

Eastbourne Borough Council

Planning Committee

5 February 2013

Report of the Head of Planning

List of Planning Applications for Consideration

- 1) 5 ELMWOOD GARDENS, EASTBOURNE**
Erection of three bedroom chalet bungalow with integral garage together with new vehicular access (amendments to vehicular access).
EB/2012/0370(FP), LANGNEY **Page 5**
RECOMMEND: APPROVE CONDITIONALLY
- 2) 68 GROVE ROAD, EASTBOURNE**
Conversion of second and third floors from office space to 10 residential flats, comprising 4No. 2 bed flats and 1No. 1 bed flats per floor, together with alterations to basement car park.
EB/2012/0591(FP), MEADS **Page13**
RECOMMEND: APPROVE CONDITIONALLY
- 3) GARAGE BLOCK ON THE SOUTH SIDE OF, ST JAMES ROAD, EASTBOURNE**
Redevelopment of site including demolition of existing garages and erection of a terrace of three houses with associated parking (outline application)(AMENDED SITE ADDRESS).
EB/2012/0636(OL), DEVONSHIRE **Page 19**
RECOMMEND: REFUSAL
- 4) 68 GROVE ROAD, EASTBOURNE**
Change of use of part of ground floor from offices (B1) to retail (A1) together with new shopfront.
EB/2012/0667(FP), MEADS **Page 25**
RECOMMEND: APPROVE CONDITIONALLY
- 5) RIDGELANDS, 2 UPLAND ROAD, EASTBOURNE**
Erection of a detached two storey dwelling with garage and parking..
EB/2012/0748(OL), OLD TOWN **Page 33**
RECOMMEND: APPROVE CONDITIONALLY
- 6) LAND TO THE REAR OF, 391 SEASIDE, EASTBOURNE**
Demolition of lock up stores (formerly garages) and erection of terrace of five two bedroom houses together with the provision of five parking spaces.EB/2012/0781(FP), DEVONSHIRE **Page 39**
RECOMMEND: APPROVE CONDITIONALLY

- 7) APPROACH ROAD TO, THE WATERFRONT, SOVEREIGN HARBOUR,**
Display of additional side/return hoarding to existing hoarding on
approach road to the Waterfront Sovereign Harbour, with new
illuminated double sided sign immediately in front of car park entrance..
EB/2012/0785(ADV), SOVEREIGN **Page 47**
RECOMMEND: APPROVE STANDARD CONDITIONS

Leigh Palmer
Development Manager

24 January 2013

Planning Committee

5 February 2013

Report of the Development 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 Council offices at 1 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

5 February 2013

Report of the Planning Manager

List of Planning Applications for Consideration

Committee Report 5 February 2013

Item 1

App.No.: **EB/2012/0370** Decision Due Date: Ward: **Langney**

Officer: **Suzanne West** Site visit date: Type: **Minor**

Site Notice(s) Expiry date: **09/11/12**

Neigh. Con Expiry: **16/12/12**

Weekly list Expiry:

Press Notice(s)-: **N/A**

Over 8/13 week reason: **Submission of amended schemes**

Location: **5 Elmwood Gardens**

Proposal: **Erection of 3 bedroom chalet bungalow with integral garage together with new vehicular access (amendments to vehicular access)**

Applicant: **Mr. & Mrs. Dean Terry**

Recommendation: **Approve conditionally**

Reason for referral to Committee:

- Petitions following subsequent amendments (latest revision - 6 signatures)
- Objections from a total of 11 households
- 2 requests to speak at committee

Planning Status:

- East Mounthey Levels Flood Storage Area
- Predominantly Residential Area

Relevant Planning Policies:

Eastbourne Borough Plan 2001-2011

UHT1	Design of New Development
UHT2	Height of New Buildings
UHT4	Visual Amenity
HO2	Predominantly Residential Areas
HO6	Infill Development
HO20	Residential Amenity
TR2	Travel Demands
TR6	Facilities for Cyclists
TR11	Car Parking
NE4	Sustainable Drainage Systems
NE11	Energy Efficiency
NE28	Environmental Amenity
US4	Flood Protection and Surface Water Disposal

Emerging Core Strategy 2006-2027

B1	Spatial Development Strategy & Distribution
B2	Creating Sustainable Neighbourhoods
C8	Langney Neighbourhood Policy
D1	Sustainable Development
D5	Housing
D8	Sustainable Travel

Site Description:

The application site, approx 0.035 hectares, forms part of the garden curtilage of 5 Elmwood Gardens, one of 8 detached units within this small 1980s residential close. The site occupies a triangular shaped plot at the end of the cul-de-sac situated between Nos. 4 and 5, backing onto Friday Street to the north-east. The close is characterised by open plan front gardens, each with a driveway, and reasonably sized rear gardens with No.5 being notably larger than the other plots. The gradient of the site has a slight north to south decline with No.5 sitting higher than No.4 (approx 0.6m).

The site is located in North Langney within the East Mountney Flood Plain.

Relevant Planning History:

EB/2011/0749	Erection of two, three bedroom, semi-detached dwellings with associated garage block Withdrawn. 09/02/2012
EB/1985/0235	Erection 21 detached houses with garages with ancillary roads and services. Approved conditionally. 26/06/1985

Proposed development:

The current scheme follows the withdrawal of application EB/2011/0749 to erect 2No. 3 bedroom semi-detached dwellings and associated garage block with vehicular access off Friday Street.

Following extensive discussions with council officers and several revisions, the scheme has been amended to lose one unit and erect a detached 3 bedroom chalet bungalow with integral garage together with a new 2.8m wide vehicular and pedestrian access from Elmwood Gardens.

The bungalow will measure 11.7m x 7.7m (88m²) with a total height of 6.2m, providing a hallway, open plan kitchen/living area, dining room, WC and bedroom with shower-room facilities at ground floor and 2 bedrooms (one with en-suite and wardrobe space) and bathroom within the roof space. Set back 7.6m from No.5 and 14.6m from the pavement serving Elmwood Gardens, the new unit will break the existing building line on this side of the close with a separation distance of 4.8m and 1.6m from Nos.4 and 5 respectively.

The palette of materials will include ground floor brickwork with decorative recessed features and pitched canopy entrance, vertical tile hung gable ends and concrete tiled Sussex hipped roof incorporating a deep overhang (approx 1m) and 3 tile hung rear dormers. Windows/doors, eaves joinery and rainwater fittings will be installed in white PVCu. The new unit will be served by a private self-contained garden, refuse provision and cycle storage. All mature boundary planting will remain as existing with a 1.8m high close boarded fence to mark the front boundary.

The new driveway will be constructed from brick paviours with provision for 3 new parking spaces; pedestrian access will be incorporated within the vehicular access. The development will include the repositioning of the existing street light and removal of the existing crossover/vehicular access onto Friday Street with the pavement/kerbing made good to match existing.

Consultations:

Environmental Health

No objections.
(Email, 17/10/12)

Highways Authority

No objections (see appraisal).
(Memo, 22/11/12)

Planning Policy

The concerns raised under the previous scheme have been addressed and, supported by Policy HO6: Infill Development, Planning Policy raise no objections to the current application.
(Memo, 01/11/12)

Cleansing Contracts Manager

No objections.
(Email, 8 June 2012)

Southern Gas

No mechanical excavations are to take place above or within 0.5m of the low pressure and medium pressure system or 3m of the intermediate pressure system. The applicant should, where required, confirm the position of mains using hand dug trial holes.

(Letter, 29 October 2012)

Neighbour Representations:

Consultation with neighbours on all revisions have resulted in a total of 2 requests to speak at planning committee, a petition following each amendment (with a maximum of 16 signatures from 7 households – the latest revision signed by 6 residents) and objection letters from 11 households.

The following concerns have been raised:

Danger to Highway Safety

- No vehicular turning space within the site is likely to endanger pedestrians
- Further traffic will increase existing traffic congestion
- Already an overspill of parking of large vehicles making a dangerous narrowing of the road and black spot obstructing visibility

Overdevelopment

- Attempt to shoehorn a dwelling into an extremely shallow depth tapering part of a rear garden
- Insufficient depth to provide front garden

Loss of Visual Amenity

- The chalet bungalow is out of keeping with detached housing that characterises the area with particular regard to the difference in width and roof mass - the design proposed gives the impression of a converted country barn, out of place on a modern residential estate of detached two-storey houses
- Introduction of front boundary fence will harm the visual amenities of this open-plan estate contrary to the original approval EB/1985/0235
- General airiness of the neighbourhood would be impaired by the presence of an additional dwelling
- The scheme would break the development line along Friday Street
- The proposed development could create a precedent for properties in Friday Street to undertake similar proposals
- Loss of the open green vista at the end of the cul-de-sac
- The formation of a long driveway is out of keeping with the established character of the surrounding area

Harm to Residential Amenity

- The development is overbearing and unneighbourly
- Loss of light to neighbouring properties
- Loss of privacy due to proximity to No.4
- Poor outlook for future occupants
- Unacceptable noise, vibration and pollution from building construction

Flooding

- Existing flooding to properties to the south of Elmwood Gardens will be exacerbated by the development
- Exacerbate existing sewage flooding problems

Other

- Unknown street numbering of the proposed dwelling
- Inaccuracy of plans
- Proposed dwelling to be used as a nursery school - business use is not appropriate for a residential area

Appraisal:

The applicant has engaged in extensive discussions with council officers to revise the scheme in an attempt to address local resident concerns. The current scheme follows several amendments that have taken place since the withdrawal of the original application (EB/2011/0749) to erect 2No. 3 bedroom semi-detached dwellings and associated garage block with vehicular access off Friday Street. These amendments are summarised in chronological order below:

1. Scale down proposal from pair of semi-detached dwellings to a single detached dwelling with the principal elevation facing Elmwood Gardens
2. Provision of designated refuse and cycle storage areas
3. Reduction in height of dwelling by way of chalet bungalow design
4. Enlargement of integral garage to meet ESCC Parking Standards
5. Revisions to vehicular/pedestrian access due to dispute over land ownership

Principle of Development

The council is required to maximise the provision of housing on all suitable 'windfall' sites across the borough to meet the council's challenging local housing target up to 2027. The Langney Neighbourhood has been identified in the emerging Core Strategy (2006-2027) as highly sustainable, capable of accommodating a high level of housing growth. The development of this site, supported by Policy HO6: Infill Development of the current Borough Plan, would therefore form a valuable contribution to the windfall housing delivery targets. The size of accommodation proposed would help to provide much needed family accommodation in the local neighbourhood and wider borough as identified in the existing and emerging Strategic Housing Market Assessment (SHMA). Notwithstanding the demand for new housing and the presumption at the heart of the National Planning Policy Framework in favour of sustainable development, the suitability of developing backland sites must be assessed against all other material planning considerations and a balanced decision made.

The subject plot of land forms part of the curtilage of No.5 Elmwood Gardens and currently serves as garden space. The Framework definition of previously developed land in Annex 2 excludes land in built-up areas such as private residential gardens and it is therefore no longer presumed that previously developed land is necessarily suitable for housing development nor that the whole of the curtilage should be developed. Indeed, paragraph 53 makes clear that development on residential gardens that causes harm to the local area could be resisted.

Design & Visual Amenity

There is no dispute that the introduction of a chalet bungalow into this cul-de-sac would be uncharacteristic of the two storey dwellings that typify Elmwood Gardens and surrounding residential area. The Framework is, however, clear that planning policies and decisions should not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

The proposed design is the result of a compromise whereby the applicant has sought to mitigate the impacts of the development on adjacent occupants by reducing the height of the dwelling to single storey. In order to accommodate the loss of storey height, the width of the bungalow has been made substantially wider than adjoining properties (approx 3m) which, together with the lower ridge height and high fencing marking the front boundary, will result in a large expanse of roof being visible from Elmwood Gardens. The applicant has sought to address this concern by introducing a Sussex hip to reduce the roof mass and velux window to break the front roofscape. The siting of the bungalow, set back from the established building line due to the triangular configuration of the site, will also help reduce the prominence of the roof mass as seen from the street. To the rear, views of the building from Friday Street will be largely screened by established boundary planting with the addition of dormers to break up the breadth of the roof.

In light of the change to the dwelling type proposed, it has not been possible to retain any significant fluidity with the architectural style of adjoining properties. Elements of the local vernacular have, however, been incorporated into the design by way of a gable entrance feature, integral garage and use of matching materials in an attempt to respond to local character and promote local distinctiveness.

Whilst the scheme introduces a new architectural style, the Framework states that local planning authorities should not refuse planning permission for buildings which promote high levels of sustainability due to concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design. Whilst it is felt that the applicant could have been more creative and innovative with the design proposal, the scheme does incorporate local features and materials, which, together with the single storey height of the dwelling and boundary screening, will ensure the bungalow is not discordant with the streetscape or unduly prominent. In light of the above, there is considered to be no significant harm to the visual amenities of the area that outweigh the sustainable benefits of the scheme.

Established Residential Amenity

The revised scheme has sought to lessen the impact on neighbouring properties by reducing the height of the development to single storey. Due to the topography of the site, the building will now sit 1.6m/2.3m below the roofline of No.4/5 respectively at a height of 6.2m.

This modest roof height, together with the siting of the bungalow behind the existing building line and the absence of any primary windows on the respective flank elevations of adjoining properties, will ensure the development will result in no significant loss of outlook or light. Whilst there may be a degree of residual overshadowing to the rear conservatory and garden of No.5 in the afternoon, the impact is not substantial enough to warrant the refusal of this application particularly when weighed against the sustainable benefits of the scheme.

With respect to privacy, the fenestration arrangement has been carefully considered to ensure adjoining occupiers are not overlooked. Despite the proximity of the bungalow to Nos.4 and 5 with separation distances of 4.8m and 1.6m respectively, there are no existing windows in adjoining flank elevations other than a secondary window and side access door serving the ground floor of No.5. Any oblique views into front facing windows serving No.4 will be largely screened by the high close board fencing marking the boundary and the insertion of a velux roof window will prevent direct overlooking from accommodation in the roof space. Whilst there may be some overlooking of the garden area of No.4 from the upper flank window serving the bedroom, views will be partly screened by the mature planting that marks this boundary. The upper flank window facing No.5, serving an en-suite bathroom, will be obscure glazed and separation distances from properties in Friday Street are sufficient to secure any privacy concerns to the rear. Notwithstanding the above, the site lies in a developed residential area where close proximity to neighbouring dwellings is the norm and some degree of overlooking is therefore commonplace and to be expected.

The proposed dwellings would offer a good standard of accommodation suitable for families with a large private garden. Although the garden curtilage of No.5 would be significantly reduced, the resultant space would be of a size similar to others within the close.

Although neighbours have raised concern that the bungalow may be used for commercial purposes, there is no evidence of this. Should an unauthorised use of this residential dwelling occur, the breach would be dealt under enforcement legislation and is not a material consideration for this application.

Parking Provision & Highway Safety

This site lies within Zone 4 of the ESCC Parking Standards whereby a dwelling of this size is required to provide 2 car spaces and a minimum of 1 cycle space. This proposal meets both of these requirements.

The number of additional vehicle trips associated with a development of this size is minimal and should therefore have no adverse impact on the existing highway network. The new access is now 2.8m wide and will adequately serve the development.

The existing lamp column outside the property will need to be relocated to allow vehicle access to the property. The cost of this will need to be met by the applicant.

Flood Mitigation Measures

The site is located within East Mounthey Levels Flood Storage Area and consideration should therefore be given to sustainable drainage techniques in line with Policy US4: Flood Protection and Surface Water Disposal. The Sustainable Drainage Statement submitted provides details of permeable paving and construction of a swale (linear depression) to run parallel with the front of the dwelling to receive run-off rainwater and direct to a discharge point. The council is satisfied that these measures will, in addition to the retention of a large garden area, adequately mitigate any risk of flooding.

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:

In conclusion, the development is acceptable in terms of the loss of garden space, the scale and design of the replacement building, 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 Commencement.
- (2) Surface Water Drainage.
- (3) Samples of Materials.
- (4) Method Statement.
- (5) Parking Provision.
- (6) Lighting Column.
- (7) Hours of work.
- (8) Waste disposal.
- (9) No waste burning.
- (10) Wash down facilities.
- (11) Window elevation restrictions.
- (12) Plan numbers.

SUMMARY OF REASONS FOR DECISION

INFORMATIVES:

- (1) Discharge of conditions
- (2) Excavations

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 5 February 2012

Item 2

App.No.: EB/2012/0591 (FP)	Decision Due Date: 24/01/13	Ward: Meads
Officer: Suzanne West	Site visit date:	Type: Minor
Site Notice(s) Expiry date:		
Neigh. Con Expiry: 10/01/13		
Weekly list Expiry:		
Press Notice(s) Expiry:		
Over 8/13 week reason: Referral by Chair to committee		
Location: 68 Grove Road		
Proposal: Conversion of second and third floors from office space to 10 residential flats, comprising 4No. 2 bed flats and 1No. 1 bed flats per floor, together with alterations to basement car park		
Applicant: European Development Ltd		
Recommendation: Approve conditionally		

Planning Status:

- Town Centre & Seafront Conservation Area
- Adjacent to Grade II Listed Buildings (Town Hall & Nos.3, 5 & 7 South Street)
- Adjacent to Building of Local Interest (Artisans Dwellings)
- Adjacent to Town Centre Secondary Shopping Area

Relevant Planning Policies:

Eastbourne Borough Plan 2001-2011

BI1	Retention of B1, B2 and B8 Sites and Premises
BI4	Retention of Employment Commitments
HO9	Conversions and Change of Use
HO20	Residential Amenity
NE18	Noise
TR2	Travel Demands
TR6	Facilities for Cyclists
TR11	Car Parking
TR12	Car Parking for those with Mobility Problems
UHT1	Design of New Development

UHT15	Protection of Conservation Areas
UHT18	Buildings of Local Interest
UHT17	Protection of Listed Buildings

Emerging Core Strategy

B1	Spatial Development Strategy & Distribution
B2	Creating Sustainable Neighbourhoods
C1	Town Centre Neighbourhood Policy
D1	Sustainable Development
D2	Economy
D5	Housing
D8	Sustainable Travel
D10	Historic Environment

Site Description:

The application site relates to a four-storey 1970s office block with basement car parking. The property occupies a prominent position on the corner of Grove Road and South Street, directly adjacent to the Grade II Listed Town Hall. The property also flanks a listed terrace (Nos.3, 5 and 7 South Street) and backs onto a terrace of local interest (Artisans Dwellings).

The premise lies within the Town Centre and Seafront Conservation Area, directly adjacent to the Town Centre Secondary Shopping Area comprising a mix of commercial and residential uses.

Relevant Planning History:

EB/2012/0667	Change of use of part of ground floor from offices (B1) to retail (A1) together with new shopfront. Current application (reported elsewhere in this agenda, approval recommended)
EB/1973/0062	Erection of 4 storey building containing 18,180sq. ft of office space with car park in basement. Approved conditionally. 08/03/1973

Proposed development:

Permission is sought to convert the second and third floors from office space to 10 residential flats, comprising 4No. 2 bed flats and 1No. 1 bed flats per floor, together with alterations to the basement car park. The new units will have an open plan living arrangement, each served by a communal corridor that is accessed via a shared residential/commercial entrance on Grove Road (currently the main entrance to the building). The existing secondary entrance off South Street will serve as a fire escape. All floors will have lift access.

The secure gated access to the basement car park, accessed via South Street, will remain as existing with a total provision of 22 parking bays, 12 of which will be allocated for residential use and 10 for office workers including 2 disabled bays. Although the car park currently has provision for 23 spaces, the substandard parking space under the entrance ramp has been replaced with storage facilities for residential use. The basement will also provide a total of 28 cycle spaces and an enclosed refuse area to accommodate 4 large wheelie bins for residential and office use.

With the exception of minor fenestration alterations proposed on the rear elevation, including the installation of a new window and widening of two existing windows to serve Flat 7 on the third floor, no external alterations are proposed.

The ground and first floor will remain in commercial use. An application to convert part of the ground floor from B1 office use to A1 retail (Tesco Express) is reported elsewhere in this agenda, recommended for approval (EB/2012/0667).

Consultations:

Conservation Officer

In the absence of any material change to the fenestration and entrance doors, no objections are raised. It is advised that no pipes, flues or exit pipes be placed on the South Street or Grove Road elevations and new internal fittings do not obscure windows.
(Memo, 03/10/12)

Policy

Planning Policy support the principle of residential development on this site which will provide much needed sustainable accommodation in the Town Centre.
(Memo, 05/10/12)

Environmental Health

No objection.
(Email, 14/09/12)

Highway Authority

The site is located within Eastbourne Town Centre and therefore public transport, shops and services are all easily accessible. The development was for a number of years used as office accommodation for Eastbourne Borough Council and as a result a high number of vehicle trips were associated with the site. This proposal will result in a reduction in vehicular movements compared to the previous use with an existing basement car park which allows vehicles to turn within the site and exit in a forward gear.

The scheme will retain a total of 22 car spaces and 28 cycle spaces which exceeds ESCC parking standards.
(Memo, 04/10/12)

Cleansing

No objection.

(Email, 13/09/12)

Economic Development

The site has been unsuccessfully marketed at a realistic price for 4 years and the landlord has shown flexibility to meet individual needs should interest be shown. Even with an upturn in the economy, this site is unlikely to attract viable interest.

(Email, 18/09/12)

Neighbour Representations:

No representations have been received.

Appraisal:**Loss of B1 Office Use**

Although vacant since March 2011, 68 Grove Road has been extensively marketed on behalf of both Eastbourne Borough Council when it was in occupation and the existing freeholders of the building since March 2008 with no success. Despite flexibility by way of short and long term leases, low rents and competitive packages, marketing efforts have been unsuccessful other than a short-term let by Wealden District Council. The National Planning Policy Framework is clear that the long term protection of office space and business land should be resisted if there is no reasonable prospect of the site being used for that purpose. In light of the evidence submitted and the length of time these offices/store have been vacant, the council is satisfied that the unit is genuinely redundant and there is no reasonable prospect of future commercial use. The loss of commercial employment space is therefore accepted.

Notwithstanding the redundancy of the site, it is noted that this application seeks the loss of only the second and third floor to residential with the ground and first floor to remain in commercial use.

Principle of Residential Use

The conversion of the second and third floors of this redundant building will deliver 10 residential units within a priority location in accordance with the emerging Core Strategy and National Framework, helping to create a sustainable town centre where adequate services and facilities are provided by balanced housing led growth. The units will constitute valuable windfall development to contribute to Eastbourne's housing land supply with a minimum of 70 percent of the Borough's housing provision to be provided on brownfield land. With a presumption in favour of sustainable development, the Framework is clear that applications for change of use to residential should be permitted where there is evidence of strong local housing need, providing there are no strong economic reasons why development would be inappropriate. In accordance with Policy HO9 of the current Borough Plan, the council welcomes the opportunity to bring a vacant building back into use.

The emerging Strategic Housing Market Assessment (SHMA) identifies a need for a range of dwelling sizes to meet local housing demand with a particular requirement for smaller 1 and 2 bedroom accommodation in sustainable locations. Situated in one of the most sustainable neighbourhoods in the town in close proximity to services, facilities and public transport, the flatted development proposed on this site will help meet this demand.

Standard of Accommodation

The conversion will provide a good standard of accommodation with the overall size of the units proposed being larger than typical 1 and 2 bedroom accommodation found in the town centre. It is accepted that, as with most flatted accommodation within the town centre, there will be no provision for private outdoor amenity space.

The proposed units will be self-contained with independent and disabled access. Due to a shared main entrance by residents and office workers, an electric fob and key system will be used to restrict user access to particular parts of the building. Access to each floor lobby will be available but security locked doors will prevent further access to the main floors unless the correct key/fob is supplied to that user.

The allocated refuse and recycling store in the basement will provide adequate bin storage for the retail shop and residential units.

Residential Amenity

The application site is located in a mixed commercial and residential area, immediately abutting the Town Centre Secondary Shopping Area, and it is must therefore be expected that residents will experience some degree of noise and general disturbance.

Following the submission of a Noise Impact Assessment, the council is satisfied that the noise emanating from the roof mounted plant equipment will fall within acceptable limits and, subject to a condition restricting noise emission, the plant equipment should not disturb residents. Noise mitigation measures are also proposed by way of specialised insulated glazing, aluminium louvered panels fixed to roof mounted AC units and the insulation of piping/ducts to reduce noise infiltration.

In light of the separation distances between adjoining properties to the front and rear of the site and positioning of new windows, the residential use of the second and third floors of the building will have minimal impact on existing levels of privacy enjoyed by adjoining occupiers. The layout proposed, with Flat 2 on the second floor arranged in an 'L' shape around the rear recess, will ensure there is no mutual overlooking between the new units.

Visual Amenity

The external alterations to widen two existing windows and install a new window on the rear elevation at third floor are minimal and will not be visible from the public realm.

The changes will be in keeping with the aesthetics of the building and, in accordance with Policy D10 of the emerging Core Strategy and the NPPF, the council is satisfied that the development will preserve the historic character of the adjacent listed building and the distinctiveness of the conservation area.

Highway Safety & Parking Provision

The development was for a number of years used as office accommodation for Eastbourne Borough Council and as a result a high number of vehicle trips were associated with the site. This proposal will result in a reduction in trips number compared to the previous use were the building to be fully operational as offices.

The application site is situated in a highly sustainable location within the town centre in close proximity to public transport and, in excess of ESCC standards, the parking provision proposed on site will more than adequately serve the development. The existing basement car park will also allow vehicles to turn within the site and exit in a forward gear.

Human Rights Implications:

None.

RECOMMEND: Permission be granted subject to the following conditions:

- (1) Time Commencement
- (2) Plans

SUMMARY OF REASONS FOR DECISION

INFORMATIVE

- (1) Restriction of pipes & flues

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**.

Item 3

App.No.: **EB/2012/0636** Decision Due Date: Ward: **Devonshire**
(OL) **22/11/12**

Officer: **Suzanne West** Site visit date: Type: **Minor**

Site Notice(s) Expiry date: **26/10/12**

Neigh. Con Expiry: **26/10/12**

Weekly list Expiry: **31/10/12**

Press Notice(s)-: **N/A**

Over 8/13 week reason: **Request by Chair to defer to committee**

Location: **Garage block on south side of St James Road**

Proposal: **Redevelopment of site including demolition of existing garages and erection of a terrace of three houses with associated parking (outline application)**

Applicant: **Mrs. Sarah Hunter**

Recommendation: **Refuse**

Summary:

This application was presented to Planning Committee on 27th November 2012. Detailed elevations were requested by Members to give a better understanding of the scheme. The additional information has been sought but has not been forthcoming. Whilst officer views on the merits of this application have been outlined in the previous report to committee, the failure to supply the additional requested information has resulted in the quality and extent of the information provided to be below that which Planning Committee consider appropriate and sufficient to determine the application.

Set against this background, it is recommended that the application be refused for the following reason:-

In the absence of detailed elevation plans, the proposed development is likely to have an adverse impact on the character of the surrounding area and established residential amenities of adjoining occupants with particular regard to loss of privacy, contrary to Policy UHT1, UHT4 and HO20 of the Borough Plan 2001-2011.

The officer report from Planning Committee dated 27th November 2012 is reported in full below.

Planning Status:

- Predominantly Residential Area
- Tidal Flood Zone 3a
- Seaside Neighbourhood

Relevant Planning Policies:**Eastbourne Borough Plan 2001-2011**

UHT1	Design of New Development
UHT2	Height of New Buildings
UHT4	Visual Amenity
HO2	Predominantly Residential Areas
HO8	Redevelopment of Garage Courts
HO20	Residential Amenity
TR6	Facilities for Cyclists
TR11	Car Parking
NE11	Energy Efficiency
NE28	Environmental Amenity
US4	Flood Protection and Surface Water Disposal
US5	Tidal Flood Risk

Emerging Core Strategy

B1	Spatial Development Strategy and Distribution
B2	Creating Sustainable Neighbourhoods
C3	Seaside Neighbourhood Policy
D1	Sustainable Development
D5	Housing

Site Description:

The application site relates to a rectangular plot of land, covering an area of 418m², currently in sui generis use comprising 18 lock-up garages with the remainder of the site serving as a concrete apron. The site is accessed via St James Road, a short cul-de-sac running west/east entered from Seaside (A259) which extends 50m to 'Gwent Court' a 1970s three storey sheltered and social housing block. Immediately opposite the site to the north is a low rise warehouse, car park and tall steel railings with Christ Church located beyond. To the east, the site is bounded by Gwent Court and to the south, the rear gardens of the two storey residential terrace in Cambridge Road separated from the application site by a footpath serving the rear of these dwellings. Directly adjacent to the site to the west is a single storey office/storage building with shops and flats beyond (Seaside).

The site is located within a predominantly residential area, adjacent to a District Shopping Centre and well served by public transport with bus routes operating every 7/8 minutes along Seaside (a 'quality bus corridor'). Double yellow lines restrict on-street car parking in St James Road.

Relevant Planning History:

EB/1959/0152	18 Lock-up garages. Approved conditionally. 23/04/1959
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Proposed development:

Outline permission is sought to redevelop the site, demolishing the existing lock-up garages and erecting a terrace of 3 houses with provision for 4 parking spaces (one per unit and one communal visitor space) and cycle shed. The terrace will be sited in a linear arrangement across the site to front St James Road, set back 0.8m from the pavement, and backing onto the rear gardens of 34-42 Cambridge Road with a minimum separation distance of 12.6m (6.8m to nearest rear garden). The flank of the terrace will stand 13.7m from Gwent Court (7.4m to boundary) and 1.2m from the single storey commercial unit to the west (7.5m from Seaside properties).

Each dwelling will be served by separate refuse storage facilities sited to the front of the units, abutting the pavement. Indicative plans show each dwelling to measure 9.9m in depth and 5.4m in width (16.3m total) at a height of 8.3m (5.8m to eaves).

All matters relating to design, access, landscaping and scale are reserved.

Consultations:**Environment Agency**

The proposed development will only meet the requirements of the National Planning Policy Framework if the measures detailed in the Flood Risk Assessment are implemented and secured by way of condition.
(Letter, 19/10/12)

Policy

Planning Policy support the principle of this outline application which will provide an important windfall housing development for the town and the Seaside neighbourhood. The garage court site no longer provides an important function for the local area. The application provides sustainable development in line with the National Planning Policy Framework.
(Memo, 02/11/12)

Highways

The application site is located within Zone 4 of the ESCC Parking Standards which requires a development of 3 houses to provide one space per dwelling plus one space per three dwellings for visitors.

The proposed car parking and cycling provision accords with parking standards.

The loss of the garages is unlikely to create a significant demand for additional on-street parking within the area.

(Memo, 13/11/12)

Neighbour Representations:

Following statutory notification, 5 letters of objection have been received as summarised below:

- The loss of the existing garages would result in insufficient parking spaces within the immediate vicinity, exacerbating parking and access problems for residents, local businesses and emergency vehicles.

- The development will result in a loss of light, privacy and outlook for neighbouring properties.
- Disturbance from construction would be unacceptable.
- The proposal would reduce property values in the area.

Appraisal:

The applicant has engaged in pre-application discussions with the Council who supported the principle of residential development on this site. In accordance with officer advice, the scheme has been revised to reduce the number of units accommodated on site.

Loss of Garages & Principle of Residential Development

The principle of development is supported by Policy HO8 'Redevelopment of Garage Blocks' and, with the majority of garages used either for storage purposes (7 units) or empty (6 units), the proposed residential redevelopment will make more efficient use of an underused site.

Located within a predominantly residential area and in accordance with the National Planning Policy Framework (NPPF) stipulating a presumption in favour of sustainable development, the principle of residential redevelopment on this site is accepted subject to detailed matters. With a minimum of 70 percent of the borough's housing provision to be provided on previously developed land, the Council supports the opportunity to make more efficient use of this underutilised brownfield site to provide 3 windfall units. The net gain of 3 dwellings will provide a valuable contribution to the borough's housing delivery targets without loss of an employment generating use and would support the Seaside Neighbourhood Policy of the emerging Core Strategy 'providing new housing through redevelopment' and supporting the neighbourhood vision by 'playing an important role in the delivery of new housing'. It is noted that a historic map (circa 1876) shows the site to have been previously been in residential use.

The existing and emerging Strategic Housing Market Assessment (SHMA) identifies a need for a range of dwelling sizes to meet local housing demand with particular need for larger family accommodation. Although the plans submitted are only indicative, it is assumed that two storey family housing could be accommodated on this site to help meet demand for larger units.

Seaside is considered to be a sustainable neighbourhood with good access to public transport, services and facilities, health facilities and open space.

Flood Risk

The Flood Risk Assessment (FRA) shows the site to lie outside/on the periphery of flooding in the event of breaching/overtopping of the coastal defences. With residential dwellings classified as 'More Vulnerable' and garages classified as 'Less Vulnerable' in the NPPF Technical Guidance, the proposal represents an increase in flood risk.

The total area of impermeable surface will, however, decrease as a result of the proposal with 104m² garden space proposed and with the FFL raised to 0.3m above external levels and offsite flow rates limited by an attenuation tank and 'hydrobrake' as detailed in the FRA, the Environment Agency is satisfied that the small risk of flooding can be adequately mitigated. It is noted that the soil infiltration rate is likely to be too low to make soakaways feasible.

Parking Provision & Impact on Highways Network

The applicant has confirmed that only 5 of the garages are used for parking with the remaining units either empty or used for storage. The owner also states that existing tenants will be offered garages to the rear of Firle Road should they wish, located approximately 275m from the site. Whilst it is acknowledged that the site is located within an area of limited on-street parking, with a maximum of only 5 cars to be displaced (some of which may take up garages in the nearby block), the loss of the garages is unlikely to have a severe impact on the highway network. Indeed, in light of the unrestricted use of the existing garages, the proposed residential use of the land is likely to result in a similar level or reduction in the number of vehicle movements from that which currently exists. In view of the above, and paragraph 32 of the NPPF which states that 'development should only be prevented on or refused on transport grounds where the residual cumulative impacts of development are severe', the Council considers there to be no grounds for a refusal on highway issues. It is noted that there is no policy requirement to demonstrate the redundancy of the garages.

In light of the sustainable location of the site in close proximity to public transport, local services and facilities, the Highway Authority is satisfied that the provision of 4 parking spaces and cycle storage will adequately serve the development.

Character & Appearance

This application is presented in outline with detailed matters of scale and design reserved for consideration at a later stage. Notwithstanding the above, the surrounding area is characterised by a mix of design styles and building heights within which two storey terraces comprise the principle built form. Subject to detail, the scheme is therefore not considered harmful to the character and appearance of St James Road or the wider area. The redevelopment of the site presents the opportunity to upgrade what is currently an unappealing garage court area and improve the safety and security of this part of St James Road.

Residential Amenity

Subject to design and fenestration layout, the proposed terrace should have no significant adverse impact on the established amenities of neighbouring residential properties with particular regard to occupants in Cambridge Road which back directly onto the site. Whilst separation distances are not ideal, it is considered that any impact on overlooking could be sufficiently mitigated by careful detailing. The size and positioning of the terrace is such that there should be no undue overshadowing from the development.

The proposed rear gardens, at a depth of 6.9m, will provide a good standard of private amenity space for future occupiers that is comparable to other properties within the immediate vicinity.

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 principle of residential development on this site is acceptable in terms of the loss of the existing garages, the provision of on site parking and impact on highway safety. The proposal is compliant with both national and local planning policy contributing to housing delivery targets and, subject to detailed matters, should cause no undue harm to residential, visual or environmental amenity.

RECOMMEND: Permission be granted subject to the following conditions:

- (1) Submission of Reserved Matters.
- (2) Time Limit for submission of Reserved Matters.
- (3) Submission of FRA
- (4) Amended access details
- (5) New access
- (6) Parking Provision
- (7) Cycle Parking Provision
- (8) Hours of work on site

SUMMARY OF REASONS FOR DECISION

INFORMATIVE

- (1) Approved Plan No's.
- (2) Private Works Agreement for access.

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 5 February 2013

Item 4

App. No.: EB/2012/0667 (FP)	Decision Due Date: 29/11/12	Ward: Meads
Officer: Suzanne West	Site Visit Date:	Type: Minor
Site notice(s) expiry date: 14/11/12		
Neigh con expiry: 14/11/12		
Weekly list expiry: 14/11/12		
Press notice(s) expiry: 21/11/12		
Over 8/13 Week Reason: 7 local resident representations		
Location: 68 Grove Road		
Proposal: Change of use of part of ground floor from offices (B1) to retail (A1) together with new shopfront		
Applicant: Tesco Stores Ltd		
Recommendation: Approve conditionally		

Planning Status:

- Town Centre & Seafront Conservation Area
- Adjacent to Grade II Listed Buildings (Town Hall & Nos.3, 5 & 7 South Street)
- Adjacent to Building of Local Interest (Artisans Dwellings)
- Adjacent to Town Centre Secondary Shopping Area
- Source Protection Zone

Relevant Planning Policies:

Eastbourne Borough Plan 2001-2011

BI1	Retention of B1, B2 and B8 Sites and Premises
BI4	Retention of Employment Commitments
BI7	Design Criteria
HO20	Residential Amenity
NE18	Noise
SH6	New Local Convenience Stores
TR11	Car Parking
UHT1	Design of New Development
UHT11	Shopfronts
UHT15	Protection of Conservation Areas

UHT18	Buildings of Local Interest
UHT17	Protection of Listed Buildings

Emerging Core Strategy 2006-2027

B2	Creating Sustainable Neighbourhoods
C1	Town Centre Neighbourhood Policy
D1	Sustainable Development
D2	Economy
D4	Shopping
D8	Sustainable Travel
D10	Historic Environment

Town Centre Area Action Plan

TC10	Building Frontages and Elevations
TC12	Servicing Access and Storage

Site Description:

The application site relates to a four-storey 1970s office block with basement car parking. The property occupies a prominent position on the corner of Grove Road and South Street, directly adjacent to the Grade II Listed Town Hall. The property also flanks a listed terrace (Nos.3, 5 and 7 South Street) and backs onto a terrace of local interest (Artisans Dwellings).

The premise lies within the Town Centre and Seafront Conservation Area, directly adjacent to the Town Centre Secondary Shopping Area comprising a mix of commercial and residential uses.

Relevant Planning History:

EB/2012/0591	Conversion of second and third floors from office space to 10 residential flats, comprising 4No. 2 bed flats and 1No. 1 bed flats per floor, together with alterations to basement car park. Current application (reported elsewhere on this agenda, approval recommended)
EB/1975/0180	Change of use of ground floor from approved use as showroom to offices, resulting in 4 storey office building and basement car park (gross floor area 32,839sq. ft). Approved conditionally. 13/05/1975
EB/1973/0062	Erection of 4 storey building containing 18,180sq. ft of office space with car park in basement. Approved conditionally. 08/03/1973
EB/1972/0150	Erection of 3 storey building to form ground floor showroom with petrol sales and parking area (office accommodation not exceeding 10,000sq. ft on first and second floors and car park in basement). Approved conditionally. 06/04/1972

- EB/1972/0055 Demolition and erection of car showroom with petrol station and provision of office accommodation. Approved conditionally. 10/02/1972
- EB/1962/0513 Enlargement of existing café to include stamp dealers shop. Approved unconditionally. 11/10/1962
- EB/1958/0037 Demolition of Nos. 70 and 72 and use of Nos. 68, 70 and 72 as a petrol filling station and garage including erection of office and WC. Approved unconditionally. 23/01/1958

Proposed Development:

Permission is sought for the part change of use of the existing ground floor office space (B1 use) to retail (A1 use) and installation of new shopfront.

Change of Use

The new retail unit will be used as a Tesco Express with proposed opening hours between 7:00 and 23:00 Monday to Sunday including Bank Holidays. The store will cover a floor area of 378m², approx 60% of the total ground floor area of No.68, with all access via the existing Grove Road entrance including deliveries which will utilise the existing loading bay. No parking provision is proposed.

Commercial refuse provision will be provided in a designated storage area within the rear of the building. Plant equipment to serve the store will be mounted on the main 4 storey roof comprising 3 air conditioning units, condenser unit and satellite dish. Brick clad boxed pipework will run up the rear elevation with 2 roof vents proposed on the single storey roof to the rear.

The retail unit will provide employment for circa 20-25 people, comprising a mix of full and part-time positions.

Shopfront

The new shopfront will require alterations to the first two panels located next to the existing Grove Road entrance. The first panel will comprise automatic glazed aluminium sliding doors, forming the new store entrance, and the second panel a glazed aluminium shopfront. The existing concrete plinths have been retained where possible to match the original building. The existing Grove Road entrance will continue to serve as access to the upper floors of the building and has therefore not been utilised as part of the new shopfront.

All signage will be subject to a separate application.

Consultations:

Conservation Officer

The new shopfront is likely to have a significant detrimental impact on the character of the conservation area and impinge on the group value of surrounding listed buildings.

Support for appropriately sited plant and machinery. Advises that signage needs to fit with the character of the site and surrounding area.
(Memo, 24/10/12)

Conservation Area Advisory Group (CAAG)

Concerns raised with regard to the impact of the proposed shopfront on the symmetrical appearance of the building and the character of the conservation area on a prominent junction with several listed buildings.
(Minutes, 20/11/12)

Environmental Health

On the basis that there could be refrigeration units etc that could create a noise issue, a noise impact assessment should be prepared prior to determination.
(Email, 22/10/12)

Food Hygiene & Safety

The applicant is advised to contact Environmental Health to discuss any additional legal requirements on the internal layouts of the proposed unit with particular respect to the detailed layout of the kitchen areas to ensure it complies with the food Hygiene Regulation (EC) No 852/2004.
(Email, 23/10/12)

Economic Development

The site, being of 1970s construction, lacks the facilities required by current companies and, despite being marketed by Tingley Commercial, has attracted very little interest. The condition is poor, but with the lack of interest from would be investors, clearly viability wise this use would bring the property back into use and help the generation of footfall to that part of Grove Road and South Street.
(Email, 23/10/12)

Highway Authority

The site is located within central Eastbourne and therefore is within Zone 1 of the ESCC, Parking Standards. Within Zone 1 there is no requirement to provide on site parking as the area has good accessible public transport links. The proposal provides no on-site parking but this is acceptable based on the location.

There is also an existing loading bay immediately in front of the site which will allow deliveries to take place without disrupting vehicle flows in Grove Road.
(Memo, 13/11/12)

Policy

It is considered that the sequential test has been undertaken appropriately and evidence has been supplied to demonstrate a lack of market demand for the office space in order to satisfy Policy BI1: Retention of Class B1, B2 and B8 Sites and Premises. In addition, the application is supported by Policy SH6: New Local Convenience Stores and Core Strategy Policy C1: Town Centre Neighbourhood Policy. Therefore, it is considered that the application is acceptable in policy terms.
(Memo, 14/11/12)

Neighbour Representations:

Support (1)

- Welcome opportunity to bring empty unit back into use
- Create more footfall at this end of Grove Road

Objections (6)

- Sufficient shopping available in the area – the proposal would overwhelm and change the nature of Grove Road and South Street
- Already several outlets in the area which sell alcohol to be consumed off the premises, anymore may lead to public nuisance
- The proposed scheme will exacerbate existing parking difficulties in the vicinity – users of the shop may double park or park on yellow lines causing traffic obstruction and compromising highway safety
- The presence of a Tesco Express will not be in keeping with the ambience of 'Little Chelsea' – the personal service given by the independent traders would be lost with the introduction of a national brand
- The new store will force many of the shops to close down resulting in empty premises within the town
- Tesco already have a foothold in the town with a major supermarket, a store in the Meads and a petrol station outlet at Willingdon
- Nuisance and loss of amenity to nearby residents
- Noise from deliveries and waste collections
- No benefit to the area
- A new Tesco store would be more appropriate in the Arndale Centre

Appraisal:

Loss of B1 Office Use

68 Grove Road has been vacant since March 2011 although has been extensively marketed on behalf of both Eastbourne Borough Council when it was in occupation and the existing freeholders of the building since March 2008 with no success. Despite flexibility by way of short and long term leases, low rents and competitive packages, marketing efforts have been unsuccessful other than a short-term let by Wealden District Council. In light of the evidence submitted and the length of time these offices/store have been vacant, the council is satisfied that the unit is genuinely redundant and there is no reasonable prospect of future commercial use. The loss of commercial employment space is therefore accepted.

Notwithstanding the redundancy of the site, it is noted that this application seeks only the loss of part of the ground floor office accommodation with approx 40% remaining in B1 use.

Proposed Retail Use

The site is located in the Town Centre, identified as one of the most sustainable neighbourhoods in the borough. The vision for this neighbourhood seeks to maintain its status as a sustainable centre by maximising its economic potential and attracting more shoppers, workers, residents and visitors through redevelopment. This vision will be promoted by strengthening the retail offer through new retail development and maintaining a diverse range of services and facilities.

In light of the redundant office use of the premises and its location directly adjacent to the Secondary Shopping Area, the site offers an opportunity to enhance the vitality and viability of the town centre by promoting retail competitiveness and providing customers with a diverse retail offer in accordance with the Town Centre Area Action Plan (TCAAP) and the National Framework. The retail unit, appropriate in scale and function to its location, will fully integrate with the Secondary Shopping Area, providing services and facilities locally within reasonable walking distance of local residents to help retain the retail mix in Grove Road. The proposal will bring a vacant site back into use whilst providing an active frontage at the southern end of Grove Road. In line with Policy SH6: New Local Convenience Stores, the council is keen to promote a more sustainable approach to retailing and would support the provision of modern "8 'til late" local convenience stores of no greater than 500m² outside of the retail hierarchy in appropriate locations. Hours of opening proposed are in line with the standard requirement for a convenience store of this size and nature (0700hrs to 2300hrs Monday to Sunday, including Public Holidays).

As the site is located outside of the designated shopping area, it is considered to be in an edge-of-centre location. The application has identified sites of a similar size to the proposed development within the Primary and Secondary Shopping Areas, in accordance with the sequential approach (Policy D4), all of which have been discounted due to being unavailable, unsuitable or unviable. It is therefore accepted that the proposal complies with the sequential test.

Job Creation

The council actively seeks to support job growth and economic prosperity in Eastbourne, encouraging development which supports improvements in the local jobs market through creation of additional jobs and employment diversification. In light of the redundant office use of the premises, the retail unit will ensure the site remains in commercial use creating up to 25 new jobs to help maximise the employment potential of this site and meet the towns need for 55,430m² floorspace by 2027.

Little Chelsea

Although 'Little Chelsea' (Grove Road and South Street) is a focus for secondary and independent retail activity, which contribute significantly to the character of the town centre, the TCAAP seeks to secure a mix of occupiers with a mutually supporting balance between national multiple retailers and smaller independent traders in order to respond to modern retailer requirements.

Although residents have raised concern about the presence of a national company on the character of Little Chelsea and associated impact on independent traders, local planning authorities should not seek to interfere with the commercial market. The size of the new unit would be similar to others within Little Chelsea and, as such, would serve as a level playing field to encourage retail competitiveness and enhance, rather than harm, the vitality and viability of Grove Road retail function.

Members should be aware that any national retailer, including Tesco's, could occupy any A1 unit within Little Chelsea without permission and this application should therefore be assessed on the principle of retail use rather than the particulars of the company likely to occupy the unit. As outlined in the Planning History above, the site has previously been used for retail use.

The National Planning Policy Framework

The Framework is clear that, where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Established Residential Amenity

Following the submission of a Noise Impact Assessment, the council is satisfied that the noise emanating from the roof mounted plant equipment will fall within acceptable limits and, subject to a condition restricting noise emission, the plant equipment should not disturb adjacent residents with particular regard to occupants of the second and third floor of the building (current application EB/2012/0591, reported elsewhere on this agenda). Environmental Health has raised no issue with regard to the two roof vents proposed on the single storey roof to the rear.

The application site is located in a mixed commercial and residential area, immediately abutting the Town Centre Secondary Shopping Area, and it is must therefore be expected that residents will experience some degree of noise and general disturbance. The level of activity associated with the proposed use will be no worse than other convenience stores within Grove Road and thus deemed appropriate in this town centre location.

Character & Appearance

68 Grove Road is located on a prominent corner location within the Town Centre and Seafront Conservation Area, directly adjacent to the Grade II Listed Town Hall. The property also flanks a listed terrace (Nos.3, 5 and 7 South Street) and backs onto a terrace of local interest (Artisans Dwellings). The building is of a modern construction and has a strong street presence on both elevations. The junction of Grove Road and South Street upon which the site sits is an area characterised by small shopfronts, many of which are Victorian. The scale and detail of these are small and individual in character.

The proposed scheme will introduce a modern shopfront to a modern building and has sought to retain as much of the original design as possible with fenestration lines that respect the existing arrangement and concrete plinths retained where appropriate. Although the proposal will break the symmetry of the existing building, the new shopfront will continue the retail frontage that serves the adjacent Secondary Shopping Area and is deemed appropriate for this location. Set against this background, it is considered that a refusal based on the conservation issues could not be justified when the scheme is acceptable in all other respects.

The proposal to conceal the pipework running up the rear elevation with brick slips to match existing, although not visible from the public realm, is welcomed.

To ensure the proposed roof mounted plant equipment and satellite dish are invisible from street level, it is recommended that details of their position on the roof are secured by way of condition.

All signage will be the subject of a separate application.

Highway Safety

68 Grove Road was, for a number of years, used as office accommodation for Eastbourne Borough Council with a high number of vehicle trips associated with the use. In light of this use and the existing loading bay immediately in front of the site which will allow deliveries to take place without disrupting vehicle flows in Grove Road, the proposed retail use should have no adverse impact on the highway network.

The application site is situated in a highly sustainable location within the town centre in close proximity to public transport. There is no requirement for parking provision on this site.

Human Rights Implications:

None.

RECOMMEND: Permission be granted subject to the following conditions:

- (1) Time Commencement.
- (2) Submission of roof mounted equipment details.
- (3) Noise levels.
- (4) Opening Hours.
- (5) Plan numbers.

SUMMARY OF REASONS FOR DECISION

INFORMATIVES

- (1) Comply with Food Hygiene Regulations
- (2) Signage application details

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 5 February 2013

Item 5

App.No.: **EB/2012/0748** Decision Due Date: **30** Ward: **Old Town**
December 2012

Officer: **Jane Sabin** Site visit date: **15** Type: **Minor**
November 2012

Site Notice(s) Expiry date: **19 December 2012**

Neigh. Con Expiry: **19 December 2012**

Weekly list Expiry: **19 December 2012**

Press Notice(s)-: **N/A**

Over 8/13 week reason: **Referred to committee by Chair**

Location: **Ridgelands, 2 Upland Road**

Proposal: **Erection of a detached two storey dwelling with garage and parking.**

Applicant: **Dr. R. Durrani**

Recommendation: **Approve**

Planning Status:

N/A

Relevant Planning Policies:

UHT1	-	Design of development
UHT2	-	Height of development
UHT4	-	Visual amenity
UHT5	-	Protection of wall/landscape features
HO2	-	Predominantly residential areas
HO6	-	Infill development
HO7	-	Redevelopment
HO20	-	Residential amenity
TR11	-	Car Parking
NE28	-	Environmental amenity

Site Description:

This large, detached, two storey dwelling occupies a substantial triangular plot, located on the corner of Upland Road and East Dean Road, with a vehicular access from Upland Road at the eastern end of the site, very close to the corner.

The house dates from the 1920's/30's and is positioned towards the southern corner of the site, so that it has a large side and rear garden, enclosed by brick and brick/stone walls with mature screen planting.

Of particular note is a very fine copper beech in the eastern corner, adjacent to the vehicular access. The site is generally level within the boundary walls; however both Upland Road and East Dean Road rise to the west, and the two dwellings adjacent to the west boundary are situated on higher ground. The area is characterised by detached two-storey dwellings, although there are a number of semi-detached properties immediately opposite the site.

Relevant Planning History:

App Ref:EB/1972/0773 Decision: Refused	Description: Demolition and erection of 3 pairs of semi-detached houses and 6 garages. Date: 11 November 1972
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App Ref:EB/1973/0035 Decision: Refused	Description: Demolition of 1 pair of semi detached houses and a terrace of 5 houses with garages and parking. Date: 25 January 1973
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App Ref:EB/1988/0301 Decision: Approved	Description: Single-storey extension at rear and new detached double domestic garage Date: 19 July 1988
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Proposed development:

The current application is submitted in outline, with all matters reserved. Permission is sought to erect a detached two-storey dwelling on the northern side of the site, together with a repositioned access further along East Dean Road serving two parking spaces for the new dwelling and a garage and parking space for the existing dwelling. This would involve the demolition of an existing detached double garage.

Although all matters are reserved, the plans indicate a traditionally styled, two storey, three bedroom detached dwelling of brick and render under a hipped and pitched tiled roof. The foot print measures 8m by 9.5m, with an 8m deep rear garden, and sited 3.6m from the boundary with East Dean Road, whilst the front garden averages 25m the point of the site on the corner.

Applicant's Points:

- Ridgelands is a substantial detached property set in a mature corner site of 0.3 acre surrounded by a 1m high brick wall and dense boundary planting; it can barely be seen from neighbouring properties or public viewpoints. Conifers on the boundary with 53 East Dean Road rise to 6m in height
- A narrow 2.5m drive located at the eastern end of the site serves the property, and this is to be replaced by a 4.5m wide access further up East Dean Road to serve both the existing and proposed properties

- The adjoining property (53 East Dean Road) is located to the west and screened by a row of conifers, so that only its roof is above the trees; the side elevation contains two windows at first floor level, both obscure glazed (staircase and bathroom), so there would be no privacy issues for either property. The other property on the boundary (4 Upland Road) would not be affected
- The site area of the new property would be comparable to those adjoining at 4 Upland Road and 53 & 55 East Dean Road, whilst the reduced site would still be larger than its neighbours

Consultations:

The Highway Authority has no objections to the proposal, subject to conditions to control the new access and the provision of parking and cycle spaces. (Memo dated 10 December 2012)

The Arboricultural Officer has no objections to the proposal, subject to conditions to safeguard the beech tree on the site and the street tree (an elm) immediately outside the site. He notes that the Beech has significant landscape value and the Elm is part of the historic Avenue planting, considered to have significant conservational value. If the fencing, monitoring and demolition is undertaken as detailed in the submitted arboricultural report the trees will be retained. Monitoring would need to be on a weekly basis at the commencement of the development; once the demolition of the existing garage, groundwork and service runs have been completed monitoring could be on a Monthly basis. (E-mail dated 19 January 2013)

Neighbour Representations:

One representation has been received from an adjoining resident, objecting to the proposal on the grounds that it would result in the loss of a sea view from two bedrooms which have been enjoyed for many years, that a vehicular access would be hazardous due to the volume of traffic on East Dean Road and cars parked on the street, and that it be over development of a site at the gateway to Eastbourne, close to the South Downs Way and historic Old Town. (E-mail dated 18 December 2012)

Appraisal:

The main issues to take into account in determining this application are the impacts on visual, residential and environmental amenity, and highway safety.

Visual amenity

The application site is located on a well screened site, which sits, to a significant extent, below both pavement level and the two adjoining dwellings. The subdivision of the plot would result in plot sizes similar to those in the immediate vicinity. The submitted plan indicates a dwelling located in a position slightly forward of the building line to East Dean Road, but there is scope to realign it further back from the boundary to assimilate it into the general pattern of development. The plan also indicate a footprint and height similar to, but slightly smaller than, its neighbours. Most of the screening is to be retained, but could be reinforced/replanted where necessary. It is considered that the proposal could sit comfortably on the site without detriment to the visual amenities of the area.

Residential amenity

The proposed dwelling is shown to be sited approximately 11m from the flank wall of 53 East Dean Road, and on slightly lower ground level, which reflects the relationship of many of the dwellings in Upland Road as it rises.

There are no principle windows on the flank wall of no.53 and a substantial screen of conifers growing in a raised bed along this boundary obscures most of the building from within the application site; furthermore, the first floor windows are obscure glazed and appear to serve a staircase and possibly a bathroom. The objection that the proposed dwelling would obscure sea views is not strictly speaking a planning matter, and it is not clear that this would be the case since the principle windows of no.53 face towards East Dean Road and Upland Road.

Nevertheless, the submitted plan does indicate a master bedroom window facing the flank wall of 53 East Dean Road, and therefore particular regard must be had to the retention of the conifer screen, with respect to overlooking from first floor windows into the private rear garden area, given the relatively short depth of the rear garden of the proposed dwelling. Whilst the conifer screen has a reasonable life expectancy, it is growing restricted conditions (in a raised bed) and therefore its retention cannot be guaranteed in the long term, and any replacements would not have the desired effect for some years. It is considered that any new dwelling should avoid windows to habitable rooms at first floor level on this west elevation. Subject to the proposed dwelling being designed with suitable fenestration to overcome these concerns, it is considered that there would be no adverse impact on residential amenity.

Environmental amenity

The only tree of outstanding merit is the mature copper beech at the eastern end of the site; there is also a good quality street elm immediately outside the site, adjacent to the existing vehicular entrance. The remainder of the boundary planting is not generally of good quality, although collectively it provides an effective screen from public viewpoints. There are some small trees within the site, but these are mostly ornamental and in decline. It is unlikely, however, that all of the planting would survive the building works, principally the section parallel to the flank wall of the proposed dwelling; in this instance there could be no objection to replacement planting. As the beech is a mature specimen, its root system would be particularly sensitive to disturbance, and therefore the access was moved away from the tree at officers request, so that the entrance could be widened to accommodate two dwellings; the existing entrance could then be closed, to the benefit of both the beech and the street elm, in addition to highway safety. The repositioned access would result in the loss of a mature holly, but it is considered that its impact on the amenities of the area would not warrant a refusal of permission. Any permission would need to be carefully conditioned to retain the beech and the conifer screen, and to ensure their protection during building works, as well as a landscaping plan to replace gaps in the boundary screening as necessary. It is concluded that, subject to conditions, there would be no adverse impact on environmental amenity.

Highway safety

The existing access is situated very close to the junction of East Dean Road and Upland Road; it is relatively narrow with a substandard visibility splay. The provision of an additional dwelling would give rise to the need to widen the access, to the detriment to two mature trees (as detailed above) and highway safety. It was considered necessary, therefore, to relocate the access to a position further away from the junction. The repositioned access would result in an improvement to highway safety, therefore the objection on the grounds of hazard to traffic on East Dean Road is considered to be unsubstantiated.

Human Rights Implications:

It is considered that there would be no adverse impact on residential amenity, subject to careful design and appropriate conditions.

Conclusion:

It is considered that the submitted application has demonstrated that an additional dwelling could be accommodated on site without detriment to visual, residential and environmental amenity, or highway safety. It therefore complies with the relevant policies in the Eastbourne Borough Plan 2001-2011, the Core Strategy and the National Planning Policy Framework.

Recommendation:

GRANT subject to conditions

Conditions:

- (1) Submission of reserved matters within three years
- (2) Commencement within three years
- (3) No development until existing access closed
- (4) No development until details of new access submitted and approved
- (5) No development until tree protection in place
- (6) No burning within site
- (7) No development until details of services/excavations submitted and approved
- (8) No development until landscaping details submitted and approved
- (9) Retention of conifer screen at height of 6m
- (10) No development until samples of external materials submitted
- (11) Restriction on hours of building works
- (12) Restriction of PD rights (windows and dormers)
- (13) Restriction of PD rights (curtilage buildings)
- (14) No development, hard surfaces or changes of ground level within 10m of beech tree.

SUMMARY OF REASONS FOR DECISION INFORMATIVE

- (1) Compliance with conditions.

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**.

Item 6

App.No.: **EB/2012/0781** Decision Due Date: **18/01/13** Ward: **Devonshire**

Officer: **Suzanne West** Site visit date: Type: **Minor**

Site Notice(s) Expiry date: **04/01/13**

Neigh. Con Expiry: **04/01/13**

Weekly list Expiry: **09/01/13**

Press Notice(s)-: **N/A**

Over 8/13 week reason: **Committee (6 objections)**

Location: **Land to the rear of 391 Seaside**

Proposal: **Demolition of lock up stores (formerly garages) and erection of terrace of 5No. 2 bedroom houses together with the provision of 5 parking spaces**

Applicant: **KBL Development**

Recommendation: **Approve**

Planning Status:

- Tidal Flood Risk
- Floodzone 2 & 3
- Gas Pipeline
- Predominantly Residential Area

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
HO8	Redevelopment of Garage Courts
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
US5	Tidal Flood Risk

Emerging Core Strategy

B1	Spatial Development Strategy and Distribution
B2	Creating Sustainable Neighbourhoods
C3	Seaside Neighbourhood Policy
D1	Sustainable Development
D5	Housing

Site Description:

The application site relates to a rectangular plot of land, approximately 479m², comprised of 19 lock-up garages predominantly in use as lock-up stores. The site is bounded by the rear gardens of terraced housing in Seaside, Rye Street and Sandwich Street to the northwest, northeast and south respectively. The site is accessed via 6m wide service road off Rye Street and Sandwich Street to the rear of properties in Seaside. The surrounding area is predominantly residential with a mix of commercial uses and residential flats above in Seaside.

The site is in a sustainable location adjacent to a designated bus corridor and shops and services in Seaside.

Relevant Planning History:

EB/2012/0428	Demolition of lock up stores (formerly garages) and erection of terrace of five two bedroom houses together with the provision of five parking spaces. Withdrawn. 27/07/2012
EB/1959/0235	19 Prefabricated garages Approved conditionally. 11/06/1959

Proposed development:

Permission is sought to replace the existing lock-up garages with a terrace of 5 No. 2 bedroom houses together with 5 designated parking spaces served by the existing service road accessed via Rye Street and Sandwich Street. The dwellings will be sited in a linear north-west to south-east arrangement across the site to follow the established terraced layout. The development will front the rear gardens of Nos. 1-11 Sandwich Street, back onto the rear gardens of Nos. 2-12 Rye Street and flank the rear gardens of properties in Seaside and No. 16 Rye Street. Minimum separation distances between properties will measure 14m, 19m, 22m and 19m respectively.

The dwellings will each comprise an open plan kitchen/dining/lounge area and WC at ground floor, 2 bedrooms and a bathroom at first floor and a modest rear garden (5.7m x 5.5m). Each unit will be allocated 1 parking space in a designated parking area at the western end of the site, immediately adjacent to the existing service road. Refuse and cycle storage provision will be provided in the rear gardens via a shared access with Rye Street.

The proposed units will be designed in a simple contemporary style with render and horizontal boarding and first floor angled bays. The dwellings will be two storeys in height with relatively shallow pitched slate roofs to allow for a ridge height of 7m, falling to 6m in the roof valleys.

Consultations:

Planning Policy

Support the principle of development in line with the NPPF, subject to no negative impact on the amenity of surrounding properties.

(Memo, 14/12/12)

Highways Authority

No concerns (see appraisal).

(Memo, 21/12/12)

Environmental Health

No issues.

(Email, 13/12/12)

Environment Agency

The Flood Risk Assessment (FRA) submitted in support of this application states that the risk of flooding associated with this development can be adequately managed.

(Memo, 20/12/12)

Neighbour Representations:

Following statutory notification, 6 objections have been received from nearby residents detailed below:

- Restricted vehicular and pedestrian access of this service lane, particularly for emergency services and refuse collection vehicles.
- Inadequate provision of parking - problems with extra parked cars blocking access to existing properties reliant on the service road to access garages and off-street parking.
- Loss of light, outlook and privacy for adjacent properties.
- Design of scheme is out of keeping with the area.
- Overdevelopment of area - together with other recent developments, the development will put a strain on local amenities and result in increased levels of traffic, noise and pollution.
- Poor standard of accommodation for future occupants – no eye-level windows at first floor.
- Depreciation of adjacent house prices due to restricted rear access.

Appraisal:

The applicant has proactively engaged in discussions with the Council at all stages of the planning process. The current application follows the withdrawal of the original scheme (EB/2012/0428) which, in accordance with officer advice, has been revised to include the following amendments:

- **Reduced height** - roofline lowered from 7.65m to 7m and valley roofs introduced with valleys 6m above ground level.

- **Repositioning of terrace** - re-sited to southern boundary and 'flipped' to face the rear of Sandwich Street properties.
- **Improved design** - increased use of render to lighten elevations and more varied roof form.

Loss of Garages

The application site currently comprises 19 lock-up garages, used primarily for storage purposes. The garages, although privately owned, are not directly linked to or owned by the residential properties surrounding the site and must therefore be considered as a 'stand alone' use. The Council, in line with the National Planning Policy Framework (NPPF), considers that the need for more homes should prevail over the use for storage and is supportive of residential schemes in such areas provided the development would not exacerbate on-street parking problems, harm road safety and is sensitively designed to secure the amenity of neighbouring residents.

With only 16 of the garages in use and only 3 used for the parking of vehicles, the loss of the garages will not place significant additional demand on on-street parking within the immediate vicinity. The proposed residential scheme will make more efficient use of this brownfield site; any potential use of the site for commercial purposes is likely to be unduly harmful to surrounding residential amenity. It is noted that the owner of the garage constructed to the rear No.6 Rye Street is used solely for storage purposes and has no vehicular right of access. As such, the scheme will not restrict existing access to adjoining properties/garages.

Notwithstanding that the majority of garages are used for storage purposes, the size of the units (2.3m x 4.7m internally) are substandard for modern standards with Manual for Streets advising that garages measure 6m x 3m internally to accommodate modern cars. This may explain, in part, the present lack of vehicular storage.

Principle of Residential Development

The principle of residential development on this site is supported by Policy HO8 'Redevelopment of Garage Blocks' of the Borough Plan and accords with the NPPF which stipulates a presumption in favour of sustainable development. The site has been identified for residential development in the SHLAA and, with a minimum of 70 percent of the borough's housing provision to be provided on previously developed land, the Council supports the opportunity to make more efficient use of this underutilised brownfield site. The net gain of 5 dwellings will provide a valuable contribution to the borough's housing delivery targets without loss of an employment generating use and would support the Seaside Neighbourhood Policy of the emerging Core Strategy 'providing new housing through redevelopment' and supporting the neighbourhood vision by 'playing an important role in the delivery of new housing'.

The existing and emerging Strategic Housing Market Assessment (SHMA) identifies a need for a range of dwelling sizes to meet local housing demand with particular need for smaller family accommodation. The two storey family housing proposed on this site will help meet this demand.

The site benefits from being located in one of the most sustainable neighbourhoods in the Borough in close proximity to services, facilities and public transport including a well served bus route along the Seaside Quality Bus Corridor which operates up to every 7/8 minutes and links the site to large areas of the town including the Town Centre.

Parking Provision & Highway Safety

Each dwelling will be allocated 1 parking space in a designated parking area at the western end of the site, immediately adjacent to the existing service road. The total provision of 5 parking spaces is only one space less than ESCC Parking Guidelines for a development of this size in this location and is deemed acceptable. Appropriate cycle parking is also provided on site with each dwelling accommodating 1 covered and secure space in accordance with the ESCC Parking Guidance.

The layout of the parking spaces across the front of the site is similar to the garages that currently run along this frontage but has the advantage of improved visibility compared to vehicles exiting individual garages. The site benefits from being accessible via a service road from two directions (Sandwich Road and Rye Street) and, although Archery Lane does not have a footway, visibility is good owing to the straight alignment of this road. Vehicle speeds are also likely to be low owing to the short length of the road (approx 70m between junctions). Street lighting is in place and Police Accident records confirm that there have been no recent recorded incidents in this section of Archery Lane.

Notwithstanding that the majority of garages are used for storage purposes, the proposed terraced development is likely to result in a reduction of overall potential traffic movements owing to the removal of the 19 lock-up garages.

Flood Risk

The proposed development represents an increase in flood risk with garages classified as 'Less Vulnerable' and residential dwellings classified as 'More Vulnerable' in the NPPF Technical Guidance. This issue has been dealt with comprehensively by a separate Flood Risk Assessment, including assessment against the relevant sequential and exception tests.

The Council is satisfied that there are no suitable alternative sites in the vicinity and that the development will not increase flood risk elsewhere. The proposed scheme incorporates suitable flood resistant measures including the omission of sleeping quarters on the ground floor and resilient building construction. SUDS are also incorporated in the form of permeable paving/soft landscaping in the rear gardens and new low-water demand devices, all of which should help reduce surface water run-off.

The Environment Agency is satisfied that these mitigation measures will adequately manage flood risk.

Character & Appearance

The proposed scheme will reflect the terrace layout that is characteristic of this part of Seaside.

Rather than imitating the proportions of the late Victorian architecture, however, the development will introduce an imaginative contemporary design incorporating angled bay windows and alternate weatherboard/render vertical bands to break up the elevation treatment and give a sense of rhythm to the terrace that is reminiscent of seaside architecture. The use of render is consistent with neighbouring properties and the introduction of horizontal boarding adds texture and provides a modern palette. The scheme incorporates an innovative fenestration layout of angled bays and high level windows which is not considered to jar with the surrounding built form.

The site is relatively well concealed from open townscape views by established development. The visual effects of the proposals would therefore be modest and a contemporary design approach can be introduced successfully into the area without being strident or discordant. The development is considered to be a marked and welcome improvement from the 'tired' garages which currently occupy the site.

The scale of the development, in mass and height, is in keeping with the surroundings and would not detract from the overall character and appearance of the area. The relatively shallow hipped roofs will ensure the height of the proposed dwellings are below that of adjacent buildings and, as such, will not be unduly prominent.

Established Residential Amenity

The revised application has sought to reduce the impact on neighbouring properties by repositioning the terrace on the southern boundary and reducing the overall height of the development by way of a lower ridgeline and the introduction of valley roofs. With the typical height of buildings in the locality measuring 7.7m, the terrace will sit at a lower a ridgeline of 7m falling to 6m in the roof valleys. The modest height of this two storey terrace and relatively shallow pitched roofs will reduce the mass of the structure and lessen its impact on neighbouring properties. Whilst there will undoubtedly be some loss of outlook for adjacent occupiers, with particular regard to properties in Sandwich Street, the reduced height and distance from surrounding dwellings will ensure the development is not unduly enclosing and there is no significant harm.

The lower roof height and repositioning of the terrace on the southern boundary will also considerably reduce the potential for overshadowing upon neighbouring properties/gardens in Rye Street to the north. With a minimum separation distance of 19m between properties, there should be no significant loss of light to habitable rooms. Whilst there may be a degree of residual overshadowing to the rear gardens, any impact would not be significant enough to warrant refusal of this application particularly when weighed against the sustainable benefits of the development. Overshadowing will not be experienced by properties in Sandwich Street to the south.

The site lies within a densely developed residential area where close proximity to neighbouring dwellings is the norm and overlooking is thus commonplace. A creative fenestration layout, incorporating a combination of projecting bays with side facing windows, high level windows and rooflights, will ensure there are no first floor windows directly facing properties in Sandwich Street or Rye Street and the established privacy of adjacent occupiers is protected.

The proposed dwellings would offer a good standard of accommodation suitable for couples or small families. Although gardens would be of modest size and smaller than adjacent properties, they are comparable to other properties in the town and will provide a reasonable outdoor amenity space for future occupants.

It is again noted that the proposed residential use of the site should result in the potential reduction of traffic movement. Any alternative commercial use of the site is likely to result in a significant loss of amenity for neighbouring residents._

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 proposed development is acceptable in terms of the loss of the existing garages, the scale and design of the replacement terrace, the impact upon nearby residents, the provision of on-site parking and impact on highway safety. In addition, the development complies with government guidance in respect of maximising the re-use of previously developed land and will make a valuable contribution to the towns housing stock.

Whilst it is acknowledged that there will inevitably be some impact from the proposal, the impacts, neither individually nor cumulatively, outweigh the benefit of creating 5 new residential units in a sustainable location and making effective use of this brownfield site in accordance with the Council's housing delivery targets.

RECOMMEND: Permission be granted subject to the following conditions:

- (1) Time Commencement.
- (2) Samples of Materials.
- (3) Provision of surface water drainage details.
- (4) Provision of cycle parking.
- (5) Provision of parking area.
- (6) Comply with FRA.
- (7) Provision of washing facilities.
- (8) Floor levels setting.
- (9) Hours of work on site.
- (10) Restriction of windows at first floor.
- (11) Restriction of buildings within the curtilage.
- (12) Plan numbers.

SUMMARY OF REASONS FOR DECISION

INFORMATIVE:

- (1) Compliance with conditions.
- (2) A formal application for connection to the public sewer.
- (3) Use of Flood Resilient Materials.
- (4) Sign up to EA Flood Warning scheme.

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**.

Item 7

App.No.: **EB/2012/0785** Decision Due Date: **22/01/12** Ward: **Sovereign**

Officer: **Chris Cave** Site visit date: **16/12/12** Type: **Advertisement**

Site Notice(s) Expiry date: **10/01/12**

Neigh. Con Expiry: **n/a**

Weekly list Expiry: **09/01/12**

Press Notice(s)- : **n/a**

Over 8/13 week reason: **Application is within the target date**

Location: **The Waterfront, Sovereign Harbour**

Proposal: **Display of additional side/return hoarding to existing hoarding on approach road to the Waterfront Sovereign Harbour, with new illuminated double sided sign immediately in front of car park entrance.**

Applicant: **Sovereign Harbour, Waterfront**

Recommendation: **Approve**

Reason for Referral to Planning Committee:

The chair of Planning Committee has requested the application to go before members due to concerns over advertisement littering.

Planning Status:

- Retention of Employment Commitments

Relevant Planning Policies:

UHT4 – Visual Amenity
UHT12 - Advertisements

Site Description:

There are two application sites for each of the signs, both located on the approach road to the Sovereign Harbour Retail Area. The approach road is characterised by two single lanes, each for both direction of traffic with landscaped areas to the side. The side hoarding, which is proposed to be

attached to an existing hoarding, lies at the start of the approach road to the retail park, adjacent to a large roundabout, on a grassy verge.

The new sign, is proposed to be located, approximately three quarters away along the approach road, in front of one of the main car parks, located to the south east.

Relevant Planning History:

No relevant planning history

Proposed development:

The application proposes the erection of two advertising signs.

Sign 1

One double sided externally illuminated sign, to be erected in front of one of the main car parks, located to the south east. The sign is to measure 3m in width, 2m in height and 0.2m in depth. The sign is to have an illustration of the waterfront harbour taking up the majority of the sign, with small text on the top and bottom.

Sign 2

One externally illuminated side hoarding, to be attached to an existing hoarding, which lies adjacent to the entrance to the approach road to the Waterfront Harbour. The sign is to measure 3m in width, 1.2m in height and 0.2m in depth. The sign is to have an illustration of the waterfront harbour with small text at the bottom of the sign.

Consultations:

Highways

No objections

Neighbour Representations:

None received

Appraisal:

Visual Amenity

Sign 1

The sign is considered to be acceptable in terms of visual amenity as it is considered appropriate to the use of the site as it illustrates the name of the site with a directional sign showing motorists where to park and it is not of a size or scale to be of detriment to the character of the area.

Sign 2

The sign is considered to be acceptable in terms of impact on visual amenity as the proposed hoarding is to be attached to an existing hoarding, which is already in place and the proposed hoarding is relatively small, in terms of size and scale to the existing hoarding. In addition, the proposed hoarding is not deemed to be visually obtrusive as it has a plain illustration showing the harbour with small text at the bottom.

Highway Safety

Sign 1

Although the sign is located relatively close to the public highway, it does not illustrate any advertisement which could be a distraction for drivers and the sign is not of a size or scale to be hazardous to vehicle safety.

Sign 2

Although the sign is of a substantial size and scale, in terms of height, it is proposed to be attached to an existing sign which is much larger in terms of size and scale and as the proposed sign does not contain any distracting information, the impact on highway safety is considered to be acceptable.

Human Rights Implications:

None

Conclusion:

Both signs are considered to be acceptable as their size and scale are in proportion to the highway they are sited next to and both signs do not contain any distracting information that could have an adverse impact on highway safety.

Recommendation:

RECOMMEND: Express consent be granted subject to the following standard conditions:

- (1) – (5) Standard Conditions
- (6) Plan numbers

SUMMARY OF REASONS FOR DECISION

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**.