

**Tuesday, 29 May 2018**

**at 6.00 pm**

**Court Room at Eastbourne Town  
Hall, Grove Road, BN21 4UG**

## Planning Committee

**MEMBERS:** Councillor Jim Murray (Chairman); Councillor Janet Coles (Deputy-Chairman); Councillors Sammy Choudhury, Paul Metcalfe MBE, Md. Harun Miah, Colin Murdoch, Margaret Robinson and Barry Taylor

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## Agenda

- 1 Minutes of the meeting held on 24 April 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 16 Woodland Avenue. Application ID: 180355.** (Pages 9 - 16)
- 7 35 Clarence Road. Application ID: 180330 (PPP).** (Pages 17 - 20)
- 8 Langney Shopping Centre, 64 Kingfisher Drive. Application ID: 180257.** (Pages 21 - 26)
- 9 Savoy Court Hotel, 11-15 Cavendish Place. Application ID: 180352 (PPP), 180353 (LBC).** (Pages 27 - 34)
- 10 South Downs National Park Authority Planning Applications.**

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

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

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

Members must declare the existence and nature of any interest.

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

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

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

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

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

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

## Further Information

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

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

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



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Tuesday, 24 April 2018  
at 6.00 pm



## Planning Committee

Present

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

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### 124 Minutes of the meeting held on 27 March 2018.

The minutes of the meeting held on 27 March 2018 were submitted and approved and the Chair was authorised to sign them as an accurate record.

### 125 Apologies for absence.

An apology for absence was reported from Councillor Jenkins.

### 126 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 Murray declared a personal interest in minute 127, 2 Clifford Avenue as a friend of the applicant's family. Councillor Murray withdrew from the room whilst the item was considered and did not vote thereon.

### 127 2 Clifford Avenue. Application ID: 180170.

Raising of roof ridge height and two dormers and one rooflight on the rear elevation – **OLD TOWN.**

The following further information was reported during the meeting;  
One objection not previously raised was reported as follows: 'our sons window in his bedroom will be affected by the exceptional height of the build and the addition of the protruding dormer. As these will stick out beyond his window and this is the only window/ source of light in this room'

In response and for clarification the committee was advised that 2 Clifford Avenue and the first floor window of number 4 Clifford Avenue were 4.9m apart. The rear elevation of number 4 was back from the rear elevation of number 2 by approx. 2.5m. Due to the combination of the orientation of the properties, distance between the properties and that the dormer would be above the height of the windows at number 4 and set in from the edge of the roof line by 0.8m there would be minimal and insignificant loss of light which was unlikely to cause a significant impact of loss of light.

The committee was advised that a petition had been signed by 22 surrounding households of which were 32 individuals requesting that the committee refuse the application.

Mr Vogels addressed the committee in objection stating that the roof would be too high and would result in a loss of light and overshadowing. He also stated that he would suffer a loss of privacy and the development would be out of keeping with the surrounding area.

Mr Chalinor, agent for the applicant, addressed the committee in response stating that there was no uniformity in the street scene and that the design of the dormer windows would lessen the opportunity for overlooking.

The committee discussed the application and agreed that the scheme would be an overdevelopment.

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

**RESOLVED: (By 4 votes to 3)** That permission be refused on the grounds that:

The proposed development by reason of its scale, mass and design would be unsympathetic and detrimental to the character and appearance of the site in particular and the wider area in general resulting in an unsympathetic form of development, detrimental to the visual appearance and wider range views of the site as well as giving rise to an overbearing and unneighbourly form of development contrary to Policies B2, HO20 and D10a of the Eastbourne Core Strategy 2013 and Policy UHT2 Eastbourne Borough Plan Saved Policies 2001 – 2011.

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.

## **128 Kempston, 3 Granville Road. Application ID: 180040.**

Demolition of existing building and redevelopment to provide x16 residential apartments (Use Class C3) (x8 net additional), new vehicle access on Granville Road and car parking – **MEADS.**

The committee was advised that Stephen Lloyd MP objected to the application for the following reasons:

1) The property listed for demolition was a fine example of a Victorian house and retained many of its original features. 2) Eastbourne needed affordable housing and it appeared that the property owners had deliberately run down the property over the years and failed to make much of an effort to rent out the remaining empty flats in the block. This was inappropriate and frankly did not fill Mr Lloyd MP with confidence at this company's future plans. Bulldozing this structure and replacing it under the aegis of their current planning application did not include any element of affordable housing, all of which the current block offered. 3) The building

had an important historical footprint; it was a military hospital in World War 1. In this year the 100<sup>th</sup> commemoration of the Great War, it would be wrong to demolish a building which maintained a living history link with the important time in our nation's journey. 4) Mr Lloyd MP believed that were this planning application be granted, it could encourage other property developers to neglect similar period buildings with an agenda to dismantle them. This would undermine the high quality aspect of the area, resulting in a further deterioration of an area of High Townscape Value.

It was also reported that the Specialist Advisor for Conservation objected to the application for the following reasons:

Although not originally the subject of a conservation consultation due to its non-protected location, the application's consideration by CAAG and significant public interest invited commentary on my part and he made the following points.

1) 3 Granville Road was a sizeable Victorian villa that clearly evidenced a number of features that typified and helped define the character and appearance of this area, which in turn formed part of the broader, distinctive town- planned vision for Eastbourne developed for the 7th Duke of Devonshire. 2) As such, this attractive and carefully detailed property made a positive contribution to its well- established and verdant residential community, which underpinned the local designation as an area of High Townscape value. 3) The absence of additional specific heritage protection for the property was unfortunate, although it appeared from documentary evidence submitted by a local resident that positive consideration was given to extending the College Conservation Area to encompass the area occupied by this property in the mid- 1980s. This was never actioned, however. As indicated at Conservation Area Advisory Group on 2 April 2018, an opportunity to reassess the situation would arise over the coming months as the Council were currently planning to undertake an appraisal of an Eastbourne conservation area during the 2018-19 cycle, and it was felt appropriate that this effort was focused on reviewing College or Meads Conservation Areas, thereby allowing for the issue of small pockets of non-coverage such as this to be reviewed afresh. 4) A number of substantial individual properties in the immediate area had been demolished over the course of the last 40 years. These had generally been replaced by apartment blocks in a range of broadly 'contemporary' styles, the effect of which had been to slowly alter, and erode, the traditional character and appearance of the area. This application also envisaged the replacement of a single dwelling, admittedly now internally sub-divided into a number of rented apartments, benefitting from generous outdoor space with another copycat block, with existing garden areas given over for parking spaces. This loss of green space was a cause for concern. 5) The design for the new block was broadly similar to a number of other developments locally, and did not invite any great excitement or commendation in architectural terms. Indeed, the design was not especially innovative, or of its time, and certainly did not use its distinctive and distinguished setting as an architectural inspiration, opting instead for a rather nondescript built form. The overall sense was one of a missed opportunity even in its own terms. In conclusion the Specialist Advisor for Conservation stated that he strongly believed that the proposed demolition of 3 Granville Road and its replacement by an apartment block of the kind envisaged is an inappropriate development for its setting and would have an adverse effect on the area in which it was situated.

Finally, the Specialist Advisor for Planning reported that the Victorian Society objected to the application for the following reasons:

1) Kempston was a handsome red-brick villa which occupied a prominent plot at the corner of Granville and Blackwater Roads. It was a finely detailed building, with many of its original features intact. 2) The building played an important role in defining the character of the immediate area, and especially the view along Blackwater Road which currently presented an almost complete prospect of handsome Victorian Villas. 3) Not only would the proposals result in the total loss of the non-designated heritage asset, but they would also significantly erode the predominantly Victorian character of the local area. There were already modern developments on two of the adjacent corner plots; far from setting a precedent these developments made it even more important that further erosion of local character was resisted.

Ms Hodge addressed the committee in objection stating that the property was in an area of High Townscape Value. She stated that the development would have a detrimental impact on Blackwater Road.

Councillor Smart, Ward Councillor, addressed the committee in objection stating that the property should be included in the forthcoming Conservation Area review.

Ms Nagy, agent for the applicant, addressed the committee in response stating that the property was in need of considerable repair, but was not of such significance to warrant listing. She also stated that there were many different styles of properties within the vicinity of this proposed development.

The committee discussed the proposals and agreed that it would be an overdevelopment of the site which would be out of keeping with the surrounding area.

The committee also requested that should the applicant wish to appeal, such an appeal should be in the form of an informal hearing so as to allow all interested parties the opportunity to raise their concerns.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that:

1) The proposed demolition would result in the loss of this Victoria Villa within an Area of High Townscape Value, detrimental to the character and appearance of the area contrary to saved policy UHT16 of the Borough Plan 2007, D10 of the Core Strategy Local Plan 2013 and section 12 of the National Planning Policy Framework 2012.

2) The proposal, by virtue of the height, footprint, bulk and scale and detailed design and materials is an over development of the plot which does not respect the character and appearance of the Area of High Townscape Value nor the pattern of development in the area, contrary to saved policy UHY1, UHT4, UHT5 and UHT16 of the Borough Plan 2007, Policies D10 and D10a of the Core Strategy Local Plan 2013 and Section 7 of the National Planning Policy Framework 2012.



#### 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, was considered to be an informal hearing.

### **129 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 given the fence works that had been implemented and to date all neighbours wished to withdraw their objections to the proposal. In terms of overlooking the neighbours now supported the scheme.

**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.
- 2) The development hereby permitted shall be carried out in accordance with the approved drawings submitted on 02 January 2018:

- Drawing No. DWG 11a – Site Plan & Block Plan
- Drawing No. DWG 1 – Pro G/F Plan
- Drawing No. DWG 2 – Pro G/F & Pro Rear Elev
- Drawing No. DWG 3 – Pro Front Elev
- Drawing No. DWG 4 – Pro Side Elev & Ex Side Elev
- Drawing No. DWG 5 – Pro Side Elev & Ex Side Elev

- 3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
- 4) Notwithstanding the plans hereby approved, all water run-off from the new roof, platform/steps and raised rear patio shall be dealt with using rainwater goods installed at the host property and no surface water shall be discharged onto any adjoining property, not shall the rainwater goods or downpipes encroach on the neighbouring property and thereafter shall be retained as such.

### **130 Arundel Court, 20 Arundel Road. Application ID: 171376.**

Outline Planning Permission (Access, Appearance, Layout and Scale) for proposed demolition of existing dwelling and erection of 19 flats together with parking spaces – **UPPERTON.**

The committee was advised that further comments from the Specialist Advisor for Arboriculture, following the submission of Arboriculture Method Statement and Arboricultural Impact Assessment, had been received. It was still not considered that the footprint of the building could safely accommodate the tree and its vulnerable rooting system. The proposed layout placed parts of the front elevation slightly forward of the outermost limit of the original building. This directly encroached in to the root protection zone (RPA) of the protected Beech tree. The nearby road (and underground services) and the building itself would have significantly constrained the volume of soil available to the tree's rooting system. This in

turn meant that any incursion in to the RPA would result in a disproportionate loss of the rooting system which would have a detrimental impact on the long-term health of the tree. Taking into consideration the excavation required to construct the foundations, the process of which would inevitably encroach further in to the RPA, and the need for scaffolding which would require further pruning back of the canopy, the cumulative effects of this would accrue to inflict significant damage on both the below and above ground parts of the tree.

Mr Smith addressed the committee in objection stating that parking would be an issue for the local residents and that the scale of the proposal was too large for the site.

Mr Sampson, agent for the applicant addressed the committee in response stating that the applicant had addressed the objections made and that site was not viable for affordable housing. Any overlooking issues could be addressed with obscure glazing.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that:

- 1) The proposed development fails to meet the requirements of the Affordable Housing Supplementary Planning Document 2017 by providing no on site affordable housing or a commuted sum payment contrary to Policy D5 of the Core Strategy Local Plan
- 2) By virtue of the proposed footprint, the close proximity to either side boundary of the site and the height of the proposed building and the location of windows providing direct overlooking the development would be an overbearing and unneighbourly form of development detrimental to the amenity of adjacent properties (residential care home and residential flats) contrary to the Core Planning Principles of the National Planning Policy Framework 2012, Policy B2 of the Core Strategy Local Plan 2013 and Saved Policy HO20 of the Borough Plan 2007.
- 3) By virtue of the lack of outlook and light to front elevation flats by virtue of the location of the TPO tree, and the small size of 6 of the units (30% of the proposed units) the scheme is considered to provide substandard accommodation detrimental to the amenity of future occupiers contrary to the Core Planning Principles of the National Planning Policy Framework 2012 and Policy B2 of the Core Strategy Local Plan 2013.
- 4) The development would have a significant detrimental impact on the long term health of the protected beech tree; the loss of the protected tree and the general loss of trees and soft landscaping to the site is detrimental to the character and appearance of the area contrary to Section 7 of the National Planning Policy Framework 2012, D10a of the Core Strategy Local Plan and Saved Policy UHT4 and UHT5 of the Borough Plan 2007.
- 5) The overall layout and scale of the development is considered unacceptable in terms of the size of the plot, by virtue of the height, footprint, siting within the site detailed design bulk and scale and the loss of the green openness of the rear garden by virtue of the scale of the development the proposal is therefore contrary to Section 7 of the National Planning Policy Framework 2012, Policy D10a of the Core Strategy Local Plan 2013 and Saved Policies UHT1, UHT and UHT5 of the Borough Plan 2007.

6) By virtue of the lack of mechanism in place to secure the works to widen and improve the access the access is considered inadequate to serve the proposed development resulting in severe highways impacts and impacts on the safety of pedestrians contrary to Paragraph 32 of the National Planning Policy Framework 2012.

#### 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.

### **131 192 Seaside and 2a Hoad Road. Application ID: 170960.**

Proposed demolition of existing buildings and erection of 6no. 2bed houses, 1no. 1bed bungalow, 1no. 1bed flat, 1no. 2bed flat and 1no. retail unit. Revised Site Layout Plan with no car parking spaces proposed.

This application relates to site of 192 Seaside and 2a Hoad Road –  
**DEVONSHIRE.**

The committee was advised that following Parking survey received on 11 April 2018, East Sussex Highways had amended their consultation response as follows:

The submitted parking survey satisfactorily demonstrated the parking capacity in the area was sufficient, allaying the previous concerns the Highway Authority had. As such, they did not wish to restrict grant of consent subject to the inclusion of conditions. Conditions to be set in relation to provision of cycle parking spaces prior to occupation, existing vehicular accesses off of A259 Seaside and Hoad Road to be physically closed prior to occupation and submission of construction method statement prior to any works taking place.

Policy TR2 of the Eastbourne Borough Plan stated that development proposals should provide for the travel demands they create and should be met by a balanced provision for access by public transport, cycling and walking.

Additionally, Policy D8 of the Core Strategy recognised the importance of high quality transport networks and sought to reduce the town's dependency on the private car. The proposed development therefore complied with policy and as such should not be refused on the basis that this was a parking free scheme.

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

- 1) Timeframe
- 2) Drawings
- 3) Surface water drainage/SUDS scheme design
- 4) Proof of compliance with SUDS layout
- 5) Construction Method Statement to include Demolition statement, Asbestos investigation, construction times and habitat mitigation
- 6) Flood Risk Assessment
- 7) Hard/Soft Landscaping

- 8) Boundary treatments
- 9) Waste/Recycling.
- 10) PD windows
- 11) PD extensions

Informative:

The applicant's attention is drawn to the need for an agreement to be made in relation to any party walls. This not a matter covered under this planning permission.

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Sparrowgrove House, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

### **132 South Downs National Park Authority Planning Applications.**

There were none.

The meeting closed at 7.55 pm

**Councillor Murray (Chair)**

<b>App.No:</b> 180355	<b>Decision Due Date:</b> 7 June 2018	<b>Ward:</b> Ratton
<b>Officer:</b> Danielle Durham	<b>Site visit date:</b>	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> <b>Neighbour Con Expiry:</b> 17 May 2018 <b>Press Notice(s):</b>		
<b>Over 8/13 week reason:</b>		
<b>Location:</b> 16 Woodland Avenue, Eastbourne		
<b>Proposal:</b> Application for extensions to side, rear, conversion of garage, internal alterations. Along with provision of temporary elevation to South-West of the property. Alterations to the terrace/patio area to South-East (rear) of the property.		
<b>Applicant:</b> Mr & Mrs Paul & Claudine Badawi		
<b>Recommendation:</b> Refuse permission		

## Executive Summary:

This application has been referred to committee in order to allow for wider debate from Planning Committee Members with regard to the merits and issue arising from the proposal with specific reference to the rear balcony.

Permission was granted at committee in August 2016 for a two storey rear extension adjacent to a single storey rear extension with associated terrace area with privacy screen, along with garage conversion and alterations to the front garden to provide off street parking.

Works have not been implemented in accordance with the approved drawings and this application seeks approval for an alternative scheme. Where necessary privacy screen are proposed to mitigate the impacts of the proposal.

## Relevant Planning Policies:

National Planning Policy Framework 2012

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

Core Strategy Local Plan 2013 Policies  
B2 Creating Sustainable neighbourhoods  
C12 Ratton & Willingdon Village Neighbourhood Policy  
D5 Housing  
D10 Historic Environment  
Eastbourne Borough Plan Saved Policies 2007  
US4 Flood Protection and Surface Water  
HO2 Predominantly Residential Areas  
HO20 Residential Amenity  
UTH4 Visual Amenity

**Site Description:**

The site consists of a detached two storey dwelling house in a road of properties with mixed/varied architectural styles/appearance. The property currently has a dropped curb entrance to the left hand side of the front garden, with drive way to the garage. Works have begun following permission 160546.

**Relevant Planning History:**

140127

Conversion of existing garage to a habitable room with external door on the east-facing side and replacing garage door at front with a window, together with the creation of an enlarged porch to the front elevation of the existing dwelling.

Householder

Approved conditionally

160546

Extension to side and rear, conversion of garage to office space, internal alterations and associated works.

Householder

Approved conditionally

31/08/2016

171450

Application for approval of details reserved by condition 7 (Implementation of archaeological works.) of planning permission granted 31 August 2016 for extension to the side and rear, conversion of garage to office space (Ref: 1605 4 6)

1605 4 6)

Approval of Condition

Approved unconditionally

13/12/2017

**Proposed development:**

The applicants have permission approved under planning application ref 160546 which has been partially completed. The two storey rear extension is due to be completed at a later date.

There are a number of elements to this application:-

- Conversion of garage to habitable room (office) with front canopy.
- Two storey Front extension (utility/bathroom) under hipped pitched roof
- Single storey rear extension (incorporating roof terrace) with provision of temporary screen until the two storey rear extension is complete
- Alterations to the front garden area (access and parking space)
- Covered canopy to the side providing access to the rear garden.
- Raised patio to the rear with privacy screen

These are explained in more detail below:-

Conversion of garage to habitable room (office) incorporating front canopy.  
The applicant is seeking planning permission to convert the garage into an office and form a cat-slide roof over garage and part of the rear extension.

Two storey Front extension (utility/bathroom) under hipped pitched roof:  
It is also proposed to build a two storey extension on the front elevation to create a lobby on the ground floor and a bathroom on the first floor. This is proposed to have a hipped roof. This two storey extension to the front would be 7.05m in height total height and 4.9m to the eaves and extending 2.2m forward from the main dwelling.

Single storey rear extension (incorporating roof terrace):  
The proposed single storey extension to the rear is proposed to wrap around the side elevation to the proposed office room. The rear section would extend 5.5m from the existing rear elevation and be 7.5m in width across the rear. This rear section would have a mono pitched roof to the East elevation and a privacy screen 1.85m in height alongside a flat roof with balcony/terraced area 26.6m<sup>2</sup> with a glass balustrade 1m high facing directly down the garden/plot. The access has been varied in this application to include a small window and French doors rather than the approved two sliding doors. This application has also included an additional roof light in the flat roof single storey extension which was not included in the previous application.

Alterations to the front garden area (access and parking space):  
The applicant has proposed that the front garden is paved with permeable tarmac drive way, raised above the natural ground level with the existing dropped curb for entrance.

It is proposed that the front boundary wall is to be removed down to ground level. There is proposed to be paved steps and a ramp to access the front of the property.

#### Raised patio to rear:

The applicant has proposed a raised patio to the rear garden to extend the existing rear garden. The plans do not include alterations to the existing boundary treatment. This would extend approx. 5,15m from the rear of the existing two storey rear extension and 3.3m from the rear of the single storey extension. The height of the raised patio where it abuts No 14 is approximately 1m above ground level.

A 1.8 m privacy screen is proposed to the flank of the raised patio adjacent to No 14.

#### **Consultations:**

##### External:

County Archaeologist – No objections

#### **Neighbour Representations:**

Objections have been received and cover the following points:

- The work is already done
  - Surprise and disgusted that the original application was approved based on poor design, failure to maintain style of properties and impact to privacy. The new application does not rectify these issues.
  - There are no details of the proposed screens size or materials or how it will protect privacy
  - The previously approved solid brick wall would provide privacy and the temporary screen will not do that.
  - The drawing suggest the raised patio sloped down this is not the case.
  - the raised patio is 24 inched high and the fence 6 foot. This allows for overlooking into windows and the garden.
  - There is no drainage provision for the patio, water will run to the boundary fence shortening its life span.
  - the proposed new lay out will not provide sufficient turning space
- There is no boundary wall proposed at the front adjacent to the footpath and this will lead to the owners driving over the verge and damaging the grass and causing danger to pedestrians.

#### **Appraisal:**

##### Principle of development:

There is no objection in principle to homeowners wishing to extend/adapt/alter their properties to meet their changing family needs, subject to the these changes not adversely impacting up residential amenity of the occupiers of adjacent/nearby properties plots and also that the development is respectful to the character of the host property and also the predominate pattern of development in the wider area.



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

*Overlooking and privacy-*

In regards to the proposed roof lights, as discussed and approved in the previous application it is considered that there would not be direct overlooking of number 18 Woodland Avenue as they would be 1.7m above floor level. The roof terrace is not considered to cause a significant adverse impact of overlooking to number 18 Woodland Avenue as the applicants have proposed a mono-pitched roof on the North East Side elevation 1.85m above the first floor level in the bedrooms. This would create a privacy screen between the roof terrace of number 16 and number 18 Woodlands Avenue to minimise any impact caused by overlooking.

It is considered that the balcony balustrade looking directly down the garden would provide views over the neighbouring plots; however this would not be any more severe/acute than if bedroom windows were to be sited in this location. In addition it is noted that the first floor windows to the rear of no 20 Woodland Avenue would afford a degree of direct overlooking.

It is accepted that elevated terraces can often increase the perception of being overlooked for the occupiers of neighbouring properties. However in this instance given the nature of the design of the terrace and the relatively generous plots it is considered that the occupiers of neighbouring property number 18 would not be materially impacted by this element of the proposal sufficient to justify/substantiate a refusal of the application.

In relation to the glazed screen proposed to minimise overlooking from the first floor terrace to number 14 Woodland Avenue. In addition a 1.8m high privacy screen has been proposed along the common boundary of the raised patio (between the application site and No 14).

It is considered that subject to controls over the opacity of the glazing (at first floor terrace) that these privacy screens should provide appropriate protection to the amenities of the occupiers of the neighbouring property.

If the application is supported then planning conditions could be attached requiring further details and subsequent approval of the proposed glazing.

*Loss of outlook/overshadowing-*

Given the orientation of the properties in this part of the street and the location and size of the proposed extensions/alterations there should not be any material impact upon the occupiers of the neighbouring plots by way of overshadowing or loss of outlook.

Design issues Building:

The proposal will not include any removal of any trees or hedging and there for there will be no impact of natural screening.

The design of the proposal to the front elevation and front garden visible to public areas is sympathetic with the design of the neighbouring properties. The proposed developments to the rear of the property would not be visible to any public areas but are also designed sympathetically to the original house.

It is considered that there will be no significant adverse impact to the visual amenity caused by the proposed developments.

Impact on character and setting of a listed building or conservation area:  
The property is not a listed building nor in a conservation area.

Impacts on trees:

There are no trees proposed to be removed as a result of the proposed works.

Impacts on highway network or access:

It is considered that the complete removal of the front boundary wall would be harmful and discordant to the predominant character of the site and surrounding area.

It is also acknowledged that with the front wall removed there may way be a tendency to 'bump the kerb' and access the front garden car parking, also there may well be on occasion times when vehicles overhang the public footpath. Both of these scenarios are likely to provide a hazard to pedestrians and other highway users.

### **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:**

Refuse planning permission

The proposed front garden layout is considered to be intrusive to the local street scene and fails to maintain local distinctiveness and would enable the likelihood of indiscriminate access (not via a dropped kerb) and indiscriminate parking over-sailing the public footpath the proposal is likely to result in harm to pedestrian and other highway users. The proposal would be contrary to Policy D10a Design of the Local Plan.

Appeal:

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

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# Agenda Item 7

<b>App.No:</b> 180330 (PPP)	<b>Decision Due Date:</b> 4 June 2018	<b>Ward:</b> Devonshire
<b>Officer:</b> Chloe Timm	<b>Site visit date:</b> 16 May 2018	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 3 May 2018 <b>Neighbour Con Expiry:</b> 3 May 2018 <b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> n/a		
<b>Location:</b> 35 Clarence Road, Eastbourne		
<b>Proposal:</b> Proposed Single storey extension to front elevation		
<b>Applicant:</b> Mr Joel Bonnici		
<b>Recommendation:</b> Approve Conditionally		

## Executive Summary

This application is being reported to planning committee as the applicant is an employee of Eastbourne Borough Council.

The size and location of the extension is considered to have an acceptable impact upon the street scene and also have an appropriate impact upon the occupiers of the adjacent/nearby plots and properties.

The extensions includes the foot print of the existing apartment; this would enhance the living environment for the occupiers of this unit.

Scheme is recommended for approval subject to conditions.

## Planning Status:

End of terrace property which has been converted into flats in a predominantly residential area of Eastbourne.

## Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1 Spatial Development Strategy and Distribution - Sustainable Neighbourhood

C3 Seaside Neighbourhood Policy

D5 Housing

D10a Design

Eastbourne Borough Plan Saved Policies 2007

US5 Tidal Flood Risk  
HO2 Predominantly Residential Areas  
HO20 Residential Amenity  
UHT1 Design of new Development  
UHT4 Visual Amenity

### **Environment Agency Flood Zones**

Flood Zone 2  
Flood Zone 3  
Tidal Models

### **Environment Agency Flood Defences**

Areas Benefiting from Defences

### **Site Description:**

The application site is a two storey end of terrace property located on the corner of Clarence Road and Dudley Road. The property has been subdivided in to flats with 35 being on the ground floor and 35a at first floor. 35 Clarence Road benefits from a small courtyard garden to the front elevation.

### **Relevant Planning History:**

#### **991136**

Change of use from retail shop to self-contained flat.  
Planning Permission  
Approved unconditionally  
18/03/1999

#### **000144**

Alterations to provide window and door on ground floor of property fronting Dudley Road.  
Planning Permission  
Approved unconditionally  
03/05/2000

### **Proposed development:**

The application is seeking permission for an infill extension to the front elevation.

The extension would be approximately 3.08m by 3.73m and to a height of 3.40.

Internal alterations to take place to change the existing layout, relocation of the bathroom, the living room into a second bedroom and the new extension providing space for an open plan kitchen/living room area and access to the courtyard garden.

### **Consultations:**

#### Neighbour Representations:

No comments received.

### **Appraisal:**

#### Principle of development:

There is no objection in principle to the proposed development to the building provided it would be designed to a high standard, respect the established character of the area and

would not have an adverse effect on the amenity and is in accordance with the policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007 and the National Planning Policy Framework (2012).

The main issue to consider when assessing this application is the impact of the proposal on the character and vitality of this area, and how the development impacts upon the visual amenity of the host building, the character of the area (mentioned above) and impact on neighbouring amenity.

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

It is considered that the proposed development would not have a detrimental impact on the amenity of the surrounding area or that of the adjoining neighbours.

The proposal will see a single storey extension erected within the courtyard of the application site. The extension will decrease the size of the courtyard by approximately half. The proposal will go relatively unnoticed within the street scene as it will be erected to be in line with the existing ground floor front elevation, will be constructed of materials to match the host property and will be situated behind existing boundary fencing.

The extension is not thought to cause a harmful impact on the adjacent properties with no concerns being raised regarding over-shadowing or over-looking. The garage adjacent to the site is currently being used as an office and this has a window facing the proposed extension. The extension will be set approximately 0.83m away from that elevation. The loss of light that may be caused is not considered detrimental enough to warrant refusal due to being commercial and not residential use.

Design issues:

The proposed alterations to the building have been designed to be sympathetic to the design of the building and are considered appropriate in terms of scale and bulk.

**Human Rights Implications:**

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

**Conclusion:**

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

**Recommendation:**

Approve Conditionally

**Conditions:**

- 1) Time limit
- 2) Approved Plans.

- 3) Matching
- 4) Flat roof not to be an amenity space
- 5) Water run off from roof
- 6) Extension shall not to be used as independent residential unit of accommodation.

Appeal:

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.



<b>App.No:</b> 180257	<b>Decision Due Date:</b> 21 May 2018	<b>Ward:</b> Langney
<b>Officer:</b> Chloe Timm	<b>Site visit date:</b> 16 April 2018	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 13 April 2018 <b>Neighbour Con Expiry:</b> 13 April 2018 <b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> Planning Committee		
<b>Location:</b> Langney Shopping Centre, 64 Kingfisher Drive, Eastbourne		
<b>Proposal:</b> Proposed installation of an office, maintenance bays, car washing canopy and car cleaning facilities within the car park area of Langney Shopping Centre for use by P1 Pit Stop. Services to include tyre replacement, vehicle valeting and detailing.		
<b>Applicant:</b> Mr Jay French		
<b>Recommendation:</b> Approve Conditionally		

## Executive Summary:

The application is reported to planning committee at the request of ward Councillor and due to the number of objections received and officers supporting the proposal.

The site of the proposal is within the north car park of Langney Shopping Centre.

The application is seeking planning permission for business P1 Pitstop to operate within the car park of Langney Shopping Centre to include the erection of an office, maintenance bays, car washing canopy and car cleaning facilities.

P1 Pitstop would offer services of tyre replacements, vehicle washing, valeting and detailing.

Scheme, design and appearance are considered appropriate for the site and surrounding area and is recommended for approval subject to conditions

## Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy

## 7. Requiring good design

### Eastbourne Core Strategy Local Plan Policies 2013

B1 Spatial Development Strategy and Distribution - Sustainable Neighbourhood  
C8 Langney Neighbourhood Policy  
D4 Shopping - Langney Shopping Centre (District)  
D5 Housing  
D10a Design

### Eastbourne Borough Plan Saved Policies 2007

SH7 District Local and Neighbourhood Centres  
UHT8 Protection of Amenity Space  
US3 Infrastructure Services for Foul Sewage and Surface Water Disposal  
US4 Flood Protection and Surface Water  
HO20 Residential amenity  
UHT1 Design of New Development  
UHT4 Visual Amenity

#### **Site Description:**

The application site relates to part of the surface car park serving the existing Langney Shopping Centre.

#### **Relevant Planning History:**

##### **130229**

Extension of existing shopping centre to provide additional retail units, reconfiguration of car park and internal access road, amended service facilities and landscaping.

Planning Permission  
Approved conditionally  
24/09/2014

#### **Proposed development:**

The proposal is to install two new structures/buildings within the existing surface car park to support a proposed new business (P1 Pit Stop) which is primarily a tyre fitting, wheel balancing and puncture repair centre.

One new building would provide accommodation for tyre fitting and tyre maintenance/repair bays with ancillary office accommodation and the other building would provide canopy cover for the car cleaning and valeting.

The P1 Pit Stop building will measure 27m in length, 7m wide and a maximum height of 4.5m high and formed from black powder coated steel cladding to the walls under a mono pitched roof.

The car wash canopy measures 16m in length, 5m wide and 3m high under a curved roof.

The application proposes to implement a mechanism to mitigate water impurities entering the surface water drainage system.

**Consultations:**

Internal:

Specialist Advisor (Planning Policy):

*In principle, the development is situated in an appropriate location, a car park of a designated shopping centre and is in accordance with policy C8 of the Core Strategy. Surface water mitigation measures seem to have been considered, so there is no objection to the current proposal from a planning policy perspective, in principle.*

Specialist Advisor (Arboriculture):

*No adverse comments to make with regards the loss of trees, but we should ask for a soft landscaping scheme.*

**Neighbour Representations:**

6no. Objections have been received and cover the following points:

- Langney Avon Pond is close to the application site
- 2no trees would need to be felled
- 30 spaces would have to be removed for the development to take place
- There is an established car wash and tyre centre in close proximity
- Increased traffic within the carpark and surrounding roads and junctions will make it hazardous and increase vehicle emissions
- The amount of noise created from operations of the new development with compressors, air guns, paint sprayers etc.
- Contamination of water courses, increased risk of fire from use of oils and lubricants
- Increased criminal element outside of business hours causing disturbance by intruder alarms, vandalism etc.
- Storage and disposal of used tyres and other waste materials
- Langney Shopping Centre is not a trading estate.
- Will look out of place and spoil views from surrounding residential properties

**Appraisal:**

Principle of development:

There is no objection in principle to the proposed development to the building provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the amenity and is in accordance with the policies of the Core Strategy 2013, and saved

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

The main issue to consider when assessing this application is the impact of the proposal on the character and vitality of this area, and how the development impacts upon the visual amenity of the host building, the character of the area (mentioned above) and impact on neighbouring amenity.

It is considered that the proposed development will not cause a severe detrimental impact on the amenity of the surrounding area or of the residents surrounding.

Objections have been raised in relation to the necessity of having the new proposed business on the site when there are other businesses of similar operations within the area. The proposed development complies with planning policy in line with the vision for the future of Langney Shopping Centre by encouraging extensions and redevelopment of the area.

The noise pollution impact has been outlined in the enclosed Design and Access Statement with measures to reduce potential noise pollution resulting from the proposal. This includes acoustic barrier fencing, rubber matting and the use of all equipment within the internal surroundings of the proposed units.

The residential properties surrounding are not directly adjacent to the application site and as such it is considered that the impact from the proposal would be minimal. The shopping centre and the surrounding roads are relatively busy 7days a week and any additional noise caused by the new development is thought to be minimal and result in an insufficient loss of residential amenity to substantiate a refusal of planning permission.

Regarding surface water drainage a Zero Discharge Cleaning System (ZDS) will be implemented to mitigate water impurities. Furthermore the system should recycle the waste water to limit the surface water output. A condition will be set to ensure that a satisfactory drainage and SUDs scheme is submitted prior to any construction taking place in order to mitigate any issues that may arise from operations.

The proposed development will not see the storage of used tyres, there will be daily waste disposal by P1 Pitstop. There will be storage tanks on site which, when full, the contents will be disposed of by a licensed waste disposal carrier.

The proposed units will have roller shutters for security when out of operating hours. There is no reason to suggest that there would be an increase in criminal activity from this proposed development.

The proposed site is within a commercial area and is therefore considered to be appropriate and recommended for approval.

Design issues:

The proposed alterations to the building have been designed to be sympathetic to the design of the building and are considered appropriate in terms of scale and bulk.

Impacts on trees:

There are trees protected by planning conditions within the application site which would be required to be removed if this proposal is approved. The Arboriculture Specialist Advisor has been consulted and advised that there is no objection to the proposal provided that a hard and soft landscaping scheme is provided prior to works commencing to ensure that the character and amenity of the area is not compromised.

Impacts on highway network or access:

Langney Shopping Centre has planning permission approved conditionally (PC 130229) for the extension of existing shopping centre to provide additional retail units, reconfiguration of car park and internal access road, amended service facilities and landscaping. Within this application it states that once the development is completed there will be 641 spaces for cars to park at the shopping centre.

This application represents less than 3% of the parking spaces within the carpark and a survey was conducted on 27 April 2018 which found that the carpark is used at around 70% of capacity. Therefore it is considered that the proposed new facilities will not have a detrimental impact on the usage and availability of spaces for those wishing to use the shopping centre.

The shopping centre carpark in its current state has some operational issues and it is considered that the upgrade planned as part of the extant consent (130229) and the new signage connected with this proposed development would give location and directional wayfinding signage that would help to mitigate the impact/conflict between delivery/serving vehicles and patrons for the shopping centre and the new tyre fitting and car washing business.

**Human Rights Implications:**

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

**Conclusion:**

It is considered that the proposed development will not negatively impact the amenity of the occupiers of surrounding properties or be detrimental to the

character and appearance of the area. The proposal therefore complies with local and national policies.

**Recommendation:**

Approve Conditionally

**Conditions:**

- 1) Timeframe
- 2) Drawings
- 3) Suds
- 4) Landscaping

**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

<b>App.No:</b> 180352 (PPP) 180353 (LBC)	<b>Decision Due Date:</b> 11 July 2018	<b>Ward:</b> Devonshire
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> <b>Numerous</b>	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 14 May 2018 <b>Neighbour Con Expiry:</b> 14 May 2018 <b>Press Notice(s):</b>		
<b>Over 8/13 week reason: Within Time</b>		
<b>Location:</b> Savoy Court Hotel, 11-15 Cavendish Place, Eastbourne		
<b>Proposal:</b> Planning permission for conversion of existing hotel into 15 residential self-contained flats (Listed Building Consent sought under application 180353)		
<b>Applicant:</b> Mr Sajjad Shah		
<b>Recommendation:</b>  <b>1. 180352 Planning Application:-</b>  Subject to Legal Agreement covering: Local Labour Initiatives and Affordable Housing.  Then planning permission be granted subject to conditions  <b>2.180353 Listed Building Consent</b>  Granted Listed Building Consent subject to conditions:		

## Executive Summary

This application is being reported to planning committee as it relates to a Major application.

This application proposes the conversion of an existing hotel within the secondary tourist accommodation zone. The application is accompanied by evidence outlining that the loss of the hotel/bedspace confirms with adopted local plan policies.

The delivery of 15 apartments in this highly sustainable location would contribute to meeting housing requirements within the town centre and comply with National and Local

policies. The internal/external refurbishment makes a positive contribution to the local street scene.

Planning and Listed building consent is recommended for approval.

**Relevant Planning Policies:**

National Planning Policy Framework

Introduction – Core planning principles

4. Promoting sustainable transport

6. Delivering a wide choice of high quality homes

7. Requiring good design

**Borough Plan Policies**

Saved Policies of the Eastbourne Borough Plan 2007

TO1 Tourist Accommodation Area

TO2 Retention of Tourist Accommodation

HO20 Residential Amenity

UHT1 Design of New Development

UHT15 Protection of Conservation Area

UHT17 Protection of Listed Buildings

**Eastbourne Core Strategy Policy**

Eastbourne Core Strategy Local Plan 2013

B1 Spatial Development

B2 Creating Sustainable Neighbourhoods

C1 Town Centre Neighbourhood

D3 Tourism

D5 Housing

D10 Historic Environment

D10a Design

**Site Description:**

The application site relates to a mid-terrace property on the eastern side of Cavendish Place, currently used/occupied by Savoy Court Hotel. The hotel is located within the 'secondary frontage' as identified by the Councils tourist accommodation zone.

The building is a Grade II listed building (1949) and possesses some interesting external features (canopies & railings) which add to the wider character of the area

**Relevant Planning History:**

030091

Reinstatement of canopies, cornices and decorative pelmet on balconies on front elevation, and replacement window to first and second floor bays.

Planning Permission

Approved unconditionally

14/04/2003



030094

Reinstatement of canopies, cornices and decorative pelmet on balconies on front elevation, and replacement window to first and second floor bays.

Listed Building Consent

Approved unconditionally

14/04/2003

### **Proposed development:**

Planning and listed building consent is sought for the change of use from Hotel to self-contained residential accommodation.

The existing building is a hotel formed by the amalgamation of 3 former town houses; this scheme proposes to revert the building back to its original 3 property footprint. The three buildings are proposed to be converted internally to provide one flat per floor, 5 flats per building creating 15 units in total.

The conversion is supported by internal alterations and limited external changes. The main changes relates to the recreation of stair flights where they are missing, re-opening of former windows and the introduction of stairs and railings down to the lower ground floor level from the street (Cavendish Place).

The scheme proposes for each property cycle and refuse storage within the rear yard/garden area and dedicated internal domestic storage cupboards at ground floor level.

The application is accompanied by a report by the Eastbourne Tourist Accommodation Consultation Group:- *The group was established to support the Councils Tourist Accommodation SPD Feb 2017 and is considered to offer informed but impartial advice on applications that promote the loss or change of tourist accommodation with the town. The group does not have any statutory function in its own right, but its guidance will be a material consideration for EBC assessment of planning applications.*

### **PROPOSED ACCOMMODATION SCHEDULE**

The table below illustrates how each building will be divided and the accommodation proposed and compares this with the National Space Standards.

<b>Lower ground floor</b>	<b>Space provided</b>	<b>Size of the unit</b>	<b>National Space standards requirements</b>
<b>No 11</b>	<b>64</b>	<b>2-bed</b>	<b>61 sqm</b>
<b>13</b>	<b>63</b>	<b>2-bed</b>	<b>61 sqm</b>
<b>15</b>	<b>64</b>	<b>2-bed</b>	<b>61 sqm</b>
<b>Upper Ground Floor</b>			
<b>No 11</b>	<b>35</b>	<b>1 bed</b>	<b>50 sqm</b>
<b>13</b>	<b>39</b>	<b>1 bed</b>	<b>50 sqm</b>
<b>15</b>	<b>35</b>	<b>1 bed</b>	<b>50 sqm</b>

<b>First Floor</b>			
<b>No11</b>	<b>46.5</b>	<b>1 bed</b>	<b>50 sqm</b>
<b>13</b>	<b>51</b>	<b>1 bed</b>	<b>50 sqm</b>
<b>15</b>	<b>52</b>	<b>1 bed</b>	<b>50 sqm</b>
<b>Second Floor</b>			
<b>No11</b>	<b>41</b>	<b>1 bed</b>	<b>50 sqm</b>
<b>13</b>	<b>56</b>	<b>1 bed</b>	<b>50 sqm</b>
<b>15</b>	<b>41</b>	<b>1 bed</b>	<b>50 sqm</b>
<b>Third Floor</b>			
<b>No 11</b>	<b>41</b>	<b>1 bed</b>	<b>50 sqm</b>
<b>13</b>	<b>56</b>	<b>1 bed</b>	<b>50 sqm</b>
<b>15</b>	<b>41</b>	<b>1 bed</b>	<b>50 sqm</b>

### **Consultations:**

#### Internal:

Specialist Advisor (Planning Policy):-The principle of the loss of the tourist accommodation and conversion to residential is supported as it meets the criteria set out in the Tourist Accommodation Retention SPD

Economic Regeneration Officer: - Given scale of development Local Labour initiatives should be applied.

CIL Given that the scheme proposes flats then it would not be liable for a CIL charge.

Conservation Officer: This application follows significant pre application discussions and given that the historic fabric (where it exists) is to be retained and refurbished it is considered that the development would have an acceptable impact upon the character of this part of this listed terrace in particular and the wider area in general. To safeguard the import historic assets conditions are recommended.

#### External:

County Archaeologist – No objections to the proposals on archaeological grounds.

Eastbourne Tourist Accommodation Consultation Group:- The groups' recommendation: the panel concluded that all aspects of the SPD had been met by this proposal namely:-

- that the there is no interest in the business being brought as a going concern
- that the business is being run in a reasonable and professional manner
- that the running costs of the business cannot be covered.

#### Neighbour Representations:

No objections have been received.

### **Appraisal:**

#### Principle of the development:

The application has been submitted following pre-application discussion, including presentation to Eastbourne Tourist Accommodation Consultation Group where full

support was given, it is considered therefore that the principle of the loss of the hotel accommodation has passed the policy tests and is deemed acceptable.

The scheme would deliver new apartments that would be evaluated as 'windfall' units in terms of the Councils 5 year housing land supply and these are to be welcomed within this highly sustainable town centre location. The lack of a 5 year housing land supply (3.16 years) is a significant material consideration in the determination of this application.

It is considered therefore that the conversion to self- contained apartment is acceptable in principle.

Impacts of the scheme:-

The main issues to consider in the determination of this application are:

- the impact on the character and appearance of the listed building and the wider conservation area,
- residential amenity and flat size
- affordable housing
- the impact on the highway network.
- other issues

#### The listed building and its setting

The application has been the subject of negotiations, which has resolved issues of detailing on the main facades facing Cavendish Place and the proposed layout, and in this respect there are no outstanding matters.

It is considered that the refurbishment, replacement and reinstatement of former features would result in form of development that is respectful to the listed character of this parade and the wider conservation area.

The National Planning Policy Framework places strong emphasis on good design, and states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It requires development to harmonise with the character of the area and respect local distinctiveness. It is considered that given the retained layout and external features are such that the proposal is beneficial in this respect.

The proposed alterations have the full support of the Councils Conservation officer.

It is accepted that the hotel as a business is not covering costs and if the business were to fail then there is the potential for the building to fall into disrepair affecting the local character of the area. This application if supported would help to retain the long term retention of this this listed building and therefore make a positive contribution to the street scene.

#### Residential amenity and flat size

Given that this scheme is broadly a conversion there are no significant external works that should impact upon the residential amenity of the occupiers of adjacent residential properties in terms of loss of outlook and light. Similarly it is considered that the

residential use of the property would be likely to have less of an impact than the commercial use of the property as a hotel.

It is noted that a number of the units do not comply with the National Space Standards; however in this instance it is considered that the proposal relates to the conversion of an existing building and that this building is listed. Given this it is considered that the desire to mitigate the intrusion to the fabric of the historic asset outweighs full compliance with the space standards.

Whilst some of the converted flats are below standard they all retain sufficient natural light and ventilation.

The proposed flat sizes are comparable to those within the near vicinity for example at the former Elm Park Hotel (20-24 Cavendish Place), and at Nos 3, 5 and 7 Cavendish Place.

Given the desire to retain historic fabric, added to the desire for windfall residential units in a highly sustainable location are considered to outweigh the harm caused by the size of some of the apartments and as such a refusal based on this issue could not be justified.

#### Affordable housing

The scheme proposes the conversion of the building to create 15 new apartments; this would be in excess of the affordable housing threshold and as such the scheme should comply with the Councils affordable housing policy.

There is limited information on this issue within the application and will be controlled via a planning condition and or legal agreement

#### Parking

This is a very sustainable location in the town centre, and it would be unreasonable to require parking spaces to be provided even if it were possible. Given the size of the flats, it is unlikely that car ownership would be high. It is noted that the highway loading bays could be reassigned to general on-street parking and thereby creating an additional 6 on-street spaces.

It is considered that the conversion into residential to the density proposed is likely to place less impacts upon the local highway network than the current commercial use as a hotel.

#### Other issues

Given the scale of the development there is the potential to secure some local labour opportunities. This issue can be controlled via a planning condition and or a legal agreement.

Officers advise that given the pre-application discussions that have taken place and that the proposal has been reported to and obtained the approval of the Eastbourne Tourist Action Consultation Group (in accordance with established/adopted planning policy) then a refusal based around the principle of loss of tourist accommodation would expose the Council to an award of COSTS at appeal.

**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:**

This scheme complies with National and Local policies which aim, to safeguard heritage assets and deliver new windfall residential accommodation in a sustainable location in this regard the scheme is considered acceptable and as such planning and listed building consent is recommended.

**Recommendation:****1. 180352 Planning Application**

Subject to Legal Agreement covering:

Local Labour Initiatives and Affordable Housing Initiatives. Then planning permission be granted subject to the following conditions

- 1 Time Limit
- 2 Approved Plans
- 3 External Joinery details
- 4 the cycling and refuse accommodation to be provided prior to the first occupation
- 5 hard and soft landscaping to include tree protection
- 6 construction method statement
- 7 details of new stair case and balustrade prior to the implementation of that element of the scheme
- 8 External boundary treatments
- 9 External decorative scheme
- 10 External Rainwater goods
- 11 Internal joinery details
- 12 Historic feature to be protected

**2. 180353 Listed Building Consent**

Granted subject to the the following conditions:

- 1 Time Limit
- 2 Approved Plans
- 3 External Joinery details
- 4 the cycling and refuse accommodation to be provided prior to the first occupation
- 5 hard and soft landscaping to include tree protection
- 6 construction method statement
- 7 details of new stair case and balustrade prior to the implementation of that element of the scheme
- 8 External boundary treatments
- 9 External decorative scheme
- 10 External Rainwater goods
- 11 Internal joinery details
- 12 Historic feature to be protected

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.