to decide both applications we would have no objection but we think that this would need to be subject to conditions to control the materials and details (including sections of individual structural elements). You would then need to work with the pier owner and his contractors to ensure that the conditions are met. This probably means agreeing large scale drawings in advance and then approving samples of materials and workmanship. Since we want the overall coherent appearance of the pier to be recovered by new works I suggest that colour schemes should be consistent throughout the pier and are best based on historic precedents.

Recommendation

Historic England has concerns regarding the application on heritage grounds but we think that these are capable of resolution.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 132-134 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to



EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252020
HistoricEngland.org.uk



Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.



Historic England

SOUTH EAST OFFICE

pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

Peter Kendall

Principal Inspector of Ancient Monuments

E-mail: Peter.kendall@HistoricEngland.org.uk



EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252020
HistoricEngland.org.uk



Historic England is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.

Notes for Page 4

20/02/2018 17:17:10
CHLOE.TIMM

Appeal Decision

Site visit made on 22 January 2018

by L Gibbons BA (Hons) MRTPI

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

Decision date: 21 February 2018

Appeal Ref: APP/G1440/D/17/3183960
191 Priory Road, Eastbourne BN23 7TB

- 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 Emma Ward against the decision of East Sussex County Council.
- The application Ref PC/170733, dated 1 June 2017, was refused by notice dated 15 August 2017.
- The development proposed is described as to remove the brick wall and put a fence around the side garden to increase the size of the back garden, the fence would be about 6/7ft the height of the existing wall. I would also like to put a fence around the front and side garden no more than 1 metre high to make it safer for when my children come out of the front as a barrier before the main road and also to stop people walking over my garden. I am happy to put an open fence or whatever is suggested.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located within a residential area. The majority of properties on this part of Priory Road are small terraces arranged around open front gardens. Only very low hedges and planting are present in the front gardens. The side gardens of most houses including No 191 Priory Road are generally open to the pavement, although there are very limited examples of houses which have hedges on the boundary with the pavement on Priory Road. To the rear, there is a more enclosed quality with gardens enclosed by high fences, and there are alleyways and garage blocks. Nevertheless, there is generally a very spacious quality to the terraces at the front and sides of houses, and the open layout is a very distinctive and predominant feature of the area.
4. The proposal is for close boarded fences to be erected along the side and rear boundaries of the house, and the removal of the brick wall which is set far back from the pavement on Priory Road. Due to the height and prominent position of the fences they would be a highly noticeable feature which would significantly reduce the openness and spacious quality of the area. It would look considerably out of place in relation to Priory Road which has no examples

of fences placed in this type of arrangement. This would have a significant negative effect on the local character of the area.

5. The appellant suggests that an open fence could be erected. However, no details of the type of fence that this could be were provided, and I have determined the appeal on the basis of the proposal before me. I note that the proposal is intended to provide safety for children and to prevent trespassing. However, I have not been provided with any evidence to indicate that having an open front and side garden have caused problems for the occupiers. In addition, the existing rear garden provides a safe enclosed area for children to play.
6. I have been provided with photographs showing fences and walls within the area. Generally, the high fences are boundaries for rear gardens which do not protrude into open areas. One of the examples has a low fence which does not have an effect on the openness of the area. I note that there is one property which has a tall fence around the side garden. However, from the photograph it is not possible to ascertain whether that house is situated in an area of houses similar to the appeal site. I accept that the adjacent property has a hedge. However, whilst it is tall, there are gaps between each shrub and as such does not have an overly dominant presence in the street scene, it does not justify the appeal proposal.
7. For the reasons given above, I conclude that the proposed development would cause harm to the character and appearance of the area. It would be in conflict with saved Policies UHT 1, UHT 4 and HO20 of the Eastbourne Borough Plan 2007 and Policies B2 and D10a of the Eastbourne Core Strategy 2013 (CS). These amongst other things seek new development that protect the residential and environmental amenity of existing and future residents, makes a positive contribution to the overall appearance of the area, and harmonises with appearance and character of the local environment. The Council refers to Policy B1 of the CS. However, this policy does not demonstrate or substantiate an adverse impact on character and appearance.

Other matters

8. The Council raises concerns as to whether the proposed location of the fence would have the potential to cause harm to pedestrians as vehicles reverse from the driveway of No 191 on to Priory Road. The pavement seemed to be well used by pedestrians. Although not to scale, the drawings do show open space between the fence and the pavement. The numbers of traffic movements to and from the drive are likely to be very small, and I consider the position of the fence relative to the pavement would provide views of pedestrians coming towards the drive. The proposal would not cause harm to the safety of pedestrians. However, this does not outweigh the harm I have found.

Conclusion

9. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L Gibbons

INSPECTOR