

**Eastbourne Borough Council**

**Planning Committee**

**30 October 2012**

**Report of the Head of Planning**

**List of Planning Applications for Consideration**

- 1) KILKENNY COURT, 13 APPLEDORE CLOSE**  
& Redevelopment of site with 9 three bedroom houses together with  
**2) communal parking**  
(AMENDED PLANS). EB/2012/0432(FP), LANGNEY Page 5
- KILKENNY COURT, 13 APPLEDORE CLOSE**  
Demolition of building EB/2012/0507(FP), LANGNEY Page 5  
**RECOMMEND: APPROVE CONDITIONALLY – EB/2012/0432**  
**RECOMMEND: APPROVE CONDITIONALLY – EB/2012/0507**
- 3) 74 BEACH ROAD, EASTBOURNE**  
& Change of use from public house (A4) to a day nursery (D1) together  
**4) with internal and external alterations including the provision of an**  
acoustic screen on the flat roof to form an external play area at first floor  
level. EB/2012/0438(FP), DEVONSHIRE Page 19  
**RECOMMEND: APPROVE CONDITIONALLY**
- 74 BEACH ROAD, EASTBOURNE**  
Display of two externally illuminated fascia signs.  
EB/2012/0439(ADV), DEVONSHIRE Page 27  
**RECOMMEND: APPROVE, STANDARD CONDITIONS**
- 5) 42 THE RISING, EASTBOURNE**  
Erection of two storey extension to the side (revised plans received).  
EB/2012/0573(HH), ST. ANTHONYS Page 29  
**RECOMMEND: APPROVE CONDITIONALLY**
- 6) 83-85 THE RISING, EASTBOURNE**  
Erection of two storey detached building containing two self-contained  
flats.  
EB/2012/0576(FP), LANGNEY Page 33  
**RECOMMEND: APPROVE CONDITIONALLY**
- 7) LAND WITHIN THE CURTILAGE OF, 15 UPPER CARLISLE ROAD,**  
**EASTBOURNE**  
Erection of a detached house with integral garage to the side of 15  
Upper Carlisle Road (outline application).  
EB/2012/0610(OL), MEADS Page 39  
**RECOMMEND: APPROVE CONDITIONALLY**

**8) LAND WITHIN THE CURTILAGE OF, 10 SPRING LODGE CLOSE, EASTBOURNE**

Outline application for the erection of 2 no three bedroom terrace houses, together with the creation of 7 no car parking spaces off Spring Lodge Close.

EB/2012/0623(OL), ST. ANTHONYS

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**RECOMMEND: APPROVE CONDITIONALLY**

**9) 2 PRIORY ROAD**

Demolition of existing bungalow and erection of block of eight flats together with eight parking spaces

EB/2012/0631, ST ANTHONYS

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**RECOMMEND: APPROVE CONDITIONALLY**

J. F. Collard  
Head of Planning

25 October 2012

## **Planning Committee**

**18 October 2012**

### **Report of the Planning Manager**

#### Background Papers

1. Town and Country Planning Act 1990
2. Planning (Listed Buildings and Conservation Areas) Act 1990
3. The Planning and Compensation Act 1991
4. The Town and Country Planning General Regulations 1992
5. The Town and Country Planning (General Permitted Development) Order 1995
6. The Town and Country Planning (General Permitted Development) Order 1995 (Amendment) (No. 2) (England) Order 2008
7. The Town and Country Planning (General Development Procedure) Order 1995
8. The Town and Country Planning (Use Classes) Order 1987 (as amended)
9. The Town and Country Planning (Control of Advertisements) Regulations 2007
10. DoE/ODPM Circulars
11. DoE/ODPM Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs)
12. East Sussex and Brighton & Hove Structure Plan 1991-2011
13. Eastbourne Borough Plan 2001-2011
14. Eastbourne Townscape Guide 2004
15. East Sussex County Council Manual for Estate Roads 1995 (as amended)
16. Statutory Instruments
17. Human Rights Act 1998
18. The Planning and Compulsory Purchase Act 2004

Note: The documents listed above and the papers referred to in each application report as "background papers" are available for inspection at the offices of the Economy, Tourism and Environment Department at 68 Grove Road on Mondays, Tuesdays, Thursdays and Fridays from 9.00 a.m. to 5.00 p.m. and on Wednesdays from 9.30 a.m. to 5.00 p.m.



## Eastbourne Borough Council

### Planning Committee

30 October 2012

### Report of the Planning Manager

### List of Planning Applications for Consideration

#### Committee Report 30 October 2012

#### Item 1 & 2

<b>App.No.:</b> EB/2012/0507 (demolition) & EB/2012/0432 (full application)	<b>Decision Due Date:</b> 08.09.12	<b>Ward:</b> Langney
<b>Officer:</b> Katherine Quint	<b>Site visit date:</b> Several – July / October 2012 Councillor site visit - 13.07.12	<b>Type:</b> Minor
<b>Site Notice(s) Expiry date:</b>	17.07.12	(Revised: 26.09.12)
<b>Neigh. Con Expiry:</b>	15.07.12	(Revised: 28.09.12)
<b>Weekly list Expiry:</b>	19.07.12	(Revised: 28.09.12)
<b>Press Notice(s)-:</b>	25.07.12	(Revised: 19.09.12)
<b>Over 8/13 week reason:</b> Scheme deferred at planning committee on 07.08.12. Revised scheme to return to planning committee on 30.10.12.		
<b>Location:</b>	Kilkenny Court, 13 Appledore Close	
<b>Proposal:</b>	Demolition and redevelopment of site with 9 three bedroom houses together with communal parking	
<b>Applicant:</b>	Amicus Horizon – Jenny Zaluska (Full application) Eastbourne Borough Council (Demolition)	
<b>Recommendation:</b> Approve, subject to conditions		

#### Updated position since deferral (07.08.12):

At the planning committee held on 07.08.12, members unanimously resolved that the application be deferred following a request by the committee to reconsider the two dwellings to the south west corner of the development.

Following the removal of the 2 units located on the green amenity space closest to 3-5 Appledore Close, the applicant has addressed concerns raised by residents and members, and has subsequently submitted revised plans. The revised proposal is for demolition of Kilkenny Court, and redevelopment of the site with 9 three bedroom houses together with 4 parking spaces (communal parking).

**Planning Status:**

- Predominantly residential area
- Land owned by EBC

**Relevant Planning Policies:**

National Planning Policy Framework (April 2012):

With the adoption of the NPPF, greater weight should be given to sustainable developments, having regard to the environmental, economic and social impact of the proposal. Where a proposal is acceptable in principle, every effort should be made to work up a scheme that addresses any outstanding planning issues, and that addresses the long term needs of a place, as identified in the Local Plan / Core Strategy.

The following policies are relevant to the application at Appledore Close:

- 6. Delivering a wide choice of high quality homes:  
Para 49 - Housing applications should be considered in the context of the presumption in favour of sustainable development.
- 7. Requiring good design:  
Para 58 - Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks'

Eastbourne Plan: Core Strategy Policies:

- B1 - Spatial Development Strategy and Distribution
- B2 - Sustainable Neighbourhoods
- C8 - Langney Neighbourhood Policy
- D1 - Sustainable Development
- D5 - Housing

Eastbourne Borough Plan Policies 2001-2011 (Saved policies, 2007):

- UHT1 - Design of new development
- UHT2 - Height of buildings
- UHT4 - Visual amenity
- UHT7 - Landscaping
- HO1 - Residential development within existing built-up area
- HO2 - Predominantly residential areas
- HO4 - Housing allocations
- HO7 - Redevelopment
- H013 - Affordable Housing
- HO20 - Residential amenity
- TR11 - Car Parking
- US4 - Flood protection and surface Water Disposal

### Site Description:

Kilkenny Court is a 2-storey, flat roofed, H-shaped block located on a plot covering 0.21 has and bounded by Appledore Close to the south and Faversham Service Road to the north. A terrace of six 2-storey houses runs along the west of the site, separated by a public footpath, a 10.15m grassed strip and one mature tree. To the south-east of the site is a terrace of 4 properties – the rear elevations face Kilkenny Court and are separated by private rear gardens, a public footpath to Langney Rise and communal amenity space within the application site.

The application site is located on higher ground which slopes from the northwest corner down towards the southeast, until it reaches the boundary with Langney Rise, at which point there is a significant drop. This difference in level is separated by a row of trees and shrubs, forming screening from the main road.

Revision: The application boundary no longer includes the grassed area to the west of Kilkenny Court, and finishes 4m away from the trunk of the mature tree. The revised site area is 0.21has.

### Summary Information:

The application site is a residential court development of 25 bed-sitting units with shared facilities, 2 flats and a guest room. The application would provide redevelopment to create 9 three-bedroom houses, providing a net gain in 6 residential units as identified below:

Existing Development	Proposal	Net Gain
1 x 2-bed flat (self contained) 1 x 1-bed flat 1x guest room 25 bed-sit units (with kitchen area, wc and basin) – shared facilities	9 x 3 bed houses	
<b>Total = 3 residential planning units</b>	<b>Total = 9 residential planning units</b>	<b>Total = + 6 dwellings</b>

Site Area:	0.21 has
No. Existing social housing units:	28 flats / bedsits / rooms = 3 residential units
No. Proposed social housing units:	9 family houses = 9 units
Net gain / loss of residential units:	+ 6 net residential units
Description of unit:	2-storey, 3-bedroom terraced houses
Previous land use:	Residential, sheltered scheme
Existing parking arrangements:	No parking directly on-site. Bay parking (2 areas), plus on-street parking shared with residents on Appledore Close, Faversham Service Road and Faversham Hill
Additional parking spaces:	4 additional spaces incorporated on-site

There are two separate bay parking areas adjacent to the application site; one located on Appledore Close and the other on Faversham Service Road 3 (outside the application boundary). There are no parking restrictions on the immediate surrounding streets and as such there is the potential for on-street parking shared with residents on Appledore Close, Faversham Service Rd and Faversham Hill.

**Relevant Planning History:** None

App Ref: EB/2012/0432	Description: Demolition and redevelopment of site with 11 three bedroom houses together with communal parking
Decision: Deferred by Planning Committee	Date of deferral: 07.08.12

**Proposed development:**

There are two applications to be considered and determined here: -  
1. EB/2012/0507 (demolition) and 2. EB/2012/0432 (full application):

1. EB/2012/0507 (demolition)

This application has been submitted by Eastbourne Borough Council (Housing Department) and proposes the entire demolition of the existing buildings at the site with all the demolition material that is not retained at the site will be recycled into existing waste streams.

The application for demolition has been submitted by EBC as there is a legal/contractual requirement that EBC has to be the lead organisation and in control of the demolition process so that they can offer a clear vacant site to Amicus Horizon a Registered Social Landlord who will be responsible for the deliver of the new development as reported below.

2. EB/2012/0432

The planning application proposes the construction of 9 x 3 bedroom two-storey family houses for affordable rent. It would result in a net gain of 6 residential dwellings on the site.

Each of the units would provide kitchen/diner WC and Lounge on the ground floor and 3 bedrooms and family bathroom at the first floor. There is no accommodation within the roofspace. Each of the units would be 108.5m<sup>2</sup> in area, with a footprint of 53m<sup>2</sup>.

The external appearance of the proposed units has a similar architectural style and material drawn from a very simple palette of materials. The ground floor is to be formed from facing brick, with a cement faux timber cladding on the first floor. Each of the units is to have a projecting gable at first floor level which is to be rendered. Bin enclosures and defensible space is to be provided at the front of each of the buildings. Each unit is to have a pitched and tiled roof over.



The existing H-shaped building is cut into the topography - remedial work is proposed on-site to restore the site to its original contours to match the existing ground level of the adjacent existing building.

The scheme proposes dwelling that conform to lifetime homes requirement and are intended to comply with Code for Sustainable Homes Level 3 and as such all properties would be built with high thermal insulation values and all have level threshold access, all have secure bin/recycling enclosure, bike stores and accessible private rear gardens with a general depth of 10m across the development.

In terms of car parking, the proposed terrace of 7 units along Faversham Service Road has front and rear plot access, allowing resident's use of the parking bays on Faversham Service Road or Appledore Close. The pair of semi-detached units adjacent to Appledore would have use of the four spaces provided within the application site – spaces will not be restricted to particular properties.

Revision:

In light of recommendations from Planning Committee on 07.08.12, revised drawings have been submitted, removing the 2 semi-detached units opposite 3-5 Appledore Close. The current scheme comprises nine 3-bed family houses, resulting in a net gain of 6 units.

**Applicant's Points:** N/A

**Consultations:**

- Representation was sought from: the Cleansing Contracts Team, Trees Team, Environmental Health, Strategic Housing, Highways, Planning Policy and the Environment Agency. The following representations were received:

**Strategic Housing**

Response to demolition / full application (09.10.12):

The Housing Department recently carried out a review of its entire older people's housing. It was decided that not all of the schemes in Langney should be retained as older people's housing as there was an over supply of this type of housing in Langney.

Providing non self-contained bedsit accommodation with shared bathrooms for older people falls far short of the quality of housing that the council should offer local people and these bedsit units were difficult to let. The Housing Department has also worked with ESCC to provide 62 units of extra care housing for older people in the Langney area and this scheme which opened early in 2012, accommodated some tenants from the council's housing stock in Langney.

We are working in partnership with Amicus Horizon to provide much needed larger family homes on the site of Kilkenny court, which is identified as a priority in the Council's Strategic Housing Market Assessment. The SHMA (2009) demonstrates that Eastbourne requires 370 new units of affordable housing each year in order to meet the existing and predicted need to 2011. In the last 5 years we have only been able to deliver an average of 58 affordable homes per year due to constraints of land supply and public subsidy.

Whilst we have an overwhelming demand for all types of affordable homes there is an acute shortage of affordable larger family homes in Eastbourne with consequential waiting times often extending to more than 10 years. This planning application, if approved, will assist those in need of affordable rented accommodation to be housed adequately.

**Rent levels:**

The proposal accords with the new government Affordable Rent policy, which is set at a maximum of 80% of market rent for the area, including the service charge. Due consideration has been taken to ensure rent levels plus service charge do not exceed the Local Housing Allowance (LHA), which is currently £784.98 per calendar month. The Housing Association will seek an updated valuation when the properties are ready to let - any adjustment to the rent level will be made using the methodology below (based on current values and rental value) and is unlikely to change significantly from the current assumptions.

Current Value (value of property in open market terms)	Rental Value 100% (Market value)	Affordable Rent 80% of market rents = £620 per calendar month minus the estimated service charge (£20) per calendar month
£155,000	£775	£600

I confirm that these applications have the full support of Eastbourne Borough Council's Housing Services.

**Highways:**

Response to demolition (08.05.12)

Any consent for demolition should include a condition relating to wheel washing equipment available for excavation / earthworks vehicles, and an informative relating to site hoarding and obtaining consent from Highways prior to commencement.

Response to revised full application (14.09.12)

This site was previously developed as 28 flats which are to be demolished and replaced with 9 three bedroom houses. The existing site does not provide any off street parking, whereas the proposal would provide 4 spaces.

The site is reasonably close to Langney Shopping Centre as well as a well served bus route, which links the site to large areas of Eastbourne, including the town centre and Sovereign Harbour.

In accordance with the ESCC Parking Standards the new development should provide 2 spaces per dwelling plus 1 space per 3 dwellings for visitors. This equates to 21 spaces, which can then be reduced by up to 25% in accordance with the standards as it is within Zone 4. This reduces the parking provision to 16 spaces.

The proposal obviously provides fewer spaces than the recommendation of the parking standards. However, the existing site provides no parking and should provide 30 spaces. This is based on 1 space per flat/bedsit plus 1 space per 3 dwellings for visitors, which has then been reduced by 25%.

Although not in accordance with the standards the proposal is obviously an improvement in parking terms over the existing situation. There are also layby's adjacent to site which provides a number of on street spaces very close to the site.

Adequate cycle parking is also proposed on site.

As the proposed use has a lower parking requirement than the existing, the traffic generation is likely to be very similar or lower and therefore there will be little or no impact in the highway network in terms of traffic movements.

On this basis, the Highway Authority does not wish to restrict grant of consent subject to the following conditions: Details of access to the scheme, and access during construction to be submitted and approved; and additional parking spaces and cycle storage to be implemented prior to occupation.

### **Planning Policy**

Response to demolition / full application (14.09.12):

The principle of residential development on the site has been confirmed by inclusion of the development in the Council's 5 Year Housing Land Supply. The Council relies on identified sites coming forward as part of its emerging spatial development strategy (Policy B1 of Eastbourne Plan) and in order to meet its local housing targets.

The site benefits from being located in one of the most sustainable neighbourhoods of the Borough (Policy B2 of the Core Strategy). Opportunities to create a better choice of housing should be provided in the local area, whilst respecting and protecting the residential and environmental amenity of existing and future residents. The development would support the Langney Neighbourhood Policy (Policy C8) of the Core Strategy through the 'redevelopment of redundant retirement courts for affordable housing', and would support the neighbourhood vision by 'making a significant contribution to the delivery of additional housing in a sustainable location.'

The development is supported in Borough Plan policy HO7 'Redevelopment', subject to there being no adverse impact on amenity or road safety and ensuring that development is well designed and provides adequate parking facilities. The proposal would result in 9 three-bedroom terraced houses being provided. The Strategic Housing Market Assessment provides evidence that a range of dwelling sizes are needed to meet local demand, seeking opportunities to deliver larger family housing where practical to do so.

The development proposes a satisfactory level of parking provision (Policy TR11 of the Borough Plan) for the local area in line with the Council's maximum parking standards contained in the 'Parking at Development' Supplementary Planning Document.

The development is located in the Willingdon Levels Flood Storage Catchment Area (Policy US4 of the Borough Plan) and therefore the application will be required to make a revised financial contribution of £738 based on the loss of impermeable area on the site.

In summary, Planning Policy support the application as an important affordable housing development for the town and the Langney neighbourhood. We consider the application to provide sustainable development in line with the National Planning Policy Framework.

**Trees team:**

Response to demolition (06.06.12)

Given there are trees on site suitable for retention if the land is redeveloped, Tree protection measures, as indicated in the supplied Arboricultural report should be erected prior to any demolition work commencing.

Response to full application (24.07.12):

The trees on this site contribute significantly to the surrounding landscape. Retention of trees from the eastern boundary will aid the landscape integration of the site.

Although a number of small trees have been recommended for removal (if they pose a constraint to development), their loss should not be detrimental to wider landscape or have an adverse impact on local visual amenity. Their loss could be mitigated by replanting with suitable species in an appropriate location during the soft landscaping phase of construction. If this is carried out, consideration should be given to their location to avoid conflict with the proposed building and associated services.

The scheme has been designed around the constraints posed by the trees, and replacement planting has been considered. The tree screen adjacent to the Highway is retained, which is an important feature of the local landscaping and beneficial for future residents, if the scheme is approved.

There is a mature Maple in the open space [adjacent to the application site] and the proposed development is outside the required Root Protection Area, ensuring the tree can be adequately protected and retained. Given the species of tree, with a dense crown with large leaves it will dominate aspects of the proposed properties and will require regular cyclic pruning. This is already occurring to manage its juxtaposition with the existing properties.

The proposed landscaping and tree planting is suitable for the site.

**Environmental Health:**

Response to demolition (08.05.12) / Response to full application (23.07.12)  
No issues to raise

**Neighbour Representations:**

The original consultation was carried out on the demolition application and full application and letters were sent to 77 neighbouring properties, covering Shakespeare Walk, Hever Close, Faversham Road, Appledore Close and Kilkenny Court.

- 2 site notices were displayed nearby; on Appledore Close and Hever Close.
- 5 objections were received primarily raising concerns about lack of parking, and the distance between Appledore terrace and the two new dwellings on the south-west of the site.

Following the removal of the 2 units opposite 3-5 Appledore Close:

- Consultation letters were re-sent to 48 neighbouring properties, covering Shakespeare Walk, Hever Close, Faversham Road and Appledore Close, (excluding Kilkenny Court which is currently vacant).
- 2 site notices were again displayed nearby; on Appledore Close and Hever Close.
- In response to the revised plans proposing 9 units, 4 additional objections were received, primarily raising concerns about:
  - lack of parking, and
  - the distance between 32 & 34 Appledore Close and the two semi-detached properties on plots 10 & 11 (dwellings on the south-east of the site).

Parking:

- The parking issues, which were shown to be far lower than the Parking Standards, have still not been addressed. For example, it could be solved by cutting an extra parking bay into the pavement at the end of Appledore Close.
- Currently it is very hard to find a parking space. This will only increase by putting in plots 10 and 11 in because as I believe they are going to have 4 car parking spaces in Appledore Close dedicated solely to them and other residents will not be able to use them.
- The new plans do not include any changes to the parking situation. The 4 spaces are already in use by the residents of Appledore Close so this is not extra. The previous tenants of the site were elderly residents who did not own cars.

Privacy and loss of light:

- Bringing plot 10 so close to my property is going to have an extremely detrimental effect upon my household and neighbours. Instead of enjoying the sunshine in our back gardens practically all day, we will be severely overshadowed.
- Having the proposed development of plot 10 only 4.2m away from my garden fence will infringe immensely upon my privacy.

- There will be windows on the side of plot 10 overlooking my property both upstairs and downstairs meaning I will not be able to sit in my back garden and relax with family as my privacy will be comprised.

### **Appraisal:**

EB/2012/0507 (demolition)

- **Demolition:**

The application for demolition remains unchanged, and as such the original appraisal is still valid.

The existing accommodation falls short of a quality standard of accommodation, and in being predominately studio flats with shared facilities, does not respond directly to the significant housing need in Eastbourne for family homes. On the basis that the application for demolition is accompanied by a full planning application that supports the principle of affordable units on site and of a higher standard of family accommodation, demolition of the existing block is considered acceptable in principle and hence officers are recommending this for approval.

EB/2012/0432 (revised full application)

- **Revised plans following deferral:**

In order to address concerns raised during the consultation period and in light of recommendations put forward at Planning Committee, the 2 semi-detached units opposite 3-5 Appledore Close have been removed. This has resulted in the green amenity space and mature tree opposite 3-5 Appledore Close being retained in its entirety, and is considered to be a beneficial asset to existing residents and new residents of the proposed development. With this area no longer forming part of the application site, the remaining 9 units (across an area of 0.21has) equates to the same density as the original proposal: 42 dwellings p/ha. On this basis, the revised scheme, although reduced in number of units, is considered to maximise the application site area in terms of density, while providing a sufficient amount of private amenity space and retaining a suitable relationship with existing properties.

- **Policy changes:**

In light of the National Planning Policy Framework and the emerging Core strategy, and in response to the Strategic Housing Market Assessment, the proposal supports the delivery of improved, family accommodation, and is a step towards addressing the housing need in Eastbourne. The development, even with 2 fewer units, maximises the residential potential of the site (as identified in the Council's 5 Year Housing Land Supply) at a density that does not impact detrimentally on other occupants. The proposal is acceptable in principle, in line with a presumption in favour of sustainable development, and is supported by consultation responses from internal and external representatives. The specific planning considerations to be appraised, in relation to the impact on the site and surrounding area of 9 family units, are detailed below.

- **Parking:**

In response to local concerns regarding parking, a number of parking counts were carried out to specifically focus on this aspect. Parking spaces (parking bays, street parking and turning areas designed to accommodate parking) were photographed and counted on 5 occasions over the past 3 months: 6.30am, 7.30am, 3pm and 7.30pm.

On each occasion the parking bay and turning area on Faversham Service Road closest to Kilkenny Court were predominantly empty, while in the evenings a number of cars were parked at the furthest end of Faversham Service Road closest to the junction with Faversham Road. Parking spaces within Appledore Close (on the street and within the bays) fluctuated between being 50% full during the day and almost full in the evening, although a number of spaces were available even during busy periods. The 7 units facing Faversham Service Road have been designed to use the parking bay and turning area which is predominantly unused by existing residents, in order to minimise impact on the existing residential area.

The 2 units which are most easily accessed from Appledore Close will have use of (but not exclusively) the 4 parking spaces accessed from the turning area in Appledore Close. The addition of 4 parking spaces on the site, along with the information gained on recent parking counts, is considered appropriate for the reduced size of the development and the number of households on the site.

Highways have conducted a separate analysis of the parking arrangements in line with ESCC Parking Standards and do not wish to restrict grant of consent.

- **Design and appearance:**

The proposed 2-storey pitched-roof dwellings reflect the form and terraced arrangement of neighbouring properties. The design benefits from being a simple, modern design that harmonises well with the surrounding properties, while using features such as the flat-roofed or pitched-roofed front porch and cladding to create an overall identity for the new development.

The uniformity of the development would be broken by the use of different coloured entrance doors, this would give a degree of individuality and therefore ownership of the building, this is considered important given the short and long term maintenance of the buildings.

- **Light**

For the majority of the day, shadow from the proposed development, including the semi-detached properties on plots 10 and 11, will move across the site itself in the direction of Langney Rise and Faversham Service Road. Therefore the development will result in no loss of sunlight to existing properties on Appledore Close.

The run of 7 units to the north of the site is at a suitable distance from properties on Faversham Service Road / Hever Close, and will result in no loss of light to their rear gardens.

- **Privacy**

The distance between no's 34 and 36 Appledore Close and Plot 10 is 13.5m, and the buildings are arranged perpendicular to each other. The development boundary is screened by planting and trees, and the existing properties are bounded by fencing measuring 1.7m in height. Between the two boundaries runs a public footpath linking Appledore Close and Langney Rise (to be retained / outside the application site).

Confirmation has been received in the form of drawing 014.146-043 Rev: P1 (received 21.09.12) that there will be one small window at first floor level, positioned 1.28m from floor level - this bedroom window is positioned lower than headheight. The two windows (relating to kitchen/diner, and WC) at ground floor level face the public footpath, but will be suitably screened by planting as indicated on the landscaping plan.

The development has been designed taking into consideration the orientation and layout of existing properties. By virtue of the small number of windows on the flank elevation of the house on Plot 10, and that the window at first floor level is not at headheight, the proposal is considered to have minimal impact on privacy. Notwithstanding the existing fencing to the rear of no's 34-36, the development is considered to be at a suitable distance from neighbouring properties, and its arrangement is not uncommon in the local area, or across similar neighbourhoods in Eastbourne.

The proposed landscaping along the boundary of application site, and retention of the trees and shrubs adjacent to Langney Rise, is appropriate to ensure the privacy of existing and future occupants is not compromised.

- **Scale and layout of development**

The site of 0.21 has is considered to be of a size that can adequately support 9 units, while retaining adequate front and rear garden space for each property. The layout of terrace dwellings houses, two storeys in height (8.4m to the ridge) reflect those existing properties in the immediate and wider surrounding area and as such are considered to be in character with the predominant pattern of development in the area.

- **Affordable Housing:**

The proposal for 9 x 3-bed units is supported by the Strategic Housing Market Assessment (2009), which identifies an acute shortage of larger, family-sized accommodation. The loss of 25 sheltered, bed-sits and 2 flats (equating to 3 residential units in planning terms) is considered justified by virtue of the increased standard of accommodation being provided in its place. The development is supported by the Strategic Housing Team, and the proposal has been drawn up in partnership with a Housing association to ensure a long-term strategy is in place for delivery and management of the development.



- **Trees and landscaping:**

The site benefits from a run of trees and bushes to the north-east, and a mature maple tree outside the application boundary, to the west of the site.

The proposed properties are at a suitable distance from the required Root Protection Area, ensuring the maple tree can be adequately protected and retained. The tree screen adjacent to the Highway is retained, which is an important feature of the local landscaping and beneficial for future residents.

- **Flood Attenuation Issues**

The application site is located within the Willingdon Levels Surface Water Catchment Area and as such an assessment needs to be concluded as to whether the development would increase the extent of hardsurfacing – buildings at the site and therefore increasing the runoff rate for surface water.

It has been determined that the coverage of the site (hard surfacing and buildings would increase as a result of this scheme. In accordance with the policy position on this issue, a financial contribution towards the surface water network within Eastbourne Park would be sufficient to offset this issue. The applicant is content to pay this contribution and would be controlled via a S106 agreement.

- In conclusion, both the application for demolition and the full planning application are recommended for approval subject to conditions.

**Human Rights Implications:**

It is considered that there would be no adverse impact on the amenities of adjacent or nearby residents as a result of the development.

**Conclusion:**

The scale, location and visual impact of the proposal do not detract from the residential amenity of the surrounding area. The proposal, by virtue of the height of units, provision of parking and cycle storage, waste storage and amenity space, provides a suitable standard of living space and does not impact detrimentally on neighbouring occupants. The design of properties harmonizes well with the surrounding area and is supported by the retention of the tree screen and appropriate landscaping on-site. Subject to conditions, the proposal complies with the relevant borough plan policies: Eastbourne Borough Plan 2001-2011 (Saved policies, 2007), the emerging Core Strategy (2012) and the National Planning Policy Framework (2012).

**RECOMMEND:** Permission be granted subject to the following conditions:

**EB/2012/0507 (demolition)**

**Conditions:**

- Method statement (to include nature of demolition, equipment to be used, recycling streams and access routes for demolition vehicles)
- Wheel Washing Facilities
- Site/welfare compound
- Hours of demolition

**EB/2012/0432 (full application)**

Subject to all parties entering into a S106 agreement to deliver the flood attenuation contribution, then planning permission should be granted subject to the following conditions:

**Conditions:**

- Time limit
- Materials to be submitted
- Foul and surface water details to be submitted
- Car parking prior to occupation in accordance with approved layout
- Car park details to be supplied incorporating details to prevent surface water running onto the footway
- Cycle storage prior to occupation in accordance with approved layout
- Tree Protection: General
- Tree Protection: Fencing
- Tree Protection: Earthworks
- Details of floor levels
- Construction and demolition times
- Removal of PD rights
- Refuse and recycling facilities to be submitted
- Means of enclosure to be submitted
- In accordance with approved plans

**Informatives:**

- Discharge of conditions
- Highways consent required to erect hoarding
- Connection to the public sewerage system
- Investigation if sewer found during construction

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**

## Committee Report 30 October 2012

### Item 3

<b>App.No.:</b> EB/2012/0438	<b>Decision Due Date:</b> 6 August 2012	<b>Ward:</b> Devonshire
<b>Officer:</b> Jane Sabin	<b>Site visit date:</b> 24 July 2012	<b>Type:</b> Minor
<b>Site Notice(s) Expiry date:</b> 19 July 2012 <b>Neigh. Con Expiry:</b> 20 July 2012 & 8 October 2012 <b>Weekly list Expiry:</b> 19 July 2012 <b>Press Notice(s)-:</b> N/A		
<b>Over 8/13 week reason:</b> Number of objections/request to speak/renotification of amendments		
<b>Location:</b> 74 Beach Road		
<b>Proposal:</b> Change of use from public house (A4) to a day nursery (D1) together with internal and external alterations including the provision of an acoustic screen on the flat roof to form an external play area at first floor level.		
<b>Applicant:</b> Mr. S. A. Gulzar		
<b>Recommendation:</b> Approve		

#### Planning Status:

- Classified road
- Flood zone 3

#### Relevant Planning Policies:

UHT1	-	Design of development
UHT4	-	Visual amenity
SH2	-	Business uses outside the retail hierarchy
TO9	-	Commercial uses on the seafront
HO20	-	Residential amenity
TR11	-	Car parking
LCF24	-	Redevelopment of public houses

**Site Description:**

This purpose built public house dates from approximately 1901, and is located on the corner of Beach Road and Royal Parade. Known for many years as the Beach Public House, it has more recently been known as the Big Apple, and latterly Oscar's. It has been vacant for approximately one year.

The original part of the building is two storeys high, with a later single storey extension to the rear covering the full depth of the site. A storage building associated with the pub (and attached to it) is located to the rear of the adjoining dwelling and is accessed via a wide alley between the two buildings.

**Relevant Planning History:**

App Ref:EB/2011/0161 Description: Retrospective decking to rear  
Decision: Refused Date: 17 June 2011

**Proposed development:**

Permission is sought to change the use from a public house to a children's nursery for up to 56 children, involving the external refurbishment of the building, including the installation of UPVC windows (which have already been installed) and the provision of a rooftop play area enclosed with an acoustic barrier. The sessions offered by the nursery would commence at 8.00am and finish at 6.00pm. As part of the scheme, following negotiations with the Highway Authority, it is proposed to provide a traffic island in Royal Parade outside the site and purchase permits from the Council to enable staff and parents to park in Fishermans Green car park.

**Applicant's Points:**

- The immediate vicinity is a mixture of commercial, guesthouses and residential
- The proposal will provide 10 full time and 10 part time jobs, and it is intended to employ people from the local area, who will be encouraged to walk or cycle to work
- The nursery will support parents seeking work who need to find good childcare
- There are four nurseries within a 1.5 mile radius, and the proposal will complement these
- There is no dedicated parking associated with the property; it is anticipated that not all staff will have cars. It is located on a bus route, and parking in the vicinity is unrestricted (other than double yellow lines). The Fisherman's Green public car park is located directly opposite the site, and it is proposed to issue permits to staff and parents to allow parking within specified times. It has also been agreed to provide a traffic island outside the site to increase safety for staff, parents and children crossing the road from the car park.
- The main entrance will be on the Beach Road frontage, where there is an existing ramp; the forecourt will be fenced, providing an area for parents, children and buggies during pick up/drop off times without obstructing the pavement

- As the adjacent property has a right of way over the side alley, for security purposes it will only be used for access; it will also serve as an access for the annexe building to the rear, which is to be used as a manager's office, store, staff room and changing/shower facilities. All windows will be obscure glazed and fitted with restrictors, so that neighbouring properties are not overlooked
- It is proposed to provide an outside play area on the flat roof of the building enclosed within an acoustic screen, forming an area of 75m<sup>2</sup>. The screen would be 1.75m high, with a proprietary acoustic barrier fitted to the inside face, and resilient floor surface to assist in sound absorption. The number of children would be limited to 16 at any one time.
- The existing signage boards on both elevations will be reutilised to announce the nursery.
- The proposal will bring an empty building back into use, provide employment in a sustainable location and enable parents to find employment, as well as encouraging the use of the Fisherman's Green car park. Overall it will result in an exciting new amenity and will have a positive impact on the amenity and character of the area.

**Consultations:**

The Environment Agency has no objections to the proposal.  
(E-mail dated 27 June 2012)

Planning Policy states that there are no outstanding reasons to refuse this application. It is specifically supported by Policy SH2, which allows the change of use of public houses to D1 uses outside of designated shopping areas, and evidence has been provided to confirm that it complies with Policy LCF24. Furthermore, there is no material change to the external appearance of the building and that the proposal use would not be incompatible with tourist accommodation use, the proposal complies with Policy TO9.  
(Memo dated 17 July 2012)

The Highway Authority states that a recommendation for refusal was previously issued for this proposal mainly based on the lack of parking provision on site. These issues have been considered and addressed by the applicant and a Transport Statement has been submitted. This covers a number of aspects such as accessibility by public transport, encouraging car sharing and alternative modes of transport as well as setting out how pick up and drop off will be managed, i.e. staff monitoring to discourage use of Beach Road. The proposal also now includes provision of parking spaces within the Fisherman's Green car park, by providing all staff with annual season tickets as well providing permits for parents, which allow them up to 30 minutes free parking to drop off and pick up. A traffic island is also going to be installed to provide a crossing point for pedestrians between the site and the car park. The layout of the island is acceptable in principle but the width of the island should be increased to 2m to allow sufficient space for a parent and buggy/pushchair to wait within the extent of the island. It should be noted that the installation of the island will need to be secured by legal agreement with ESCC. As part of this process the design will be subject to independent road safety audit and as a result the design may have to alter from that proposed.

Based on this revised proposal, there are no grounds to restrict a grant of consent subject to recommending that conditions are attached to any consent to secure a traffic island in Royal Parade, the operation of a scheme of parking by permit in the Fishermans Green car park, and the provision of a Transport Statement.

(Memo dated 2 October 2012)

A further response from the Highway Authority has been received following a specific objection to the provision of the traffic island. This states that the use of the Fishermans Green car park for the proposed Nursery will increase the number of pedestrians crossing the road at this location. It was noted in a recent site visit that there is already a pedestrian desire line at this point for pedestrians travelling from Beach Road wanting to get to the Seafront and visa versa. The Manual for Streets and the Manual for Streets 2 (latest Government highway design guidance) both state that pedestrian crossing points should be located on or close to desire lines, so that pedestrians find them convenient to use. Placing crossing away from desire lines will reduce their level of use, even when guard railing is used. When guard railing is used many pedestrians still choose to take the shortest path, putting them at greater risk as they cross where no facilities are provided. From this location travelling to the zebra crossings and back to the site would add approximately 375m travelling to the west and 515m to the east of the site, it is unlikely that any pedestrians would travel these distances to cross. Providing a central refuge will enable pedestrians to cross the carriageway in two shorter stages, when they will only have to consider traffic travelling in one direction. Royal Parade is a 30mph road that has street lighting in place. The visibility requirements for a 30mph are 43m in either direction as this is the stopping sight distance (SSD) for this speed. This is the distance which drivers need to be able to see ahead and stop from a given speed. It is calculated from the speed of the vehicle, the time required for a driver to identify a hazard and then begin to break and the vehicles rate of deceleration. This figure (43m) is taken from the Manual for Streets. Visibility in excess of 43m can be provided in either direction from both sides of Kind Edwards Parade to allow drivers to see pedestrians and pedestrians to see vehicles. Should consent be granted for this application then the installation of the pedestrian refuge would be secured through a Sec 278 Agreement, Highways Act, 1980 with East Susses County Council. As part of the Sec 278 process the proposed design will be subject to independent road safety audit prior to and after construction to consider any safety issues that need to be addressed.

(E-mail dated 16 October 2012)

The noise consultant engaged by the Council considers that there is a need to further control noise. Although it is noted that the proposed plans seek to minimise noise by allowing children to use the outdoor play area when they choose, with the aim of reducing the number of children using it at any one time, this cannot specifically be controlled by condition or effectively policed. There is also concern that this would allow noise to be generated in the outdoor play area for up to 5 hours per day. It is important for nearby residents to have sufficient periods of respite from noise associated with the outdoor play area. Respite periods would be much reduced with the proposed times of use.

The surrounding area is residential with a number of dwellings within very close proximity. There is therefore a need to control and minimise noise such that the frequency and duration of noise does not adversely impact on residential amenity; a balance is sought between noise and respite.

The outdoor play area is intended to be used as an outdoor classroom, but this does not eliminate shouts or screams and such areas are likely at some point to be used for children to "burn off energy". It is considered that use of the outdoor play area for the prolonged periods proposed per day would be likely to result in noise impact that would be adverse to the protection of amenity at nearby existing residences. This is particularly important as it will be audible and impact internally.

It is not considered that the development is entirely unsuitable for use as a nursery with an outdoor play area. As such it is considered that the application may be approved if sufficient controls are put in place to balance the need for outdoor spaces at the nursery with the protection of amenity for local residences. It is noted that control of noise resulting from the nursery without conditions could not be addressed with statutory nuisance legislation in this case due to historical precedents. As such, it is considered that the following controls are needed for the proposed development to be acceptable:

- The nursery may be open to children Monday to Friday from 8am - 6pm with a requirement for prior written approval from the Local Planning Authority for opening on other days.
- The outdoor play area may be used by children for a maximum period of 2.5 hours per day, which could be split into different periods and is not restricted to a simple period of 2.5 hours.
- A 1.8m high solid acoustic barrier is erected as per drawing number GR0245-200 A.

The above approach is endorsed by Environmental Health.  
(E-mails dated 17 October 2012)

### **Neighbour Representations:**

The application as originally submitted (without the traffic island and permit system, but with a different balcony arrangement and access via the side alley) and attracted 10 objections from nearby residents and two businesses (one of them a nearby nursery). These are summarised thus:

- Strong objections to the amount of parking that would be associated with a nursery; parking is already overstretched in the area and an increase would be inconvenient for residents trying to park near their own properties
- Likelihood of parents parking dangerously when picking up/dropping off
- Loss of privacy to nearby residents and noise from the balcony
- An application to increase the numbers of children by 8 in the nursery in Eshton Road was refused at appeal on the grounds of highway safety and residential amenity
- There are plenty of nurseries in the area (7 within a 1 mile radius)
- Objections to the blue strip lights positioned on both elevations

(Letters and emails dated 29 June to 20 August 2012)

Following amendments to the application, all neighbours were re-notified of the proposals. This has resulted in 5 objections, and 16 emails of support. These are summarised thus:

- There is a lack of clarity in respect of numbers of children and operating hours. If permission is granted, then the nursery in Eshton Road will apply for planning permission to increase the number of children permitted in the garden (currently 6 at any one time)
- Considerable effort has been made to address issues of noise, parking and safety, but it cannot rule out parents who chose to ignore the safeguards, so safety concerns still remain. The issue of the lights and flagpoles have not been addressed
- There is no problem finding childcare in the area, nor should children be taught that playing on a roof is safe
- Alarmed at the traffic island, which would be very dangerous; what is needed is barriers to stop people crossing the road
- A shame to lose a nice pub
- A kindergarten is much better than a pub; there are enough pubs
- The building looks so much better than a run-down pub
- A good idea; will result in more investment and jobs; will increase choice
- No problem with the blue lights
- There is plenty of space to in the street to drop off
- Nothing wrong with hearing happy children playing – it's better than drunken louts shouting and swearing

(Letters and e-mails dated 24 September to 11 October 2012)

### **Appraisal:**

The main issues to take into account in determining this application are the suitability of the use in this location, the impact on visual and residential amenity, and parking/highway safety.

#### Suitability of the use

The public house has struggled for some years in this location, and has also resulted in complaints in the past from neighbours regarding noise. Eastbourne is well served by licensed premises, and the loss of a non-trading public house is unlikely to have an adverse impact in terms of a community facility. Its use as a nursery would certainly have different impacts, but these would be confined to daytime hours and is therefore considered to be an acceptable form of community facility. The lack of on-site parking is a similar scenario for most nurseries around the town, and is something which very few have the benefit of, however it would not constitute a reason for refusal.

#### Visual amenity

The refurbishment of the building has been almost completed externally, including the provision of new UPVC windows, and its appearance has certainly been improved. The fencing around the forecourt is shown to be slatted timber, and the colour/finish can be controlled by condition. The principle visual impact would be from the acoustic screen on the roof; this would sit just behind the existing parapet wall, and would be 1.8m high from its base, equating to 1.15m above the parapet; a sample of the type of material and its colour would need to be controlled by condition, but it is considered that this could be successfully installed without detriment to visual amenity.



### Residential amenity

The impact on neighbouring residents falls into two separate issues; the impact of the external alterations, and the impact of the use. The most significant impact would be on the closest properties at 70 and 72 Beach Road from the installation of the acoustic barrier, and the installation of several new windows on the rear annexe which directly face the rear of these two dwellings.

The orientation of the acoustic barrier has been amended so that it does not project any further than the rear wall of no.72; on this basis it is considered that there would be no adverse impact on the outlook from that property. The new window arrangement to the annexe has been partially carried out, and would clearly have an impact on the rear of 70 and 72 Beach Road in terms of direct overlooking. The applicant has resolved this issue by agreeing to fit the windows with obscure glazing and restrictors, which is considered satisfactory. The other impact on nearby properties would be from noise, principally from the outside play area on the balcony, and the drop off/pick up times. Given the proximity of the main road, Treasure Island and the Fishermans Green car park, and the provision of the acoustic barrier, it is considered that the potential for noise would be well within acceptable limits, and no greater than the possible noise from the authorised use as a public house.

### Parking/highway safety

The applicant has willingly agreed to provide the traffic island as requested by the highway authority, as well as enter into an agreement with the Council to secure the purchase of parking permits for staff and parents. The staff would have normal season tickets, whilst the permits would allow parents to park for a maximum of 30 minutes at specified times of the day (drop off/pick up times). This is considered to be both a practical and reasonable solution. It is acknowledged that some parents are likely to disregard these measures, but there are frequently on-street parking spaces available in Beach Road during the day, and illegal parking could be dealt with by ESCC wardens. It is also the case that traffic is almost at a standstill in Royal Parade at peak times, and it is unlikely that the presence of a nursery in this location will make any noticeable difference or result increased danger to pedestrians. On this basis, it is considered that the impact on parking and highway safety is acceptable. The operation of the season ticket/permit scheme will have to be secured by means of a legal agreement, which the agent is currently drawing up.

### **Human Rights Implications:**

Subject to appropriate safeguards in respect of hours of operation, obscure glazing and the provision of an acoustic barrier to the balcony, it is considered that there would be no adverse impact on residential amenity.

### **Conclusion:**

The proposed development bring an unused building back into use, and would have an acceptable impact on visual and residential amenity, parking and highway safety, As such it complies with the relevant policies in the Eastbourne Borough Plan 2001-2011.

## **Recommendation:**

**GRANT** subject to the prior conclusion of a section 106 agreement and the following conditions

### **Conditions:**

- (1) Commencement of development within 3 years
- (2) Development in accordance with the approved plans
- (3) Development not brought into use before the provision of the traffic island
- (4) No development until a revised Transport Statement is submitted
- (5) Hours of building works
- (6) Use operational 0800hrs to 1800hrs on Mondays to Fridays, and not at all on Saturdays, Sundays or Bank Holidays.
- (7) No more than 16 children shall use the outside play area at any one time.
- (8) The side area/alley not to be used as a recreation or play area by staff or pupils at any time.
- (9) Windows on the first floor of the annexe to the rear of 72 Beach Road to be obscure glazed and fitted with restrictors
- (10) Provision of the acoustic screen before use commences
- (11) Samples of the fencing to the forecourt and the acoustic screen to be submitted

### INFORMATIVE:

#### SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reason: It would have an acceptable impact on visual and residential amenity, parking and highway safety. As such it complies with the relevant policies in the Eastbourne Borough Plan 2001-2011.

### INFORMATIVE

The highway works will require the applicant to enter into a section 278 agreement with East Sussex County Council (the highway authority) prior to commencement.

INFORMATIVE: Your attention is specifically drawn to the conditions above marked ++. These conditions require the submission of details, information, drawings, etc. to the Local Planning Authority **PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE** or, require works to be carried out **PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT OR USE**. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may take appropriate enforcement action to secure compliance.

You are advised that sufficient time for the Authority to consider the details needs to be given when submitting an application to discharge conditions. A period of between five and twelve weeks should be allowed. A fee of £85 is payable for each submission to discharge conditions (details for one or more conditions may be submitted in any one submission).

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.

## Committee Report 30 October 2012

### Item 4

<b>App.No.:</b> EB/2012/0439	<b>Decision Due Date:</b> 6 August 2012	<b>Ward:</b> Devonshire
<b>Officer:</b> Jane Sabin	<b>Site visit date:</b> 24 July 2012	<b>Type:</b> Advertisement
<b>Site Notice(s) Expiry date:</b>	19 July 2012	
<b>Neigh. Con Expiry:</b>	20 July 2012	
<b>Weekly list Expiry:</b>	19 July 2012	
<b>Press Notice(s)-:</b>	N/A	
<b>Over 8/13 week reason:</b>	Number of objections to corresponding application EB/2012/0438(FP)	
<b>Location:</b>	74 Beach Road	
<b>Proposal:</b>	Display of two externally illuminated fascia signs	
<b>Applicant:</b>	Mr. S. A. Gulzar	
<b>Recommendation:</b>	Approve	

#### **Planning Status:**

- Classified road
- Flood zone 3

#### **Relevant Planning Policies:**

UHT12 - Advertisements

#### **Site Description:**

This purpose built public house dates from approximately 1901, and is located on the corner of Beach Road and Royal Parade. Known for many years as the Beach Public House, it has more recently been known as the Big Apple, and latterly Oscar's. It has been vacant for approximately one year. The original part of the building is two storeys high, with a later single storey extension to the rear covering the full depth of the site. A storage building associated with the pub (and attached to it) is located to the rear of the adjoining dwelling and is accessed via a wide alley between the two buildings.

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

N/A

**Proposed development:**

It is proposed to utilise the existing signage boards on both elevations, measuring 6m in width and 900mm in height, and to provide new back boarding with gold painted letters 380mm high. The existing trough lights running along the top of the boards are to remain.

**Consultations:**

N/A

**Neighbour Representations:**

None received.

**Appraisal:**

The signage utilises the existing high level boards and also retains the existing trough lights. Whilst neither has received consent previously, they have been in situ for some years without complaint. It is considered that the signage is appropriate to the design and scale of the host building, and would have no adverse impact on visual amenity.

**Human Rights Implications:**

None.

**Conclusion:**

The proposed signage is appropriate to the design and scale of the building, and would have no adverse impact on visual or residential amenity.

**Recommendation:**

**GRANT** subject to conditions

**Conditions:**

Standard advert conditions (1) to (5)

**Informatives:**

Approved plan references (GR0245-200/A, GR0245-201/A and GR0245-300)

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**

## Committee Report 30 October 2012

### Item 5

<b>App.No.:</b> EB/2012/0573	<b>Decision Due Date:</b> 09.10.12	<b>Ward:</b> St Anthony
<b>Officer:</b> Katherine Quint	<b>Site visit date:</b> 18.09.12	<b>Type:</b> Minor
<b>Site Notice(s) Expiry date:</b>	20.09.12	
<b>Neigh. Con Expiry:</b>	22.09.12	
<b>Weekly list Expiry:</b>	26.09.12	
<b>Press Notice(s)-:</b>	N/A	
<b>Over 8/13 week reason:</b>	Within date	
<b>Location:</b>	42 The Rising	
<b>Proposal:</b>	Erection of two storey extension to the side	
<b>Applicant:</b>	Mr Matthew Philips	
<b>Recommendation:</b>	Approve	

#### Planning Status:

- Predominantly residential area

#### Relevant Planning Policies:

UHT1 - Design of New Development  
HO20 - Residential Amenity

#### Site Description:

The semi-detached, two-storey dwelling house is positioned on a plot measuring 28m by 9.5m. Alongside the side elevation runs a strip of land 3.6m in width, running front to back and parallel to the public footpath of Carroll Walk. Perpendicular to 42 The Rising runs a terrace of 4 properties, accessed via Carroll Walk, each of which has an open plan front garden measuring 6.7m in depth (8.7m from the front door to the boundary wall of 42 The Rising).

**Relevant Planning History:** None

**Proposed development:**

The applicant seeks permission to erect a two-storey side extension (7.3m high), increasing the width of the property by 3.6m. The rear elevation will include patio doors at ground level and one window at first floor level, the front elevation will have a new window on each floor – no windows or doors on the side elevation. The proposed side elevation and gable end will mirror the existing arrangement.

**Applicant's Points:** None

**Consultations:**

Consultation letters were sent to neighbouring properties on Carroll Walk and 42a/b The Rising, and a site notice was displayed nearby.

**Neighbour Representations:**

As at 18.09.12, two objections had been received, and a request was made for the application to be discussed at Planning Committee.

The following concerns were raised through representations:

- Residents in Carroll Walk will be adversely affected by this extension should it be built. Their main living area is at the front of their houses which will be directly opposite the new wall and both loss of light and overshadowing will result.
- The large brick wall (5-6m high) will be within 9m of the lounge window of no. 4 Carroll Walk making it dark enclosed and claustrophobic.
- The proposed extension is a large one, adding considerable floor area to the property, and will be both dominant and overbearing. The proposal is an overdevelopment of the site.

**Appraisal:**

- The front and rear elevations of the extension continue in line with the existing building line, and with regard to design and appearance the extension is not considered to have a detrimental impact on the visual amenity of the residential area.
- There are no windows on the side elevation at ground or first floor level, and the new windows to the front and rear remain at the same distance from neighbouring properties as existing windows. On this basis the development does not impact on the privacy of the occupants of neighbouring properties.
- The two-storey extension is the same height as the host property and those around it, and the height of the extension is appropriate for the run of terrace properties. At a distance of 8.7m across a public footpath and open plan front gardens, and as the extension does not extend beyond the existing boundary wall measuring 1.85m in height, the proposal is considered to be at an appropriate distance from neighbouring properties. It not considered to have an overbearing relationship with properties perpendicular to it.

- The development will result in a slight increase in shadow from the 2-storey element, which will be cast over The Rising, the existing property and the garden. By virtue of the positioning of the terraces on The Rising and Carroll Walk in relation to the suntrack, neighbouring properties will not suffer a loss of sunlight as a result of the extension.
- The proposal is recommended for approval, subject to the condition that materials match those of the existing property to ensure the extension is in harmony with the terrace, and that no windows are added to the side elevation to ensure privacy is not compromised.

**Human Rights Implications:**

The proposal is considered to have no Human Rights implications.

**Conclusion:**

The scale, location and visual impact of the proposal do not detract from the residential amenity of the surrounding area. In accordance with policy HO20, the proposal by virtue of its location, size and design, does not impact on outlook, privacy, overshadowing or loss of light, and is at a scale that is appropriate to the neighbouring buildings. Subject to conditions, the proposal complies with the relevant borough plan policies: Eastbourne Borough Plan 2001-2011 (Saved policies, 2007).

**RECOMMEND:** Permission be granted subject to the following conditions:

**Conditions:**

- Time limit
- Materials to match existing
- Removal of PD rights 'windows' in side elevation
- In accordance with approved plans

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**





## Committee Report 30 October 2012

### Item 6

<b>App.No.:</b> EB/2012/0576	<b>Decision Due Date:</b> 11/10/12	<b>Ward:</b> Langney
<b>Officer:</b> Suzanne West	<b>Site visit date:</b>	<b>Type:</b> Minor
<b>Site Notice(s) Expiry date:</b> 27/09/12		
<b>Neigh. Con Expiry:</b> 28/09/12		
<b>Weekly list Expiry:</b> 26/09/12		
<b>Press Notice(s)-:</b> N/A		
<b>Over 8/13 week reason:</b> Committee		
<b>Location:</b> 83-85 The Rising		
<b>Proposal:</b> Erection of two storey detached building containing two self-contained flats		
<b>Applicant:</b> Mr. Z. Karmali		
<b>Recommendation:</b> Approve		

**Reason for referral to Committee:**

Previous committee item

**Planning Status:**

- Predominantly Residential Area
- Tidal Floodzone 3a

**Relevant Planning Policies:**

Eastbourne Borough Plan 2001-2011

UHT1	Design of New Development
UHT2	Height of New Buildings
UHT4	Visual Amenity
HO1	Residential Development within the Existing Built-Up Area
HO2	Predominantly Residential Areas
HO6	Infill Development
HO7	Redevelopment
HO11	Residential Densities
HO20	Residential Amenity
TR2	Travel Demands
TR6	Facilities for Cyclists
TR11	Car Parking

NE11	Energy Efficiency
NE28	Environmental Amenity
US4	Flood Protection and Surface Water Disposal

#### Emerging Core Strategy 2006-2027

B1	Spatial Development Strategy and Distribution
B2	Creating Sustainable Neighbourhoods
C8	Langney Neighbourhood Policy
D1	Sustainable Development
D5	Housing

#### **Site Description:**

The application site, approximately 0.04 hectares, lies within an established residential area characterised by a mix of semi-detached and terraced two storey dwellings, flats and bungalows of 1970s vernacular. The built form is staggered in height to follow the gradient with No.83-85, a semi-detached dwelling subdivided into 2No. 1 bedroom flats, set at a higher level than No.87, a semi-detached bungalow directly adjacent to the site to the north-east. The site is bounded on all three elevations by public highway with Austen Walk public footpath to the north-east (flank) and north-west (rear) and Hide Hollow Cemetery beyond to the rear. The land proposed for development relates to the northern section of the site which does not form part of the garden curtilage of No.83-85 and currently serves as open space. At present, there is no on-site car parking for existing residential properties.

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

EB/2012/0302	Erection of two storey detached building containing two self-contained flats. Officer recommendation of approval. Refused at committee. 14/06/12 Reason: The proposal due to its siting in advance of the existing building line of the adjacent properties 83-85 The Rising would be visually intrusive into the existing street scene to the detriment of the character of the site and surrounding area, and would therefore conflict with policies UHT1 and UHT4 of the Eastbourne Borough Plan 2001-2011.
EB/2011/0629	Erection of three two bedroom flats. Withdrawn. 28/11/11.

#### **Proposed development:**

This application follows the recent refusal of EB/2012/0302 for the erection of a two storey detached building comprising two self-contained flats. The scheme was refused at committee by reason of its siting in advance of the existing building line of the adjacent properties 83-85 The Rising being visually intrusive in the existing street scene to the detriment of the character of the site and surrounding area.

The current scheme has sought to address this concern by bringing the building back some 2.5m in line with 83-85 The Rising. In order to accommodate the two units proposed, the footprint of the building has increased 1.9m in width (8.8m total with a separation distance of 10.7m from No.87 to the north east) and 0.5m in depth (8.3m total) with a marginal reduction of 0.3m in ridge height (1.1m below ridgeline of 83-85 The Rising). With the exception of some minor layout revisions and associated fenestration alterations, the scheme remains as proposed under application EB/2012/0302.

The applicant proposes a two storey building, subdivided into 2No. two bedroom flats with an open landscaped frontage and enclosed private communal garden area behind. Each new unit will accommodate a living/dining area, kitchen, two bedrooms, one bathroom and storage facilities (51m<sup>2</sup> and 57m<sup>2</sup> for the ground and first floor respectively) with one car parking space per unit and one shared visitor space allocated in the existing nearby parking area to the south-west of the site. Cycle and refuse storage will be located to the rear, accessed via a secure gate leading from Austen Walk. The existing pedestrian access will be retained and re-built to allow shared accessed with each unit having independent access. A new ramp from Austen Walk leading to the principle entrance of the building will provide disabled access. The building will be detached from No.83-85 with a separation distance of approximately 1m to retain the existing flank access serving No.85 (first floor flat).

The palette of materials will match existing to include facing brickwork, painted render, interlocking concrete tiles and white PVCu fenestration with a 1.8m high close boarded timber fence to mark the rear boundary. Window/door openings are proposed on all elevations at ground floor level with only the front and rear elevations comprising openings at first floor with the exception of a small window serving the stairway on the southern flank elevation.

Foul drainage to the public sewer will be directed via existing drains serving 83-85 The Rising.

### **Consultations:**

Environmental Health: No objections.  
(Email, 05/09/12)

Highways Authority: 'The site lies within Zone 4 of the East Sussex County Council, Parking Standards at Developments, Supplementary Planning Guidance. As such the parking provision should be 75% - 100% of the standard for the development type. In this case it is 1 space per flat plus 1 space per 3 units for visitors. The proposal is to provide 3 spaces for this development which is acceptable for the zone it is in.

The site is located on a well served bus route, with a service approximately every 15 minutes that links to the Town Centre, DGH, Sussex Downs College and Hampden Park station amongst others. Bus shelters are already installed in The Rising and are located approximately 90m and 165m away from the site.

The site is also within relatively close proximity of Langney Shopping Centre with the associated shops and services, and can be reached on foot by utilising the existing footways and traffic islands to cross Langney Rise. The site can therefore be considered to be in a sustainable location in terms of public transport provision and proximity to shop and services.’  
(Memo, 10/05/12)

Policy: Planning Policy support the application as an important windfall housing development for the town and Langney neighbourhood. We consider the application to provide sustainable development in line with the National Planning Policy Framework.  
(Memo, 27/09/12)

### **Neighbour Representations:**

Two objections have been received from nearby residents who raise the following concerns:

- The development will exacerbate congestion problems;
- Loss of light and privacy;
- Restricted access to rear public footpath; and
- The development will worsen the existing sewerage problem.

### **Appraisal:**

The applicant has pro-actively engaged in discussions with the Council at all stages of the application process and the current scheme addresses the sole reason for refusal under application EB/2012/0302, namely the buildings siting in advance of the existing building line of the adjacent properties 83-85 The Rising being visually intrusive in the existing street scene to the detriment of the character of the site and surrounding area.

### Principle of Development

The subject plot of land forms part of the curtilage of No.83-85 and currently serves as open space. The site is located within a predominantly residential area and, as such, the principle of residential development is acceptable subject to other material considerations.

In light of the recent publication of the NPPF which stipulates a presumption in favour of sustainable development and the sustainable location of the site, significant weight is given to the proposed redevelopment for residential use. The scheme will provide valuable windfall housing in a sustainable location with good public transport links in accordance with the Langney Neighbourhood Policy (Policy C8) of the Core Strategy ‘providing new housing through the redevelopment of underutilised sites’ and would support the neighbourhood vision by ‘making a significant contribution to the delivery of additional housing in a sustainable location’. The emerging spatial development strategy (Policy B1 of the Core Strategy) is dependent on a small number of greenfield sites within the urban area that are of low value and poor quality coming forward for development.

The type of accommodation proposed is appropriate for the area with several other properties within the vicinity subdivided into flats.

### Visual Amenity

The form and scale of the new building replicates the surrounding housing stock and has been carefully designed to reflect the 1970s architecture that characterises this part of Langney with elevational treatment, detailing and horizontal emphasis to match existing. The building will incorporate a simple design, stepping down in height from No.83-85 to follow the existing pattern of development to read as a continuation of the built form.

The communal garden will be enclosed by 1.8m close board fencing on all elevations, set back some 6.3m from the highway to retain an open frontage. Although a large portion of the outdoor amenity space will be enclosed, the development maintains a healthy gap between No.87 to the north-east which, together with the open frontage, helps retain an element of 'open' character. It is recommended that any future development forward of the existing building line is restricted by way of condition to retain this open frontage.

### Residential Amenity

The proposed units will provide a good standard of accommodation with ample outdoor amenity space for future occupiers. The fenestration layout, boundary screening and separation distances proposed will ensure the scheme does not result in any significant loss of light, outlook or privacy for adjoining residents with particular regard to the occupiers of No.87 directly adjacent.

### Highway Issues

The Highway Authority is satisfied that the allocation of 3 parking spaces in a nearby parking area to the south-west of the site will adequately serve the development. A transport contribution is not required in light of the sites' sustainable location with good pedestrian and public transport access.

### Sustainability

The development will be constructed to exceed Level 3 of the The Code for Sustainable Homes with reference to thermal efficiency and carbon emissions. Consideration has been given to different renewal energy options including Combined Heat and Power (CHP) and a Heat Recovery System/Air Source Heat Pump.

### Flooding

Notwithstanding that the site is located in Tidal Flood Zone 3a and East Langney and Mountney Levels Flood Area (Policy US4 of the Borough Plan), the Council is satisfied that no specific site measures are required to protect the site from flooding.

SUDS attenuation will be implemented to manage surface water disposal.

### **Human Rights Implications:**

It is considered that there would be no adverse impact on the amenities of adjacent or nearby residents as a result of the development.

**Conclusion:**

Following amendments to set back the proposed building line, the scheme is acceptable in terms of the loss of open space, the scale and design of the replacement buildings, the impact upon nearby residents and provision of parking. The development will make a valuable contribution to the towns housing stock.

**RECOMMEND:** Permission be granted subject to the following conditions:

- (1) Time Limit
- (2) Hours of work on site
- (3) Details of cycle and refuse storage
- (4) Restrictions to openings on flank elevation, first floor.
- (5) Materials to match
- (6) Fencing & wall restrictions
- (7) In accordance with plans

**SUMMARY OF REASONS FOR DECISION**

The proposed development is considered acceptable for the following reason:

There would be no adverse impact on visual and residential amenity or highway safety. The development accords with the relevant policies in the Eastbourne Borough Plan 2001-2011.

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.

## Committee Report 30 October 2012

### Item 7

<b>App.No.:</b> EB/2012/0610	<b>Decision Due Date:</b> 07/11/12	<b>Ward:</b> Meads
<b>Officer:</b> Suzanne West	<b>Site visit date:</b>	<b>Type:</b> Minor
<b>Site Notice(s) Expiry date:</b> 16/10/12		
<b>Neigh. Con Expiry:</b> 17/10/12		
<b>Weekly list Expiry:</b> 17/10/12		
<b>Press Notice(s) Expiry:</b> N/A		
<b>Over 8/13 week reason:</b> N/A		
<b>Location:</b> Land within the curtilage of 15 Upper Carlisle Road		
<b>Proposal:</b> Erection of detached house with integral garage to the side of 15 Upper Carlisle Road (outline application)		
<b>Applicant:</b> Mr. Benton		
<b>Recommendation:</b> Approve		

#### **Reason For Referral To Committee:**

Request from local resident

#### **Planning Status**

- Predominantly Residential Area
- Tree Preservation Order
- Source Protection Zone

#### **Relevant Planning Policy**

##### Eastbourne Borough Plan 2001-2011:

UHT1	Design of New Development
UHT4	Visual Amenity
HO2	Predominantly Residential Areas
HO6	Infill Development
HO20	Residential Amenity
TR11	Car Parking

### Emerging Core Strategy:

B1	Spatial Development Strategy & Distribution
B2	Creating Sustainable Neighbourhoods
C11	Meads Neighbourhood Policy
D1	Sustainable Development
D5	Housing

### **Site Location:**

Upper Carlisle Road lies within a predominantly residential area, characterised by an array of individually designed dwellings each substantial in size. The plot of land to which this application relates currently forms part of the side and rear garden of 15 Upper Carlisle Road, a large detached dwelling set within an extensive plot on the southern side of Upper Carlisle Road. The allocated plot will extend the full depth of the curtilage, backing onto Lordslaine Close, and flanking No.19 to the west.

The trees on and adjacent to the site are protected by a Tree Preservation Order and the site contains a number of mature specimens, including Yew and Sycamore at the front in the area of the proposed driveway. There is also a line of mature Holm Oaks on the boundary with No.19 Upper Carlisle Road.

### **Planning History**

Outline planning permission has been granted for the erection of a detached dwellinghouse with integral garage on land within the curtilage of 15 Upper Carlisle Road in:

- 1995 (EB/1994/0663)
- 1998 (EB/1998/0017)
- 2002 (EB/2002/0091)
- 2005 (EB/2005/0238)
- 2008 (EB/2008/0656)

### **Proposed Development**

Outline planning permission is sought to construct a detached two-storey dwelling with integral double garage between the existing house at 15 Upper Carlisle Road and No.19 to the west. An indicative layout plan shows front and rear building lines similar to the neighbouring houses with amenity space retained to the front, side and rear of the property including vehicular access from Upper Carlisle Road.

All matters (layout, design, scale and landscaping) are reserved for later consideration.

### **Consultations**

#### **Highways:**

No objection subject to car parking and cycling details.  
(Memo, 10/10/12)



**Borough Arboriculturalist:**

The landscaping on the site and trees on the adjacent plots should be evaluated and where possible be protected during the construction of the new development.

(Email, 15/10/12)

**Neighbour representations**

Four letters of objection have been received raising the following concerns:

- The application is lacking in detail, with particular regard to the impact of the development on the protected trees on site.
- The scheme will result in the overdevelopment of the site with associated noise and traffic.
- Loss of privacy for adjacent occupiers.

**Appraisal**

The principle of development on this site has been previously accepted in outline on five occasions, the last of which was granted in 2008 with a layout plan that matches the current scheme with the exception of the rear recess which the applicant now proposes to infill.

Since the grant of planning permission in 2008, the National Planning Policy Framework (NPPF) has been published and the Core Strategy has reached an advanced stage in the adoption process. Both of these documents are now a material consideration in the assessment of this application and, with a presumption in favour of sustainable development and priority given to brownfield sites, further weight is given to the principle of the proposed scheme. The development of this windfall site would make efficient use of brownfield land and provide an additional housing unit to contribute, albeit in a small way, to the overall housing delivery targets. The site is located in a sustainable location with good public transport links and, subject to detailing, there is no reason why the development should adversely impact neighbouring residential amenity.

The specific design, layout, access and landscaping to be considered at a later stage must ensure that the appearance of the dwelling harmonises with the surroundings and nearby protected trees would not be harmed. The detailed application for reserved matters will require the submission of a full arboricultural assessment.

**Human Rights Implications**

It is considered that the proposed development would not affect the rights of occupiers of surrounding residential properties to the peaceful enjoyment of possessions and protection of property.

**RECOMMEND:** Permission be granted subject to the following conditions:

- (1) Approval of the details
- (2) Time Limit
- (3) Matching materials
- (4) Retention & protection of trees
- (5) Restriction of bonfires
- (6) Provision of hard standing for wheel washing
- (7) Surface water drainage details
- (8) Hours of work on site

#### SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reasons... The proposed development would have no harmful effects on the character and the appearance of the locality or the amenities of occupiers of neighbouring dwellings in accordance with the relevant policies of the Eastbourne Borough Plan 2001-2011 and the requirements of the National Planning Policy Framework.

#### INFORMATIVE

For the avoidance of doubt, the plans hereby approved are:  
2012/44/01A [Proposed Site Layout], received 11/09/12

#### INFORMATIVE

In accordance with the East Sussex County Council's adopted parking standards this development proposal should be provided with a maximum of 2 parking spaces. The minimum dimensions for a garage to be considered as a parking space is 6m x 3m. If the garage is also going to include cycle storage the minimum dimension is 7m x 3m.

#### INFORMATIVE

In accordance with the East Sussex County Council's adopted parking standards this development proposal should be provided with 2 long term and 1 short term cycle parking spaces. These parking facilities should be covered and secure and located within the site in a convenient location for users.

## Committee Report 30 October 2012

### Item 8

<b>App.No.:</b> EB/2012/0623	<b>Decision Due Date:</b> 7 November 2012	<b>Ward:</b> Langney
<b>Officer:</b> Jane Sabin	<b>Site visit date:</b> 5 September 2012	<b>Type:</b> Outline
<b>Site Notice(s) Expiry date:</b>	18 October 2012	
<b>Neigh. Con Expiry:</b>	19 October 2012	
<b>Weekly list Expiry:</b>	24 October 2012	
<b>Press Notice(s)-:</b>	N/A	
<b>Over 8/13 week reason:</b>	N/A	
<b>Location:</b> Land within the cartilage of 10 Spring Lodge Close		
<b>Proposal:</b> Outline application for the erection of 2 no three bedroom terrace houses, together with the creation of 7 no car parking spaces off Spring Lodge Close.		
<b>Applicant:</b> H & G Property Consultants Ltd		
<b>Recommendation:</b> Approve		

#### Planning Status:

- Within 250m of a landfill site
- Covenants

#### Relevant Planning Policies:

UHT1	-	Design of development
UHT4	-	Visual amenity
HO2	-	Predominantly residential areas
HO6	-	Infill development
HO7	-	Redevelopment
TR11	-	Car Parking
NE16	-	Development within 250m of former landfill sites
NE28	-	Environmental amenity

#### Site Description:

This late 1960's end of terrace dwelling is located in the south east corner of Spring Lodge Close. It has a large side garden, situated in the space between two terraces which sit at right angles to each other.

The terraces in the close face onto two small greens bisected by the carriageway, both of irregular shape, and one significantly larger than the other; the larger green has a small lay-by cut into it, which is generally heavily parked, along with two trees. Bishop Bell School lies to the south of the site separated by a public footpath, and a further terrace of dwellings lies to the rear (west) also separated by a public footpath.

**Relevant Planning History:**

App Ref:EB/2004/0548 Description: Erection of detached three bedroom dwelling together with provision of seven car parking spaces off Spring Lodge Close.

Decision: Allowed Date: 1 February 2006

App Ref:EB/2006/0182 Description: Erection of a two storey extension at side.

Decision: Approved Date: 23 May 2006

App Ref:EB/2012/0258 Description: Outline application for the erection of 2 no. three bedroom terrace houses, together with the creation of 7 no car parking spaces off Spring Lodge Close.

Decision: Withdrawn Date: 12 June 2012

**Proposed development:**

Permission is sought to extend the terrace by the construction of two attached dwellings on the side garden of 10 Spring Lodge Close, in lieu of the previously approved detached dwelling. This has been made possible by the rerouting of the foul sewer crossing the site in agreement with Southern Water. The two dwellings would have the same footprint and height as the existing dwellings in the terrace, and would be of an almost identical design, however they would be 800mm wider, and the end dwelling would have a modest single storey extension at the side (facing the school).

A Site Safety Plan has been submitted, indicating that Keymer Close would be used for deliveries and works access during construction.

A further plan has been submitted showing the provision of seven parking spaces cut into the smaller of the two greens at right angles to the road.

The application is submitted in outline, with matters of access, appearance, layout and scale to be considered at this stage (landscaping is reserved for future determination).

**Applicant's Points:**

- The site is within the development boundary and does not lie within a flood risk area.
- The immediate neighbouring properties are end of terraced houses, of the same design. The side gable ends of 9 Spring Lodge Close to the east, and 27 Keymer Close to the west, face towards the site, with a school playground and car park to the south of the site.

- The surrounding buildings are all similar 1960s terraced houses, and all built in the same style. It is proposed to match the style and materials of the existing buildings.
- There are no mature trees, but it is proposed to retain the boundary hedgerow.
- Previous applications have been approved for a single detached dwelling to the south of the site, (ref. EB/2004/0548) and for a 2 storey extension to the side of no.10 (ref. EB/2006/0182).
- It is considered that adding two new properties to the existing terrace would be more in keeping than the above approved proposals.
- The proposal is further north than the previous approved application (EB/2004/0548) and therefore have a significant less potential effect of evening shadowing on 9 Spring Lodge Close.
- Pre-advice has been sought, in order to produce an acceptable scheme. The comments and suggestions have been taken into account and our drawings amended accordingly. There were concerns with regard to overlooking, and it was suggested that the first floor bedroom window facing No 9 Spring Lodge Close should be relocated to the proposed South Elevation. This has been carried out. Refer to design drawings.
- There are existing parking problems in the area, and a number of people in the neighbouring properties were unhappy with the proposed parking in our recent application. This resulted in the application being withdrawn, providing the opportunity to re-assess the situation.
- Following the discussions, two new parking schemes were prepared (both offering 5 spaces) and a copy of each plan (Options 1 and 2) was delivered to the occupiers of the affected properties (No's 73 - 95 (odd Nos. only) in Priory Road and No's 1 - 26 inclusive in Spring Lodge Close), asking them to let us know their preferred option. Despite the previous objections there was little response, but the majority of those who did reply preferred our option 2. However, the general consensus was that the 5 spaces would be insufficient.
- Having taken note of the comments, it has been decided to submit the proposal to include the preferred second option, but to increase the original proposed number of spaces from 5 to 7. It is hoped that this will be seen as the gesture of goodwill intended towards the neighbours, and that it will ease the parking situation.

**Consultations:**

Environmental Health has no recommendations to make on the application. (E-mail dated 26 September 2012)

The Highway Authority states that due to the layout of Spring Lodge Close, parking spaces cannot be provided within the property boundaries of the dwellings, however the application includes the provision of a parking area for 7no. cars in a grass verge slightly away from the site, but within Spring Lodge Close. This level of parking provision although higher than the recommended standard, is acceptable as maximum parking standards were removed by the coalition government in early 2011.

The details of the proposed parking area are acceptable in principle; however a swept path analysis should be provided to prove that the spaces can be used without affecting the existing on street parking spaces opposite. It is acknowledged that the spaces are deeper than standard and 2.5m wide but it may be that the spaces would need to be wider to reduce the amount of manoeuvring space required behind the spaces. However as the amount of space available is limited it may not be possible for vehicles to enter and exit the spaces in one movement. This may require some back and fore manoeuvring, but given the low traffic volumes and speeds in Spring Lodge Close it is likely to be acceptable. It is recommended that any consent should be subject to a swept path analysis and drainage provision, and a legal agreement to secure the highway works are done to the correct standard. (Memo dated 16 October 2012)

### **Neighbour Representations:**

At the time of writing this report four representations had been received from residents of the close. Three are objections, and one seeks assurance that the new parking spaces are of sufficient size. The objections are summarised thus:

- The proposed dwellings would overlook the landing window of no.9 and all the rear gardens of nos.1-9
- Overshadowing, loss of privacy, loss of views
- The proposed dwellings would block out the sun from the rear gardens in the afternoons
- Damage to existing foundations and dirt/dust from building works
- Adverse impact on trees on the green, which should have TPO's
- The loss of the green, which should be left untouched for the benefit of residents; the green should not be desecrated in any way, as it is a safe area for children to play which should not be developed at the expense of residents
- Only 1 additional parking space will result, as others will be lost
- Two houses will generate four cars – seven extra spaces is laughable
- The close is already over capacity, with double parking in the evenings
- The proposed parking scheme is an improvement but is still not acceptable (spaces too small, not enough turning space, no protection against flooding). A site meeting with residents, the Highway Authority and Planning is needed

(Letters and emails dated 9 to 15 October 2012)

### **Appraisal:**

The main issues to be taken into consideration in determining this application are whether the development of the site is acceptable in principle, and whether the impact of the proposal on highway safety, and visual, residential and environmental amenity is acceptable.

#### Principle of development

Although garden land is no longer considered to be "brownfield", this does not in itself prevent development where in all other respects, the proposals are acceptable. The National Planning Policy Framework supports sustainable development and expects local planning authorities to apply the presumption in favour of sustainable development, subject to adopted and up to date local policies.

The current policies are “saved” by way of government direction, and due weight must also be given to policies in the emerging Core Strategy (which has recently undergone an Examination in Public, with the outcome awaited). The location and size of the site is considered to comply with Borough Plan policies in terms of infill and redevelopment. The previous appeal decision is also a material consideration in determining this application, since the decision is relatively recent, and examined the same issues. The Inspector took into account the size, location and design of the proposed detached dwelling and the impact it would have on nearby residents and concluded that it would not significantly harm the character and appearance of the area and would not contravene relevant development plan policies.

#### Highway safety

None of the dwellings in the terrace, or the adjoining terrace have vehicular accesses, since they face directly onto the green. The dwellings do have a garage court in the northern corner of the close, but the close remains heavily parked, as many people prefer to park in the street, or have two cars, thus parking is a major issue for residents. The proposed parking layout, on which residents have been consulted directly by the applicant, provides seven spaces. Whilst these spaces themselves are of adequate width and depth, they may result in three spaces opposite being affected; it appears that this could be addressed by enlarging the spaces, and will be subject to a planning condition to secure a swept path analysis. An increase of between seven and four spaces is considered acceptable for the provision of two three-bedroom houses.

#### Visual amenity

The proposed dwellings are almost identical to the remainder of the terrace, and as such would not appear to be out of character with the surrounding properties, and would maintain the uniformity of the terraces and the general layout. The precise siting of the dwellings is not ideal, since the main outlook from the front would be onto the flank wall of 9 Spring Lodge Close, and at the rear onto the flank wall of 27 Keymer Close, however, any future occupiers of the dwellings would be aware of these shortcomings. In terms of the streetscape however, it is not considered that such an extension to the terrace would visually disrupt the layout of the close to any significant or harmful degree as the building lines would be maintained. With respect to the impact on the communal green, it is considered that the level of on street parking already has a negative impact on the character and appearance of the area, and the loss of part of the smaller northern green would have only a very limited impact on the recreational use currently enjoyed, whilst providing additional on street parking sufficient to accommodate the proposed dwellings.

#### Residential amenity

As stated above, the outlook of the proposed dwellings would be onto the flank walls of the adjacent properties, however there are no windows to habitable rooms (only landings) on these elevations, and therefore privacy for existing residents would be safeguarded. Turning to the impact of windows to habitable rooms, these have been fully considered so that the first floor windows overlook either where there is existing overlooking (the rear bedroom windows in the terrace already overlook 27 Keymer Close), or front gardens (which are overlooked by all), or, in the case of those facing the rear garden of 9 Spring Lodge Close, these are obscure glazed.

In such an urban layout of small terraced dwellings, there will always be a degree of overlooking of front and rear gardens from immediate neighbours. As the agent has stated in the Design and Access statement, the dwellings are sited further to the north than the appeal proposal, which sited the dwelling approximately 2.5m from the side boundary; this distance has been increased to 7.3m (4.8m for the single storey element) thus improving the outlook from both adjoining properties when compared to the approved scheme. With regard to over shadowing and loss of sunlight, the orientation of the proposed dwellings is such that there would be minimal loss of direct sunlight in the winter months, and, as stated above, the bulk of the buildings would be sited further north than the scheme approved on appeal. It is concluded that residential amenity would not be unacceptably harmed.

#### Environmental amenity

There is a leylandii hedge on the appeal site, which has very limited value; the hedge is shown to be retained, and would be subject to a landscaping plan, although it is considered that in such a tight space, its retention during the building works may be difficult. It is considered that more appropriate boundary planting should be sought on this southern boundary, which would be more beneficial to the area and future occupants. There is a mature Sorbus on the green adjacent to the proposed parking area, and its retention should not be affected by the proposal or associated works. It is considered that there would be a neutral impact on environmental amenity.

#### **Human Rights Implications:**

It is considered that the impact on residential amenity would be within acceptable limits.

#### **Conclusion:**

The proposed development is considered acceptable in terms of its impact on highway safety, and visual, residential and environmental amenity, and therefore complies with the relevant policies in the Eastbourne Borough Plan 2001-2011.



**Recommendation:**

**GRANT** subject to conditions

**Conditions:**

- (1) Approval of reserved matters to be sought
- (2) Submission of reserved matters
- (3) Submission within 3 years
- (4) Commencement of development
- (5) Approved plan numbers
- (6) Submission of a swept path analysis
- (7) Provision of parking before occupation of dwellings
- (8) Compliance with Site Safety Plan
- (9) Hours of operation
- (10) Samples of materials
- (11) Submission of ground contamination investigation/remediation
- (12) Floor levels and roof height to match terrace
- (13) Tree protection during construction
- (14) Obscure glazing to front first floor windows of unit 10B
- (15) No other windows than those approved
- (16) Submission of details of boundary treatment

**Informatives:**

1) SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reason:

There would be no adverse impact on highway safety, and visual, residential and environmental amenity, and therefore complies with the relevant policies in the Eastbourne Borough Plan 2001-2011.

2) Submission of details reserved by condition.

3) Requirement to enter into a section 278 agreement with ESCC

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**



## Committee Report 30 October 2012

### Item 9

<b>App.No.:</b> EB/2012/0631	<b>Decision Due Date:</b> 13.11.12	<b>Ward:</b> St Anthony's
<b>Officer:</b> Katherine Quint	<b>Site visit date:</b> 09.10.12	<b>Type:</b> Minor
<b>Site Notice(s) Expiry date:</b>	24.10.12	
<b>Neigh. Con Expiry:</b>	24.10.12	
<b>Weekly list Expiry:</b>	24.10.12	
<b>Press Notice(s)-:</b>	N/A	
<b>Over 8/13 week reason:</b>	Within date	
<b>Location:</b>	2 Priory Road	
<b>Proposal:</b>	Demolition of existing bungalow and erection of block of eight flats together with eight parking spaces	
<b>Applicant:</b>	Mr and Mrs Benn	
<b>Recommendation:</b>	Approve, subject to conditions	

#### Planning Status:

- Predominantly residential area
- Flood zone 2
- Archaeologically Sensitive Area

#### Relevant Planning Policies:

Eastbourne Borough Plan Policies 2001-2011 (Saved policies, 2007):

UHT1 -	Design of new development
UHT2 -	Height of buildings
UHT4 -	Visual amenity
UHT7 -	Landscaping
HO1 -	Residential development within existing built-up area
HO2 -	Predominantly residential areas
HO4 -	Housing allocations
HO7 -	Redevelopment
H013 -	Affordable Housing
HO20 -	Residential amenity
TR11 -	Car Parking
US4 -	Flood protection and surface Water Disposal

Eastbourne Plan: Core Strategy Policies:

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C8: Langney Neighbourhood Policy

D1: Sustainable Development

D5: Housing

**Site Description:**

The application site relates to a plot measuring 0.042 ha, located on the corner of Priory Road and Great Cliffe Road, on which there is currently one bungalow.

Adjacent to the site on Priory Road is a fast food takeaway, separated from the site boundary by a row of garages. To the north-east of the site, separated by Great Cliffe Road, is the prominent 3-storey, flat-roofed residential block of Nicholson Court. North-west of the site is the 3-storey, pitched-roofed residential block of Williams Court, located 30m away on the opposite site of Priory Road.

In addition, there is a run of four dwellings in a 2-storey terrace, which faces onto Langney Rise; one of which backs onto the proposed parking area of the development. Immediately to south-east of the site is a bungalow, positioned 1.4m from the site boundary (adjacent to the proposed parking area). Properties along Priory Road are characterised by a mix of residential buildings without regularity in design, and generally 2-3 storey in height. Great Cliffe Road (leading into the cul-de-sac of Priory Orchard) is characterised by 2-storey modern dwellings in a series of terraces.

The topography of the area is level across Priory Road and Great Cliffe Road, dropping to the west to meet Langney Rise.

**Relevant Planning History:** None

**Proposed development:**

The planning application proposes demolition of the existing bungalow and detached garage, and erection of 3-storey block (plus 4<sup>th</sup> storey in the roof), together with 8 parking spaces.

The development comprises 8 flats (2 on each floor) with an overall footprint of 140m<sup>2</sup>. Within the block there will be 3x 1-bed and 5 x 2-bed, and floorspace of each flat ranges from 49m<sup>2</sup> to 69m<sup>2</sup>; and 54m<sup>2</sup> in the roof space. A lift has been designed into the block. The block measures 12.75m to the ridge line, in comparison with nearby buildings: Nicholson Court at 8.2m and Williams Court at 11m.

At ground floor level, the two flats will have a courtyard garden area to the rear of the block, backing onto Priory Road; the 4 flats at first and second floor levels will each have a balcony, accessed off the kitchen / diner; the 2 roof flats are without private amenity space.

Windows on the south-west elevation facing the fastfood takeaway are all windows within the kitchens and bathrooms. Windows on the south-west elevation consist of triple-folding patio doors opening out from kitchen/diners onto balconies. There is a distance of 13.7m from the protruding balconies, across the car park, to the neighbouring bungalow.

The block is finished in pale blue cladding panels and brickwork, and the roof is finished in dark grey concrete slates. Balconies will have frosted screen glazing, and boundary treatment will be partly brickwork topped with metal railings, and partly close-board fencing.

8 parking spaces have been provided on-site, accessed off Great Cliffe Road. 6 of the spaces are in a row along the boundary of the bungalow to the south-east of the site. Galvanised steel bollards will be fitted at the header of the spaces to protect the fencing. The fencing which forms a boundary with the terrace on Langney Rise will be fitted with a galvanised steel barrier rail, again to protect fencing. The remaining 2 spaces are undercroft parking, accessed by the same entrance off Great Cliffe Road.

A waste / recycling storage area (measuring 12.5m<sup>2</sup>; 1.5m at its widest point) is set back 7.5m the entrance of the site, positioned against the boundary with Great Cliffe Road. The 2.4m high wall screens the store from streetview. Within this covered shelter is also space for 8 cycles, hanging vertically.

#### **Applicant's Points:**

- The scheme has been designed using extensive experience as residential landlords and by responding to the needs of our tenants, eg. most frequent requests are to move to smaller modern affordable two bedroom and one bedroom accommodation located close to services and facilities, as with the site on Priory.
- As a local family business, our aim is to reinvest time and money back into the local community and economy with future housing projects such as this. The building has been designed to incorporate high specification thermal and sound insulation, and to meet the Council's Energy Efficient Development SPG. We have taken inspiration from recent developments within Eastbourne to influence the design of the exterior.
- As locally accredited landlords, we recognise that the design of the building needs to deliver a high living standard, while allowing the rental values to be set at an affordable level. Our intention is to be able to set the rent of these flats on two levels: a) Local Housing Allowance (LHA) rate; b) the remainder will be let at the local rent market. It is our expectation that in doing this it will go some way to break down the barriers between private landlords and social renting needs.

**Summary Information:**

Site Area:	0.042 has
No. Existing units:	1 bungalow
No. Proposed units:	8 flats
Net gain/loss of residential units:	+7
No. bedrooms per unit:	3 x 1-bed, 5 x 2-bed
Proposed parking spaces:	8

**Consultations:**

Consultation was carried out by letter to 77 neighbouring properties, including residents at Nicholson Court, Williams Court, Priory Orchard Terrace (Langney Rise) and Great Cliffe Road. 2 site notices were also displayed on Priory Road close to the application site. Representation was sought from the following departments (summarised below):

**Archaeological Services (08.10.12):**

The proposed development is situated within an Archaeological Notification Area, defining the site of a medieval priory grange, a medieval watermill and an early 19<sup>th</sup> century artillery battery. The Langney ridge also has a wider potential for prehistoric and Roman remains.

Although some damage to archaeological remains is likely to have occurred during the construction of the bungalow, it is highly likely that areas of archaeological potential survive, especially in the garden area.

In the light of the potential for loss of heritage assets on this site resulting from development the area affected by the proposals should be the subject of a **programme of archaeological works**. This will enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded. These recommendations are in line with the requirements given in the **NPPF** (the Government's planning policies for England): 141. [Making publicly accessible the significance of the historic environment].

I would therefore ask that the following condition be applied to any planning permission that is granted in respect of this application:

- programme of archaeological work
- archaeological site investigation and post investigation assessment

**Trees & Downland Team (11.10.12):**

There are no specimens on site that warrant the application of a Tree Preservation order and there is no legal control preventing removal of the existing trees and shrubs.

**Planning Policy (15.10.12):**

The application site, for the purposes of the Local Development Framework, is a greenfield site located within the Langney neighbourhood, and is classified as a windfall development. The Council relies on windfall sites coming forward as part of its emerging spatial development strategy (Policy B1 of Eastbourne Plan) and in order to meet its local housing targets.

The site is currently occupied by 1 bungalow and associated garden space which will be lost through the development of 8 flats. The Langney Neighbourhood Policy (Policy C8 of the Eastbourne Plan: Core Strategy) identifies that opportunities to 'provide new housing through the redevelopment of underutilised sites should be sought in the local area, whilst the neighbourhood vision states that 'Langney will make a significant contribution to the delivery of additional housing in a sustainable location. The site benefits from being located within a sustainable neighbourhood and within close proximity to services, facilities and transport alternatives such as bus services (Policies B1 and D1 of the Eastbourne Plan: Core Strategy).

The key issue is the principle of residential development on the site. The site is surrounded by taller residential buildings, with neighbouring properties being 2-3 storeys in nature. Although the site has not been identified in the Strategic Housing Land Availability Assessment (SHLAA) there is merit in the redevelopment of the site to provide a higher density development and more efficient use of the land.

The development proposes 3 one-bedroom flats and 5 two-bedroom flats. Although this is generally considered smaller residential accommodation, there is still an identified need for 1 and 2 bedroom accommodation across the Borough, as identified in the existing and emerging Strategic Housing Market Assessment. A satisfactory level of parking provision has been provided (Policy TR11) for the local area and will be accessed off Great Cliffe Road to the rear of the site.

The development is located in Tidal Flood Zone 3a which is the most severe tidal flood risk zone. This being said, the tidal flood zone area is protected by coastal flood defences across the seafront for which continued investment and maintenance has been confirmed by infrastructure providers. In line with the sequential and exception test which the Council has undertaken for its spatial development strategy, residential development within the Langney neighbourhood has been considered to be acceptable, subject to any suitable mitigation measures that can be provided, including limiting surface water flooding and promoting sustainable drainage techniques.

Planning Policy feel that the development is acceptable in principle, providing much needed residential development in a sustainable location, subject to the impact on the amenity of surrounding properties. In conformity with the National Planning Policy Framework the proposal should be permitted as it provides sustainable development.

**Highways (16.10.12):**

As this site lies within Zone 4 of the ESCC, Parking Standards it should provide 75% - 100% of the recommended parking provision for cars and 100% of the cycle provision. This equates to a need for 8-11 car and 8 cycle spaces. As 8 car and cycle spaces are proposed, this is acceptable. The car park area is also laid out so that vehicles can turn within the site and exit in a forward gear.

The proposed access is wide enough to allow two way vehicle flow to the site, which will prevent the need for vehicles to wait within the highway while a vehicle exits.

It is also located within 400m of a bus stop that links the site to large parts of the town including the Town Centre, with a 7/8 minute frequency of service. It can therefore be considered a relatively sustainable location for public transport.

The development will lead to increased numbers of vehicle trips in the area; however, this increase would be minimal (approximately 8 trips in each peak hour) and could be accommodated within the existing highway network.

I am concerned however that the proposed access does not provide for adequate visibility splays. Ordinarily a visibility splay of 2.4m x 43m is required for a 30mph road, however, given that the access is approximately 30m from both the junction with Priory Road and the bend in the road of Great Cliffe Road, 43m visibility splays cannot be provided. In addition due to the proximity of the two junctions to the site along with the narrow nature of Great Cliffe Road vehicle speeds will be low and therefore lower visibility splays are acceptable. There are also a number of existing vehicle access in this section of road including a similar one opposite. Having checked the police accident records for the last three years there have been no recorded incidents in this section of road.

On this basis if the applicant can provide details showing that adequate visibility splays can be provided when measured from 2.4m back into the site the proposal is acceptable.

On the basis of the above, I do not wish to restrict grant of consent subject to recommending that any consent shall include the following conditions relating to:

- Position of new access
- Parking areas prior to occupation
- Cycle parking prior to occupation
- Visibility splays
- Details of surface water drainage
- Informative: PWA required for access construction

Addition following submission of plans detailing visibility splays (17.10.12): Bearing in mind the nature of the street and therefore relatively low traffic speeds and the vehicle crossover opposite which has similar visibility, the proposal to reduce the wall height to 0.6m is acceptable. It would appear that the available visibility would also be slightly longer than shown.

### **Neighbour Representations:**

At the time of writing the report 1 written objection had been received, raising the following concern:

Height:

This building will not fit in within the current surrounding area due to the fact it's much higher than the adjacent buildings (between 1 and 2 storeys higher than neighbouring properties).



In addition, the following points were raised, but are not considered to be material planning considerations:

Construction process:

I have a concern on vehicular access for existing residents whilst building works are in progress, as no time scope has been addressed in the planning application.

### **Appraisal:**

- **Policy changes:**

In light of the National Planning Policy Framework and the emerging Core strategy, and in response to the Strategic Housing Market Assessment, the proposal supports the delivery of 1 and 2 bedroom accommodation, in an area where there is still an identified need for smaller residential accommodation. The development, at a higher density than other sites within Langley, maximises the residential potential of the site while ensuring it does not impact detrimentally on other occupants. The proposal is acceptable in principle, in line with a presumption in favour of sustainable development, and the proposal for residential development is supported by consultation responses from internal and external representatives. The specific planning considerations to be appraised, in relation to the impact on the site and surrounding area of 8 units over 4 floors, are detailed below.

- **Height and urban grain**

In assessing the suitability of height, consideration should be given to the impact on the entrance to Great Cliff Road, and the impact on residential properties which share a boundary with the site. The block measures 12.75m to the ridge line and accommodation is over 4 floors (including the units within the roof).

The entrance to Great Cliffe Road is already demarked by the prominent block of Nicholson Court at 8.2m. Being sited on Priory Road, which is characterised by wide pavements and verges, and a wide roadway, Nicholson Court and Williams Court (at 11m in height) are not perceived to be of an overbearing height, or of a scale that detrimentally interrupts the streetscene. The proposed block, although higher than the adjacent blocks, is positioned on a corner plot, which in relation to Priory Road can support the increased height.

The junction with Great Cliffe Road will see an intensification of development. However, this is off-set by existing properties further along Great Cliffe Road, which are set back a considerable distance from the junction – all are further back than the rear elevation of Nicholson Court. The intensification on entering the street is considered to be balanced by the lower density of dwellings further along the street and into Priory Orchard.

The space which is retained to the rear of the existing and proposed blocks between the existing 2-storey dwellings surrounding the site, and most notably the bungalow to the south-east of the site, is considered appropriate to maintain a degree of separation between the buildings. On this basis, the height of the development in relation to surrounding buildings is not felt to be disruptive, or to impact detrimentally on the occupants of neighbouring properties.

- **Density**

The proposal, being spaced over 4 floors, is at a higher density than neighbouring development. In accordance with NPPF policies, the development maximises the residential potential of the site, and by virtue of the layout of the units (ranging from 49m<sup>2</sup> to 69m<sup>2</sup>), ensures that a suitable amount of useable internal space is provided without compromising standard of living.

Notwithstanding the high density of the development, adequate private amenity space is available to 6 of the 8 units, along with on-site parking.

- **Boundary treatment**

On entering the Great Cliffe Road, boundary treatment will be formed of a 2.4m high wall enclosing the bin store, dropping to 0.6m further into residential area. Boundary treatment facing Priory Road will be brick wall with metal railing sections allowing some visibility into the site. At street level, this is considered to be a suitable approach to integrating the building with its surroundings.

- **Privacy**

In assessing the impact on privacy, consideration should be given to the orientation of windows, and the distance from the balconies to no. 2 Great Cliffe Road.

Windows on the south-west elevation consist of triple-folding patio doors opening out from kitchen/diners onto balconies. Windows on the south-west elevation facing the fastfood takeaway are either windows within bathrooms or kitchens / diners with additional windows on the rear elevation. Windows on the north-west and north-east elevations are both separated from neighbouring blocks by roads – this is considered to be an appropriate distance to ensure privacy is not compromised.

The highest balcony is 5.45m from ground level (with headheight likely to be 7.2m from ground level)

There is a distance of 13.8m from the rear elevation across the car park to the neighbouring bungalow (13.7m from the balconies edges). The block faces the flank elevation of the bungalow, and the pair of balconies furthest from Great Cliffe Road will be visible from the rear garden. As the balconies are 1m in depth only, and positioned over the car park, their main function will be to allow air and light into the kitchen diners, rather than as seating areas, overlooking neighbouring properties.

With this in mind, the siting of the balconies is considered to have minimal direct impact on the privacy of the occupants of no 2 Great Cliffe Road, and not to a sufficient degree as to justify a refusal of the scheme.

No. 4 Priory Orchard Terrace, on Langney Rise, is perpendicular to the proposal and is located 19.3m away. The flank and rear elevation of the block will be partially visible from the rear garden, but by virtue of the orientation of the balconies and the use of obscure glazing the development will have no impact on the privacy of residents of Priory Orchard Terrace.

- **Sunlight**

Throughout the day, shadow will move across Priory Road and into Great Cliffe Road, leaving existing dwellings unaffected by loss of light. By virtue of the distance with surrounding buildings, the application site will benefit from a south-east facing orientation. Towards the end of the day, lower levels of the south-west facing elevation only, will be affected by shadow from the fastfood takeaway on Priory Road – these windows do not belong to main habitable rooms.

- **Noise**

The development will increase the number of vehicles using the site as the proposed car park can accommodate 8 vehicles. However, the use of the car park will be for residential use only, trips will generally be at the beginning and end of the day, movement on-site will be at low speed and the capacity of the car park is a maximum of 8 vehicles. On this basis the increase in noise is not considered to be excessive, or to impact significantly on the occupants of neighbouring dwellings.

- **Design**

Within the immediate area of 2 Priory Road there is a variety of building materials and design. The proposed block reflects the brickwork of existing dwellings, while incorporating modern cladding to distinguish it on the corner of Great Cliffe Road and Priory Road. The use of modern materials and the pale blue cladding (not notably different in design to existing buildings, despite the introduction of the pale blue) has no precedence to follow and is not considered to harm the streetscene.

- **Waste / recycling storage:**

A covered waste / recycling storage area (measuring 12.5m<sup>2</sup>; 1.5m at its widest point) is set back 7.5m the entrance of the site, positioned against the boundary with Great Cliffe Road. The 2.4m high wall screens the store from streetview. Although the area is relatively tight in terms of manoeuvrability, it is considered adequate for the number of households on site, and being located close to the entrance allows wheelie bins to be emptied with relative ease.

- **Highways**

The development delivers 8 car and cycle spaces on-site, and accords with the ESCC Parking standards. The car park area is also laid out so that vehicles can turn within the site and exit in a forward gear.

In addition, it incorporates a parking barrier and posts to avoid damage to boundary fencing and impact on neighbouring residents (DWG: P15). The applicant has liaised with Highways in responding to concerns about visibility splays at the entrance to the car park onto Great Cliffe Road. By moving the waste / recycling store further away from the entrance and reducing the boundary wall height along Great Cliffe Road to 0.6m, visibility has significantly been improved, in line with Highways requirements. (DWG: P16)

- **Archaeological assessment**

The application site is located within an Archaeologically Sensitive Area with historic significance relating to recognised medieval and early 19<sup>th</sup> century sites. Although some damage to archaeological remains is likely to have occurred during the construction of the bungalow, it is highly likely that areas of archaeological potential survive, especially in the garden area. The applicant has sought advice from the Archaeological Service to ensure this condition is met, subject to an approval being granted.

**Human Rights Implications:**

Loss of privacy is considered within the report, and impact on the occupants of surrounding properties is considered to be minimal.

**Conclusion:**

The scale, location and visual impact of the proposal do not detract from the residential amenity of the surrounding area. The proposal, by virtue of the height of the block, provision of parking and cycle storage on-site, waste storage and amenity space, provides a suitable standard of living space and does not impact detrimentally on neighbouring occupants. The design and height of the development do not conflict with the streetscene and the boundary treatment is considered appropriate to integrate it with the surrounding area. Subject to conditions, the proposal complies with the relevant borough plan policies: Eastbourne Borough Plan 2001-2011 (Saved policies, 2007), the emerging Core Strategy (2012) and the National Planning Policy Framework (2012).

**RECOMMEND:** Permission be granted subject to the following conditions:

**Conditions:**

- Time limit
- Materials to be submitted
- Foul and surface water details to be submitted
- Position of new access
- Visibility splays
- Car parking prior to occupation in accordance with approved layout
- Car park details to be supplied incorporating details to prevent surface water running onto the footway
- Cycle storage prior to occupation in accordance with approved layout
- Construction and demolition times
- Programme of archaeological work
- Archaeological site investigation and post investigation assessment
- In accordance with approved plans

**Informatives:**

- Discharge of conditions
- PWA required for access construction

**Appeal:** Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**