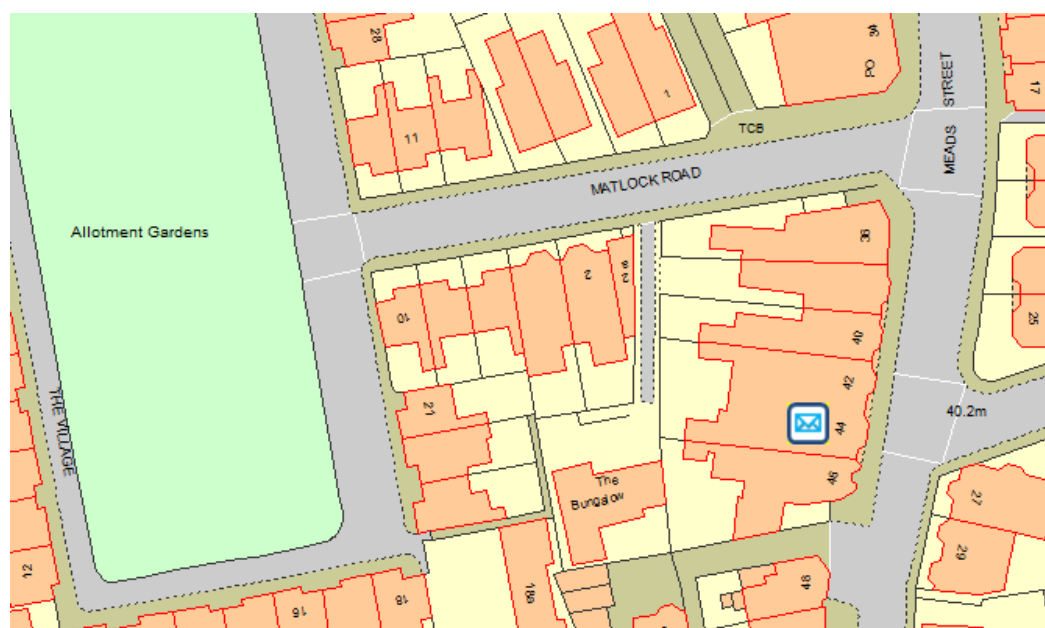


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|---|---|-------------------------------------|
| App.No: 190717 | Decision Due Date: 29 November 2019 | Ward: Meads |
| Officer: Chloe Timm | Site visit date: | Type: Planning Permission |
| Site Notice(s) Expiry date: 1 November 2019 Neighbour Con Expiry: 1 November 2019 Press Notice(s): 8 November 2019 | | |
| Over 8/13 week reason: n/a | | |
| Location: 42-44 Meads Street, Eastbourne | | |
| Proposal: Single storey rear extension and re-siting of kitchen extract (retrospective application) | | |
| Applicant: Hui Sheng | | |
| Recommendation: Grant Permission subject to conditions | | |
| Reasons for recommendation: Does not adversely impact the character and appearance of the host conservation area | | |

Contact Officer(s): **Name:** Chloe Timm
Post title: Senior Caseworker
E-mail: chloe.timm@lewes-eastbourne.gov.uk
Telephone number: 01323 415962



1 Executive Summary

- 1.1 This application is brought before committee at the request of the Meads Ward Councillor, Cllr Taylor.
- 1.2 The proposal is acceptable in principle subject to conditions. This application is seeking retrospective approval for a single storey extension to the rear and the re-siting of the kitchen extractor fan.

2 Relevant Planning Policies

2.1 Revised National Planning Policy Framework 2019

- 2. Achieving sustainable development
- 4. Decision-making
- 8. Promoting healthy and safe communities
- 12. Achieving well-designed places

2.2 Eastbourne Core Strategy 2013

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C11 Meads Neighbourhood Policy
- D4 Shopping Meads Street District Shopping Centre
- D10 Historic Environment Conservation Area
- D10 Historic Environment Archaeological Notification Area
- D10a Design

2.3 Eastbourne Borough Plan Saved Policies 2007

- HO2 Predominantly Residential Areas
- HO20 Residential Amenity
- NE18 Noise
- NE28 Environmental Amenity
- UHT1 Design of New Development
- UHT4 Visual Amenity
- UHT15 Conservation Area

3 Site Description

- 3.1 42-44 Meads Street is a mid-terrace three storey property located on the Western side of Meads Street. The site is an existing restaurant occupied by Xing Fu Chinese restaurant.
- 3.2 The restaurant occupies the ground floor levels of 42 and 44 Meads Street where above the restaurant are residential units. The prevailing character along Meads Street is commercial use on the ground floor with residential above.
- 3.3 The property shares boundaries with 40 Meads Street to the north (side), 46 Meads Street to the south (side) and The Bungalow, Matlock Road to the rear. The property stands in the Meads Conservation Area.

- 3.4 There is a small amenity space to the rear which is backed by a high brick wall which runs along the rear boundaries of nos. 36 to 42-44 Meads Street. To the rear is an access path that adjoins Matlock Road.

4 Relevant Planning History

- 4.1 150975
Replacement of pitched roof to the rear of no.42 with a raised flat roof to provide route for ductwork for new ventilation system to restaurant
Planning Permission
Refused
26/11/2015
- 4.2 160891
Discharge of condition 3 (System to Control emissions and fumes) and condition 4 (Attenuation for emissions and fumes) of planning reference: 150975 (Replacement of pitched roof to the rear of no.42 with a raised flat roof to provide route for ductwork for new ventilation system to restaurant.)
Approval of Condition
Approved Conditionally
07/09/2016

5 Proposed development

- 5.1 This application is seeking retrospective permission for the erection of a single storey extension to the rear elevation and the re-siting of the kitchen extractor fan within the rear garden area.
- 5.2 The alterations provide additional space to be used as a store room.

6 Consultations

- 6.1 Specialist Advisor (Environmental Health)
The environmental health officer has assessed the acoustic and ventilation reports that accompany the application and agree with its findings and also endorsed the reports suggested conditions.
- The wall onto which the air extracts should be lined with a panel of Rockwool, or equivalent, which would reduce the noise reflection, lowering the overall noise.
 - If practicable, the wooden structure covering the fan should be extended on all sides to full enclose as much of the system as possible. This should be lined on the inside with Rockwool to further improve the absorption around the fan casing.
- 6.2 Specialist Advisor (Conservation)
This retrospective application seeks permission to site an extractor to the rear of this restaurant in the main commercial street within the Meads Conservation Area. It has been fitted as a low-level horizontal structure running out of the

building and has no street level or public visibility.

As such, it does not adversely impact the character and appearance of the host conservation area and no objection is required.

7 Neighbour Representations

- 7.1 Three objections have been received which raise the following:
- Noise and Odour
 - Emissions from the extractor impacting on the environment
 - Impact on the conservation area
 - Siting of the Extractor fan
 - Poor Design

8 Appraisal

- 8.1 The single storey extension is a partial in-fill centrally located to the rear of the properties of 42 and 44 Meads Street. The extension is a flat roof design constructed of rendered brickwork.
- 8.2 The single storey extension is considered to have no significant impact on the adjoining properties or the residential units above the application site. There are no issues of overshadowing, loss of light or impacts on privacy from the extension.
- 8.3 The extension has not impacted on the rear access stairs that lead up to the residential units above and has been built between the stairways.
- 8.4 The reciting of the extractor fan extends into the rear garden of the property. The extractor fan was moved to improve the function. During the course of the application screening to the extractor fan has been added to the proposal to improve the visual design but also to aid in reducing noise nuisance.
- 8.5 The extractor fan is to the rear of the commercial unit and is not visible or accessible to the general public. Comments have been received with regards to noise and odour emanating from the extractor system however on consultation with environmental health the system in place is suitable and has raised no objection from the Environmental Health Officer.
- 8.6 It should also be noted that Eastbourne Borough Council have not received any reports of noise or nuisance issues from the surrounding occupiers of the site concerning the extractor system.
- 8.7 Due to the development being to the rear of the property there are not thought to be adverse impacts to the surrounding Meads Conservation Area.

9 Human Rights Implications

- 9.1 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.

10 Recommendation

1) The development hereby permitted shall be begun before the expiration of three years from the date of permission.

Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2) The development hereby permitted shall within 6 months from the date of this permission be carried out in accordance with the approved drawings no. 3014 04 Rev A and 3014 05 Revision A submitted on 07 October 2019 and the noise impact assessment submitted 30 October 2019.

Reason: For the avoidance of doubt and to ensure that development is implemented in accordance with the plans to which the permission relates.

11 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.