

Tuesday, 21 April 2015

at 6.00 pm

Town Hall, Eastbourne

EASTBOURNE
Borough Council



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Planning Committee

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MEMBERS: Councillor Ungar (Chairman); Councillor Harris (Deputy-Chairman); Councillors Hearn, Jenkins, Miah, Murray, Murdoch and Taylor

Agenda

- 1 Minutes of the meeting held on 24 March 2015.** (Pages 1 - 4)
- 2 Apologies for absence.**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**
- 4 Urgent items of business.**

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.

5 Right to address the meeting/order of business.

The Chairman to report any requests received to address the Committee from a member of the public or from a Councillor in respect of planning applications/items listed and that these applications/items are taken at the commencement of the meeting.

6 AA Box - Wish Tower Slope. Application ID: 150309. (Pages 5 - 8)

7 Beach Deck adjacent to 3 and 4 - Lower Promenade, Grand Parade. Application ID: 150276 (PPP). (Pages 9 - 12)

8 Ilex End, 11 Upper Carlisle Road. Application ID: 150194 (HHH). (Pages 13 - 16)

9 27 St Leonards Road. Application ID: 150172 (PPP). (Pages 17 - 28)

10 Southdown House, 2 Silverdale Road. Application ID: 150046 (PPP). (Pages 29 - 36)

11 South Downs National Park Authority Planning Applications.

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

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

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

Members must declare the existence and nature of any interest.

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

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

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

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

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

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

Further Information

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

Local Democracy, 1 Grove Road, Eastbourne, BN21 4TW
Tel: (01323) 415023/415021 Text Relay: 18001 01323 410000, Fax: (01323) 410322
E Mail: localdemocracy@eastbourne.gov.uk
Website at www.eastbourne.gov.uk

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

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Tuesday, 24 March 2015
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Ungar (Chairman) Councillors Hearn, Jenkins, Miah, Murray, Murdoch and Taylor

145 Minutes of the meeting held on 3 March 2015.

The minutes of the meeting held on 3 March 2015 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

146 Apologies for absence.

An apology for absence was reported from Councillor Harris.

147 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

Councillor Jenkins declared a personal interest in minute 150 Harford Battersby House as members of his family lived in the premises directly related to the application site and withdrew from the room whilst this application was considered.

148 10 Saffrons Park. Application ID: 150076.

Demolish part of existing conservatory to side and rear. Replace with single storey extension to side and rear on the same footprint as existing conservatory – **MEADS**. One letter of objection had been received.

The relevant planning history for the site was detailed within the report.

The committee was advised that Core Strategy Policy D10 Design was considered relevant to the determination of this application.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time Limit 2) Approved 3) Matching Materials.

149 72 Sancroft Road. Application ID: 141520.

This item was withdrawn.

150 Harford Battersby House. Application ID: 141605.

Change of use of car park at the rear of Harford Battersby House to a public pay and display car park, involving the demolition of the existing garages – **MEADS**. Six objections had been received.

The relevant planning history for the site was detailed within the report.

The observations of the East Sussex County Highways Authority and the Specialist Advisor (Conservation) were summarised within the report.

At its meeting on 17 February 2015, the Conservation Area Advisory Group expressed some reservations regarding the commercial nature of the development at the rear of this residential property and the intensification of the use which could have an impact on the character of the conservation area.

NB: Councillor Jenkins withdrew from the room whilst this application was considered.

RESOLVED: (Unanimous) That permission be refused on the grounds that the proposed development would have an adverse impact on residential amenity and the character and appearance of the conservation area as a result of noise, disturbance, intensity of use and the paraphernalia associated with the operation of a pay and display car park. It would therefore conflict with policies B2, C1, D1, D8 and D10 of the Eastbourne Core Strategy Local Plan 2013, policy TC15 of the Town Centre Local Plan 2013 and policies UHT1, UHT4, UHT15, HO20, TR2, TR6 and TR11 of the Eastbourne Borough Plan Saved Policies 2007, and the provisions of the National Planning Policy Framework.

Appeal:

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

151 16 Beach Road. Application ID: 141613.

Change of use from Class D2 to Class D1 (non-residential institution). No external changes proposed – **DEVONSHIRE**. Three objections had been received.

The relevant planning history for the site was detailed within the report.

The Specialist Advisor (Planning Policy) raised no objection.

The committee was advised that a response had been received from East Sussex County Highways Department stating that 'No objections to the proposal as the proposed use was likely to have less highways impacts than the lawful use. Taken from the TRICS highways database I can confirm the following:- The use as a church would result in a far lower number of trips throughout the day (55) when compared to a pub use (there isn't a direct comparison for the current use) which would create in the region of 140 trips. The parking demand is therefore likely to be similar or lower than currently'.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time limit 2) Strict accordance with approved drawings 3) Hours of use (08.30 – 22.00 Monday to Sunday) 4) No noise audible outside of the building.

152 Land to the rear of 2-8 Queens Crescent. Application ID: 150070.

Demolition of 10 lock-up garages and erection of 6 x terraced 2bedroomed houses together with access drive and ancillary parking – **ST ANTHONYS**. Four objections had been received.

The relevant planning history for the site was detailed within the report.

The Specialist Advisor (Planning Policy) and East Sussex County Highways department raised no objection to the proposals.

Mr Wooller addressed the committee in objection stating that he did not object to the development in principle, however the proposal for six dwellings represented an overdevelopment that would impinge on his privacy resulting in overlooking into his garden and that the scheme would create additional parking pressures in the surrounding area.

The committee agreed that the proposal was an overdevelopment. Members were concerned with the narrow access road and potential dangers to vehicles and pedestrians accessing the site.

RESOLVED: (Unanimous) That permission be refused on the grounds that 1) the proposal by reason of its design/location and appearance would result in an overdevelopment and unneighbourly form of development that would be out of character with the prevailing pattern of development in the area and also result in a material loss of amenity through direct overlooking 2) the use of the site for 6 dwelling houses would give rise to an increase in vehicle movements at and within the vicinity of the site and may lead to an increase in indiscriminate on street parking 3) there had been no commitment to secure/honour the development's Community Infrastructure Levy requirements and as such the proposal was considered to have an adverse impact upon the delivery of local/regional infrastructure.

Appeal:

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

153 South Downs National Park Authority Planning Applications.

None reported.

The meeting closed at 7.00 pm

Councillor Ungar (Chairman)

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Agenda Item 6

App.No: 150309 (PPP)	Decision Due Date: 12 May 2015	Ward: Meads
Officer: Jane Sabin	Site visit date: 31 March 2015	Type: Planning Permission
Site Notice(s) Expiry date: 19 April 2015 Neighbour Con Expiry: N/A Weekly list Expiry: 7 April 2015 Press Notice(s): 14 April 2015		
Over 8/13 week reason: N/A		
Location: Lower promenade, adjacent to the Wish Tower car park, King Edwards Parade		
Proposal: Siting of a vintage AA box together with use of two adjacent parking spaces for the parking of vintage cars.		
Applicant: Mr Power		
Recommendation: Approve, conditionally		

Executive summary:

The proposed development is appropriate in terms of its siting, scale and design, and would provide an additional facility on the seafront for tourists. It would comply with the relevant adopted policies and government guidance.

Planning Status:

Public seafront promenade
Town Centre and Seafront Conservation Area

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C11: Meads Neighbourhood Policy
D3: Tourism and Culture
D10: Historic Environment
D10A: Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development
UHT4: Visual Amenity

UHT15: Protection of Conservation Areas
TO9: Commercial Uses on the Seafront

Site Description:

The application site comprises a small area of the lower promenade, measuring approximately 1100mm by 1100mm, adjacent to the Wish Tower car park. It also involves the first two parking spaces on the vehicular access to the Wish Tower Café site (currently marked out as 12 Pay and Display spaces).

Relevant Planning History:

None.

Proposed development:

Planning permission is sought to position a vintage AA box on the site, which measures 1100mm wide, 1100mm deep and 2870mm to the ridge and located on a concrete slab. The box is constructed of timber, and finished in black paint with features picked out in yellow (traditional AA colours of the time). The box is to be used as a booking office and collection/drop off point for customers of the business, which is the provision of journeys/excursions along the seafront and around the town in the two vintage cars which will be able to make use of the closest two parking bays on the adjacent access road.

Consultations:

Internal:

Estate Manager - no comments received

Tourism Manager - no comments received

Specialist Advisor (Engineering) - no objections, but will need to be informed of date of commencement of works on site for operational reasons.

Specialist Advisor (Conservation) - The provision of a vintage AA box and two parking spaces, within the immediate setting of the Wish Tower, has been balanced against the identified values attached to the building and its immediate setting. The immediate setting being how the heritage asset is experience within its surroundings, which includes siting, form and use of materials.

In assessing the vintage AA box and two associated parking bays against the identified significance of Wish Tower Slope and surrounding conservation area, the proposal, due to its siting, is considered to result in little or no harm to the significance associated with the heritage asset, whilst the vintage design is not out of keeping with the current setting associated with the Wish Tower and wider conservation area.

Conservation Area Advisory Group - At its meeting on 31 March 2015, no objections were raised.

No representations have been received as a result of press and site notices.

Appraisal:

Principle of development:

The provision of an additional tourist facility on the seafront is acceptable in principle. The scale and form of the proposal is considered appropriate and complements both the existing tourist offer and the genteel character of this part of the seafront.

Design issues:

The applicant had originally proposed to use a genuine vintage AA box, which is considered to be a suitable form of development for this location on the seafront and the character of this part of the conservation area. It has been agreed that a replica box is used, given its very exposed location.

Impact on character and setting of the scheduled monument or conservation area:

The proposal has been the subject of negotiation and discussion before the submission of the current application to find an appropriate location. The location now put forward would have no adverse impact on the Wish Tower, the adjacent slope or the surrounding conservation area. It would not impact on any of the spaces in the main car park, and would be seen in context with the ice cream kiosk on the beach nearby.

Other matters:

The two parking spaces would be operated on a parking permit basis, and is not within the control of planning legislation.

Human Rights Implications:

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

Conclusion:

The proposed development is appropriate in terms of its siting, scale and design, and would provide an additional facility on the seafront for tourists. It would comply with the relevant adopted policies and government guidance.

Recommendation: Approve, subject to the following conditions

Conditions:

1. Commencement within three years
2. Development in accordance with approved plan
3. Development to be an exact replica of a vintage AA box in terms of design, materials and colour.

Appeal:

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

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Agenda Item 7

App.No: 150276 (PPP)	Decision Due Date: 25 May 2015	Ward: Devonshire
Officer: Jane Sabin	Site visit date: 7 April 2015	Type: Planning Permission
Site Notice(s) Expiry date: 24 April 2015		
Neighbour Con Expiry: 24 April 2015		
Weekly list Expiry: 7 April 2015		
Press Notice(s): 10 April 2015		
Over 8/13 week reason: N/A		
Location: Beach adjacent 3 and 4 Lower Parade, Grand Parade, Eastbourne		
Proposal: Extension of timber decked area on the beach to be used in conjunction with existing Cafe Express and Belissimo Express cafes.		
Applicant: Mr P. Lewin		
Recommendation: Approve, conditionally		

Executive summary:

The proposed development is appropriate in terms of its siting, scale and design, and would provide an improved facility on the seafront for tourists. It would comply with the relevant adopted policies and government guidance.

Planning Status:

Public seafront promenade
Town Centre and Seafront Conservation Area

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C1: Town Centre Neighbourhood Policy
- D3: Tourism and Culture
- D10: Historic Environment
- D10A: Design

Eastbourne Borough Plan Saved Policies 2007

- UHT1: Design of New Development
- UHT4: Visual Amenity
- UHT15: Protection of Conservation Areas
- TO9: Commercial Uses on the Seafront

Site Description:

The application site comprises the two existing decks on the shingle beach immediately adjacent to the lower promenade and to the south west of the pier.

Relevant Planning History:

050831

Change of use of public shelter, part of promenade and shingle beach to A3 use, including provision of sliding doors, windows, electric and other shutters, canopy and floodlights to front of shelter and wooden decking on beach.

Approved conditionally 9 January 2006

060123

Change of use of public shelter, part of promenade and shingle beach to restaurant use (A3 Use Class), including provision of doors, windows and shutters to front of shelter and wooden decking on beach.

Approved conditionally 12 June 2006

Proposed development:

Permission is sought to extend both decks to form larger areas for customers of the two cafes. The scheme proposes to extend each deck to form two separate decks measuring 29.5m by 6m and 38.5m by 6m, separated by a gap of 6m where an existing groyne transects the beach. Each deck would have LED floor lighting around the perimeter of the two outer edges, and handrails which match those existing.

Consultations:Internal:

Estate Manager – no comments received

Tourism Manager – no comments received

Specialist Advisor (Environmental Health) – no comments received

Specialist Advisor (Conservation) - The site is located on the lower promenade to the west of the Pier, a Grade II* heritage asset within the Town Centre and Seafrot Conservation Area. It includes the juxtaposition of natural and built environment, with the promenade following the contours of the bay, providing a visual link between the two. The character of this part of the promenade is a concentration of mixed use units, both on and at the foot of the Pier, including cafes, public conveniences and retail units, with kiosks on the upper promenade.

The activity associated with the commercial and retail units, in conjunction with the use of the promenade and beach for sport and recreation, results in an active and vibrant environment. Additionally, uninterrupted views of the sea and beach, including the promenade edge which is defined by the natural curve of the bay, and the rhythm and harmony provided by the groynes make a positive contribution to the appearance of the area.

In assessing the proposal against the identified character of the area, the following comments area made:

As identified, the west promenade is level with the beach and, as such, the value of the relationship between the promenade, to the west and beach includes its permeability. This value has been clearly identified and retained as part of the proposal, in the form of a distinct gap between the decking to allow for easy access to the beach, whilst taking account of the existing groyne and its future maintenance.

In addition the proposal has been designed to reflect the existing timber decking and balustrades. Whilst this is an acceptable approach, it may be worth exploring an alternate design for the balustrading, as this detail would allow for a more contemporary approach within this historic environment, adding design value to the existing character and appearance of the surrounding conservation area.

In summary the proposed extension of timber decking to the beach area to be used in conjunction with the associated cafes, is considered to result in little or no harm to the character of the surrounding conservation area.

Specialist Advisor (Engineering) – the groyne clearance of 3m on either side is acceptable for the next 15-30 years, as this is the anticipated remaining life of the groynes. Details are required of the foundations, to ensure there are no piles within the clearance area. It should be noted that EBC will not be liable for any damage to the decks either from tide/coast/storm conditions, or from coast protection maintenance works. Furthermore, the profile of the shingle may change over time/seasonally, and whilst this sort of infrastructure will be considered, it would not be possible to maintain the existing profile consistently just for the decks.

Conservation Area Advisory Group - At its meeting on 31 March 2015, no objections were raised in principle to the extension of the decked areas, however concerns were expressed in respect of the continuous nature of the decking and the impact it would have on the relationship between the beach and the promenade. The Group were firmly of the opinion that the deck should be separated into sections with wide gaps between them so that the shingle would still be visible right up to the edge of the promenade. It was also considered essential that good quality materials should be used, particularly for the balustrading; the design of the balustrading should be carefully considered to reflect either the ornate traditional features found along the promenade, or a very modern interpretation.

External:

Neighbour Representations:

No representations had been received at the time of writing this report.

Appraisal:

Principle of development:

The existing cafes and decks are popular and well used. Extending the decks would improve the offer of the cafes and encourage more customers to use them, to the benefit of the vitality of the seafront.

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

The siting, scale and form of the extended decks is considered to be appropriate for this location, and preserves access to the shingle beach for members of the public as well as access for essential repairs/maintenance to the groyne and beach. The separation of the

decks also preserves the visual relationship between the promenade and the shingle beach.

The lighting is subtle, both in terms of design and illumination. The balustrade, as proposed, matches that on both existing decks. The views of the Conservation Area Advisory Group on the balustrading are noted, however it is considered that the provision of traditional ornate features would not be sufficiently understated on the lower promenade (the ornate lighting columns and railings are generally featured on the middle promenade). Certainly the shingle beach is not the place for glass or polycarbonate. It is therefore considered that simple timber balustrading is the correct approach.

Other Matters: Hours of use of these extended decked areas is controlled under other regimes (licensing and lease via Estates dept)

Human Rights Implications:

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

Conclusion:

The proposed development is considered to be appropriate in terms of its siting, scale and design, and would provide an improved facility on the seafront for tourists. It would comply with the relevant adopted policies and government guidance.

Recommendation: Approve, conditionally

Conditions:

1. Commencement within three years
2. Development in accordance with the approved plans
3. Submission of details of foundations
4. Submission of details lighting
5. Submission of details of balustrading

Appeal:

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

Agenda Item 8

App.No: 150194 (HHH)	Decision Due Date: 17 April 2015	Ward: Meads
Officer: Sally Simpson	Site visit date: 4 February 2015	Type: Householder
Site Notice(s) Expiry date: N/a Neighbour Con Expiry: 20 March 2015 Weekly list Expiry: 19 March 2014 Press Notice(s): N/a		
Over 8/13 week reason: Committee Cycle		
Location: Ilex End, 11 Upper Carlisle Road, Eastbourne		
Proposal: Extension of raised terrace to the rear together with the provision of a brise-soleil canopy over.		
Applicant: Mr John Little		
Recommendation: Approve, conditionally		

Planning Status: Residential dwelling

Constraints:

TPO Trees: TPO10 Salisbury Road and Upper Carlisle Road 101 Daydawn, 7 Upper Carlisle Road

Tree Conditions: Tree(s) protected by planning condition. EB/2006/0432

Relevant Planning Policies:

National Planning Policy Framework 2012

Paragraphs 17, 56, 57, 58, 59, 60 & 61

Eastbourne Core Strategy Policies

Eastbourne Core Strategy Local Plan 2006-2027

B1 Spatial Development Strategy and Distribution Sustainable Neighbourhood

C11 Meads Neighbourhood Policy

D10A Design

D5 Housing High Value Neighbourhoods

Borough Plan Policies

Eastbourne Borough Plan 2001-2011

HO2 Predominantly Residential Areas

NE14 Source Protection Zone

Site Description:

The site consists of a two storey detached residential dwelling. This property has undergone a significantly amount of refurbishment in recent months; some of this work follows the 2014 planning permission and some is in advance of this application.

It is located in a largely residential area within the Meads ward of Eastbourne, but outside the conservation area.

Relevant Planning History:

EB/1983/0092

F/f1 addit at side - Approved Conditional - 1983-04-05

EB/1974/0042

Alts & extn to conv garage with flat over into 2/st house with integ garage Approved Unconditional 1974-02-07

140476

Proposed first floor extension to front elevation, together with internal alterations and the erection of a car port to front of existing property.
Householder Approved conditionally 11/07/2014

Proposed development:

The retention of a raised terrace to the rear of the property/elevation, together with the retention of a brise-soleil (sun shade) over part of the proposed terrace.

The Terrace:-

The terrace extends from the existing rear elevation by 6.5m and across the entire width of the house, measuring a distance of 13.13m.

The height of the terrace from the ground level closest to the house is 1.17m. This measurement increases to 1.19m as the ground level of the garden slopes away from the house. The scheme proposes privacy screening to the sides of the terrace.

Brise Soleil:-

This sun shade extends across the full width of the property and a depth 2.8m beyond the rear wall of the recently constructed extension (approximately half the depth of the proposed terrace).

Consultations:**Neighbour Representations:**

1 letter of objection has been received from the immediate neighbour and covers the following points:

- The raised terrace is significantly higher than our ground level, resulting in an invasion of our privacy through our kitchen window.
- The brise-soleil canopy is already partially constructed and will overshadow us and block a significant amount of light reaching our most frequently used habitable room.
- The external design represents a significant deviation from the external appearance of other houses in the area.

Appraisal:

The main issue to consider in assessing this proposal is the impact on the neighbouring properties.

Design and Appearance:-

The location of the proposed terrace and brise soleil are located to the rear of the property and as such they do not command any public views. Notwithstanding this the design, scale and appearance remains consistent with the design aesthetic of the main/parent property.

Residential Amenity:

There is a distance from the edge of the terrace to the boundary with No. 9 of 6.02m. To minimise any issue of overlooking, fencing will be erected across the entire side part of the terrace, which will measure 1.8m in height from the floor of the terrace. This will minimise any anticipated issue of overlooking/privacy for the neighbours at No 9. There is also already well established natural screening in the garden of No 11 along the boundary fencing which is being retained. It can be noted from the photos of my site visit that the occupiers of No. 9 have also planted some natural screening along their boundary fence which has yet to become established.

There is an existing boundary wall between No. 11 and No. 15 which will be retained and will therefore, reduce any issue of overlooking for the neighbours on this side.

The height of the brise-soleil from the floor of the terrace is 2.57m, with the overall height from ground level being 3.78m, this is considered to be a relatively lightweight structure and as such should not have an overbearing or unneighbourly relationship with the adjacent properties.

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

The site is not a listed building and it is located outside of the Meads conservation area and would, therefore, have no impact on the character of a listed building or conservation area.

Human Rights Implications:

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

Conclusion:

The proposed extension above the garage is considered acceptable in terms of scale, design and would have minimal impact in terms of visual and neighbour amenity and therefore complies with policies B2, C11 & D9 D10A Eastbourne Core Strategy Local Plan (2013 - 2026) UHT1, UHT4, HO2, HO20 of the Eastbourne Borough Plan, and the guidance outlined within the National Planning Policy Framework (2012).

Recommendation: Approve, subject to conditions

Conditions:

1. The development hereby permitted shall be carried out in accordance with the following drawings received on 19 February 2015:

DWG No. IE-TP01 – Proposed layout and rear elevation

DWG No. IE-TP02 – Proposed Side Elevations

Site Location & Block Plan.

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

2. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building as identified under section 11. Materials, of the submitted application form.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area.

3. The privacy screening (fencing) on the raised terrace, hereby approved shall remain as a permanent structure and retained as such thereafter

Reason: To safeguard the amenities of the occupiers of neighbouring properties

Appeal:

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

Agenda Item 9

App.No: 150172 (PPP)	Decision Due Date: 15 April 2015	Ward: Upperton
Officer: Toby Balcikonis	Site visit date: 12 & 25 March 2015	Type: Planning Permission
Site Notice(s) Expiry date: 21 March 2015		
Neighbour Con Expiry: 21 March 2015		
Weekly list Expiry: 16 March 2015		
Press Notice(s): N/A		
Over 8/13 week reason: For listing at Planning Committee		
Location: 27 St Leonards Road, Eastbourne		
Proposal: Erection of mansard roof to provide for four self-contained flats and three storey front/side extension, and alterations to fenestration on building's facade.		
Applicant: Mr Barry Hough		
Recommendation: Approve with conditions		

Executive Summary:

The application relates to a block of commercial offices situated on the North East quadrant of the crossroads formed by St Leonards Road and Eversfield Road, fronting St Leonards Road. The other 3 buildings at this intersection include The Eastbourne Foyer , opposite, The Yews residential flats across Eversfield Road at 25 St Lt Leonards Road, and in the South West Quadrant, a former block of offices currently undergoing a conversion to residential accommodation. There is a residential building (Pegasus Court) adjacent to the application site at 29 St Leonards Road which serves as warden assisted accommodation (20 Units).

The current application for planning permission relates to the formation of a three storey front/side extension along with a new 4th storey in the form of a mansard roof containing 4 additional flats (to the 12 already established under prior approval) and for some external alterations to the building including changes to fenestration to make the existing windows / openings more suitable to residential use, and the formation of some new smaller sized windows to serve kitchen areas of the new flats.

There is considered to be sufficient on-site parking and the details within the application for which permission is sought, is considered to be acceptable in planning terms.

The site is situated in an area of mixed used consisting of both commercial office space and residential accommodation in multi-storeyed buildings. Since the implementation of the Prior Approval procedure in May 2013, many of the commercial office spaces in the

area have undergone conversion to residential accommodation. The residential conversion of this block has already been granted.

Despite its close proximity to the adjacent residential building at 29 St Leonards Road, of which 5 objections have been received by its residents, it is considered that the proposed development has an acceptable impact on residential amenity for the reasons set out in the report and therefore it is recommended that planning permission be granted subject to conditions.

Planning Status:

Commercial office Block – B1 Use, granted Prior Approval previously to covert to C3 residential units, comprising of 12 flats (under application 141030).

There is also a current Prior Approval application for a revised layout of the 12 residential units (yet to be decided under application 150179, submitted 13/02/2015).

Constraints:

Tree Conditions

Tree(s) protected by planning permission.

EB/1973/0527

Tree(s) protected by planning permission.

EB/1973/0546

Relevant Planning Policies:

National Planning Policy Framework

4. Promoting sustainable transport
5. Supporting high quality communications infrastructure.
6. Delivering a wide choice of high quality homes
7. Requiring good design

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C1: Town Centre Neighbourhood Policy

D1: Sustainable Development

D5: Housing

D10A: Design

Eastbourne Borough Plan Saved Policies 2007

HO2: Predominantly Residential Areas

HO7: Redevelopment

HO20: Residential Amenity

NE14: Source Protection Zone

TC11: St Leonards Road Area

TR11: Car Parking

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

Site Description:

The application site is a flat roofed 3 storey partially occupied office block (with centrally located plant area on the roof) located on the North East quadrant of the crossroads formed by St Leonards Road (running South West to North East) and Eversfield Road (running from North West to South East).

The remaining buildings located around the intersection include Eastbourne Foyer (sheltered accommodation for young adults) at number 40 St Leonards Road, The Yews (residential flats) at 25 St Leonards Road and a former office block at 36 St Leonards Road currently undergoing a residential conversion, with an additional floor due to be constructed to provide further accommodation.

Accessed by car from Eversfield Road, the application site contains space to park 18 vehicles currently used as a private car park to serve the existing office, which currently occupies just 1 of the building's 3 floors, with the remaining floors empty for a significant time despite actively seeking to let the empty office space.

Some green space exists within the site in the form of grassed areas at the side of building facing Eversfield Road to the West and Pegasus Court to the East, and in front of the property adjacent to St Leonards Road from where pedestrian accessed is gained in to the building via a dedicated entrance covered by a canopy leading on to an internal entrance lobby.

2 Mature trees, protected by planning condition exist on close to the Western boundary of the site, which are indicated as being retained in the proposed drawings.

The neighbouring building to the North East, Pegasus Court (numbered 29 St Leonards Road) provides retirement living accommodation in its five storeys housing 20 self-contained apartments, each with separate kitchen, between 1 & 2 bedrooms and with a generously sized lounge / diner. Facing the application site, the building's South West elevation contains 10 apartments (2 per floor) with each floor apart from the top containing rows of 4 windows (2 per apartment) serving the kitchen space as its sole window and the lounge / diner as its secondary window. The 2 flats contained within the top floor / mansard roof are similarly arranged, but have only 1 flank window, serving the kitchen.

Each of the apartments, with back-to-back kitchens also has inward opening full height double doors providing access onto a Juliette balcony and providing the primary natural light source for the lounge area (facing South East on to St Leonards Road for the properties located at the front, or over the car park if located in the North West facing rear elevation).

Relevant Planning History:

EB/1973/0527

Erection of a three-storey office building, not exceeding 10,000 sq.ft. floor area, together with parking space for 17 cars.

Granted, subject to conditions. - 1973-07-12

EB/1973/0277

Demolition of the existing dwelling and erection of a building, containing not more than 10,000 sq.ft. of office accommodation, and parking space.
Granted, subject to conditions. - 1973-04-19

EB/1973/0053

Demolition of existing dwelling and erection on the site of a three-storey office building, having a floor area not exceeding 10,000 sq.ft., and parking provision.
Granted, subject to conditions. - 1973-01-25

120570

Change of use of first floor from B1 to a mixed use (B1/D1).
Planning Permission – Withdrawn - 04/10/2012

141030

Prior Notification for Conversion of offices in to 12 self-contained flats under Class J of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013. – Prior Approval not required and approval given.

150179

Change of use from B1 (office) to C3 (residential) - comprising 12no. self-contained flats.
Current application – submitted 13/02/2015

APPLICATIONS AT NEARBY ADDRESSES:

010042 – 29 St Leonards Road

Demolition of existing offices and erection of five-storey building, incorporating five one-bedroom and fourteen two-bedroom retirement apartments, associated guest bedroom, office, lounge, laundry room, integral refuse store, together with eight covered parking spaces and five open parking spaces at rear of building (amended plans).

Planning Permission - Approved conditionally - 20/07/2001

Proposed development:

There are four main elements to this proposal:-

1. Three storey front/side extension
2. Mansard roof to include 4 new flats
3. New fenestration arrangements and
4. Other cosmetic/external changes.

1. Three storey front/side extension

The applicant seeks permission to erect a three storey front/side extension and an additional floor in the form of a mansard roof. This new floorspace would facilitate reconfigured residential accommodation to the 3 storey building.

2. Mansard Roof

An extra 311 square metres of floor space divided to create 4no. residential flats within the mansard roof extension (2no. 2-Bed and 2no. 1-bed flats).

The roof of the mansard is 2.2 metres above the height of the existing parapet wall, and would be as high as the existing plant room which exists currently on the

building's roof. No external finishing materials have been proposed for the additional storey.

3. New Fenestration arrangements

The proposed flats in the mansard roof would be served by roof lights and uniformly positioned windows to that which exist in the current building with a total of 4 new windows facing Pegasus Court, 5 fronting Eversfield Road, 3 overlooking the existing carpark and 3 fronting St Leonards Road.

North East elevation (facing Pegasus Court):

- Full height / reduced width openings installed in existing apertures
- Includes Sliding door and Juliet balcony arrangement serving lounge area of flats located towards rear of the building.
- Formation of new windows (2 per floor) to serve kitchen of flats located towards the middle and front of the building.

South West elevation (fronting Eversfield Road):

- Full height, reduced width glazing installed in position of existing openings to serve new flats.
- Full height, full width glazing in position of existing openings to serve entrance lobby and communal hallway / stairwell for each floor.

South East elevation (fronting St Leonards Road):

- Full height, reduced width glazing in position of existing openings to serve new flats.
- Substantial enlargement of openings for installation of full height glazing to entrance lobby and communal hallway / stairwell for each floor.

North West elevation (overlooking carpark towards The Avenue):

- Full height / full width Sliding doors with Juliet balcony (on first and second floor)
- Formation of new opening in position of existing external fire escape stairwell to form full height windows and doors opening out on to proposed balcony area.
- Formation of new smaller sized windows (1 per floor) to serve kitchen of North West corner flats.

4. Other cosmetic/external changes

Installation of insulated aluminium banding installed between the first and second floor for aesthetic purposes. Formation of balconies on ground, first and second floors on North West elevation in position of current fire escape (to be removed).

Consultations:

Internal:

Specialist Advisor (Planning Policy) Awaiting response

External:

Highways ESCC – Application supported on Highways grounds:

- In addition to 4 flats, there is also a Prior Approval which would create 12 flats (16 in total)

- St Leonards Road is within walking distance of bus stops, railway station and shops and services.
- The area is therefore considered to be sustainable location in transport terms which will reduce the car dependency of any residents.
- The site currently has 18 parking spaces but the proposal is to provide 16 spaces overall along with cycle and refuse storage.
- ESCC parking calculator a development of this size and type in the Upperton ward should provide 14 unallocated parking spaces and 8 cycle spaces where storage is communal.
 - The parking provision proposed is acceptable as it meets the required standards.
- Residential conversion would result in a reduced number of daily trips
 - 100 for offices
 - 58 for residential

Neighbour Representations:

Letters of consultation were sent to 92 surrounding addresses. 5 objections have been received from residents of the adjacent building and cover the following points:

It is felt that there would be a detrimental impact to the residents of the adjacent Pegasus Court building by way of:

Overshadowing / Loss of light:

- Loss of light and increased overshadowing to lounge a kitchen of apartments on Western side.
- Garden receives minimal daylight / sunlight (particularly in Spring, Autumn and Winter). New storey would see further reduction.
 - Further loss of light to seating in communal garden area, already often remains damp and takes time to dry out.
 - Employ tree surgeon to try and maintain light levels by regularly cutting back trees on either side of boundary
- Little light received in first floor flat as is to side windows, new floor will reduce further.

Impact on Privacy (through re-fenestration to the elevation facing Pegasus Court):

- Loss of privacy to lounge and kitchen to 50% of residential properties.
 - Creation of new openings, and enlargement of openings to form full height windows and doors with Juliette balconies.
- Increase in noise through conversion to residential

Visual Impact due to change in height:

- Permission refused to add further floor on 34/36 St Leonards Road (opposite)
- Building located on crossroads with surrounding buildings of similar height

Other comments:

Some representations made did not account for the conversion of the existing building through prior notification scheme. Comments were received relating to no additional car parking capacity (as car park currently fills up daily) and current building being unoccupied and having a mixture of office and residential and office uses in same building as being considered an inappropriate mix.

Appraisal:**Principle of development:**

The application does not involve the loss of commercial office space (already established through change of use under Prior Approval), and focuses on the additional 4 units of residential accommodation in addition to the visual impact of the proposed external changes including the tree storey extension and alterations to fenestration.

The principle of adding an additional floor (along with associated external alterations including fenestration) to a building in this vicinity has been established through planning application ref 130597 & 130598 concerning 38 St Leonards Road, following the Change of Use from office space to residential agreed under Prior Notification application ref 130525 (12/08/2013). Given this there is no objection in principle to the loss of the office accommodation to be replaced by residential.

Policy TC11 of the Borough Plan saved policies identified the St Leonards Road area as having potential for increased residential development through redundant office buildings prior to the government's introduction of the Prior Approval Scheme.

The current scheme is acceptable in principle providing the appearance of the resulting development would be in-keeping with the host building, and adhere to the character of the area and would not result in an unacceptable loss of residential amenity to the nearby residential occupiers, and would not have a severe detrimental impact on the adjacent highway network.

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

Policy HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity.

Policy B2 of the Eastbourne Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

Due to the layout of the surrounding buildings, it is considered that there would be no unacceptable impact by way of loss of residential amenity to the majority of surrounding properties.

As outlined above the principle of residential occupation of the building has previously been accepted and therefore the degree of overlooking/loss of privacy is now set. Notwithstanding this is important to assess the external changes to the proposal that may impact upon the degree of overlooking/loss of privacy. In this regard the most affected units are those that have windows that face this development within Pegasus Court (No 29 St Leonards Road) (10units)

Fenestration:

It must be noted that overlooking exists currently between the windows of the adjacent buildings at 27 and 29 St Leonards Road, and it is considered that the proposed alterations to fenestration would not greatly increase the impact of loss of privacy to the nearby residents as a direct result in alterations to the size of the openings.

Propose new openings to be formed on the flank elevation towards the front of the property are sympathetic in size and considered necessary to provide natural light to the kitchens of the proposed flats.

Any overlooking from these windows would be to secondary glazing to habitable rooms and the kitchen for each of the adjacent Pegasus Court apartments and is therefore considered to have an acceptable impact on privacy.

It is considered that the proposed Juliet Balcony arrangements with sliding doors are positioned so as to minimise the potential for impact on the residents of Pegasus Court. It is acknowledged that the Juliet balconies of the existing flats to the rear of Pegasus Court would be within the sight line of the position of the proposed Juliet balconies, but, the viewing angle is considered to be so acute as to negate the potential for detrimental levels of privacy loss.

It is considered also that the proposed changes to fenestration would not result in any unacceptable loss of privacy to the surrounding buildings of Eversfield Road, The Avenue and the remaining nearby buildings of St Leonards Road.

Loss of Light / Increased overshadowing:

The proposed new mansard roof would result in an increase in the height of the periphery of the building in that there is already an existing plant room located on this level of similar height which would be demolished to make way for the new arrangement.

The angled mansard roof would be set back from the existing façade of the building, and would be contained within the existing 0.6metre high, 0.56 metre wide parapet wall, and would angle away from the surrounding buildings, so that its maximum height is reached around it at a distance of approximately 1.12 metres back from the edge of existing building.

It is noted that the neighbouring building experiences some loss of light and overshadowing at different parts of the day, decreasing in amount as you go up the floors, with the top floor experiencing very little effect.

It is considered that due to the angle of the roof, and the fact that it is set back within the footprint of the building will help minimise its impact on the nearby residential properties.

It is also considered that the majority of the impact by way of loss of light and overshadowing would be limited to flank elevation windows serving as secondary glazing to the lounge (accept for the top floor flats), and as the sole window to the kitchen (all of the flats using this elevation), considered to be a non-habitable room and therefore the impact is considered to be acceptable.

In addition to the effects of overshadowing and loss of light, it is considered that the addition of a mansard roof would have little impact to the outlook of the lower floored flats. Due to 5 storey building at Pegasus Court being higher than the application building, the residents of the top floor, although looking out on to the roof of the

adjoining building, have views across the town from their flank elevation kitchen window and at an angle from the Juliet balcony.

It is noted that these views currently enjoyed by the residents would be interrupted by the additional floor installed at the neighbouring building which is regrettable, it must be noted that there would still be high levels of natural light reaching the kitchen window, and little impact on levels received by the main lounge windows fronting St Leonards road, and to the rear for the corresponding flats.

Despite the application building projecting further in to the site than its neighbouring buildings, there would not be an unacceptable impact to outlook as a result of the additional mansard roof / flats.

Proposed balconies:

The proposed balconies to each of the lower floors will be sympathetically placed within an existing vertical corridor currently containing an external fire escape. Despite the application building projecting further back in to the site than its neighbour at number 29 St Leonards Road, the flank (facing) elevation of the balcony would be screened by the existing brick projection which creates the vertical channel.

The balconies themselves would face in a Northerly direction and at a distance of over 18 metres, is considered to be at a sufficient distance from nearby buildings fronting The Avenue.

Therefore there is considered to be no unacceptable impact to the amenities of neighbouring residents at either Pegasus Court or the surrounding buildings as a result of the construction of the rear facing balconies.

Design of new development:

Policy UHT1 of the Eastbourne Local Plan states that proposals will be required to harmonise with the appearance and character of the local area and be appropriate in scale, form, materials, setting, alignment and layout. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy D10a requires new development to make a positive contribution to the townscape and urban heritage.

The maximum overall height of the building resulting from the formation of a mansard roof would remain unchanged due to the existing lift plant room located centrally on the roof / third floor level although there would be an increase across the remainder of the roof.

The proposed mansard roof design would relate well to the surrounding area which is characterised by multi-storeyed buildings, with a mixture of different roof types including, flat, pitched and mansard roof designs.

The changes to the fenestration are considered to improve the appearance of the host building, resulting in a better rhythm of window openings across the elevations better harmonising with the other residential uses now established in the location.

The majority of the external demise of the red bricked building is proposed to remain unchanged save for the three storey extension and the aluminium banding. The proposed finishing materials have not been finalised for consideration for either the roof or the proposed new windows and doors, the submission of which should be conditioned to ensure that the finish of the resulting development is in harmony with the host building and surrounding area.

Impacts on trees:

It is considered that there would be no direct impact to the 2 mature trees located on the Eastern side of the site, protected by conditions on the decision notice of the 1973 permissions. To ensure the trees suffer no damage during the construction of the residential properties, it is recommended to condition measures to tree appropriate tree protection measures.

Impacts on highway network or access:

St Leonards Road lies to the north west of the Town Centre and is within walking distance of bus stops, railway station and shops and services. The area is therefore considered to be sustainable location in transport terms which will reduce the car dependency of any residents.

The application site would provide 16 spaces overall along with cycle and refuse storage. County Highways have advised that the ESCC parking calculation for a development of this size and type in the Upperton ward should provide 14 parking spaces on the basis that they are all unallocated. 8 cycle spaces are to be provided which is acceptable as long as the storage is communal. The parking provision proposed for the whole site is acceptable as it meets the required standards.

County Highways calculations show that there should be a substantial decrease in the number of vehicle trips to and from the site the office use would have created approximately 100 trips per day based on the whole conversion and the additional 4 flats to which this application relates (880m² floor area) which would create approximately 58 trips.

There are considered to be no grounds to restrict the grant of consent on the grounds of impact to the surrounding highway network.

Other matters:

Although a total of 16 flats can be created through the conversion of the existing building and the addition of an extra floor, there would be no requirement for affordable housing contributions, due to the scope of the application only covering the potential creation for 4 units associated with the addition of the extra storey containing accommodation and additionally no requirement for CIL due to the type of accommodation being provided.

Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is

set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conclusion:

The proposed development is acceptable in terms of the size, scale and design of the additional floor and proposed external alterations to the building, the impact upon nearby residents, the provision of on-site parking and impact on highway safety and accords with the relevant local and national planning policies.

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.

Recommendation:

It is recommended that the application be approved with the following conditions:

Conditions:

- 1) Time – Commence within 3 years
- 2) Approved Drawings
- 3) Samples of Materials – Windows / Roof
- 4) Hours of Demolition / Construction
- 5) Tree protection
- 6) Provision of communal bin store (prior to occupation)
- 7) Provision of cycle storage (prior to occupation)
- 8) Retention of 16 parking spaces

Informatics

N/A

Appeal:

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

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Agenda Item 10

App.No: 150046 (PPP)	Decision Due Date: 16 March 2015	Ward: Meads
Officer: Jane Sabin	Site visit date: 31 March 2015	Type: Planning Permission
Site Notice(s) Expiry date: 21 March 2015		
Neighbour Con Expiry: 21 March 2015		
Weekly list Expiry: 21 March 2015		
Press Notice(s): 21 March 2015		
Over 8/13 week reason: Request to address Committee/number of objections received.		
Location: Southdown House, 2 Silverdale Road		
Proposal: Three storey extension to the east side to provide three two-bedroom flats.		
Applicant: Westgate Developments (Sussex) Ltd		
Recommendation: Refuse		

Executive summary:

The proposed development would be detrimental to the character and appearance of the Area of High Townscape Value and the amenities of existing residents in terms of loss of outlook, by reason of its design, scale, mass and siting. As such the proposal conflicts with policies in the Eastbourne Borough Plan (saved polies 2007), the Eastbourne Core Strategy 2013 and the National Planning Policy Framework.

Planning Status:

Tree Preservation Order 144
Area of High Townscape Value
Residential area

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C11: Meads Neighbourhood Policy
D1: Sustainable Development
D5: Housing
D10: Historic Environment
D10A: Design

Eastbourne Borough Plan Saved Policies 2007

NE28: Environmental Amenity

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

UHT16: Protection of Areas of High Townscape Value

HO1: Residential Development Within the Existing Built-up Area

HO2: Predominantly Residential Areas

HO7: Redevelopment

HO8: Redevelopment of Garage Courts

HO20: Residential Amenity

TR2: Travel Demands

TR6: Facilities for Cyclists

TR11: Car Parking

Site Description:

This late 1960's six storey block of flats is located on the north west corner of Silverdale Road, at the junction with Compton Street; it lies immediately adjacent to the Town Centre and Seafront Conservation Area, and within an Area of High Townscape Value. The site backs onto a large open area known as Jevington Gardens, which is private (not open to the public) although residents adjoining the site have rights of access. The area generally is characterised by large Victorian and Edwardian villas of significant architectural merit, although this end of Silverdale Road has been somewhat diminished by the intrusion of several inappropriate modern (1960-1970's) developments, including the application site. Nevertheless, it remains a very popular residential area with an attractive ambience.

The block has a largely symmetrical form, broadly rectangular in shape, with a shallower wing on each end, terminating in balconies; it has a very horizontal emphasis to its design, typical of many large flatted buildings of this era. The application site tapers to its eastern end where it meets the junction with Compton Street and the entrance to Jevington Gardens to the rear, so that the eastern end of the building is prominent on the corner and allows views to the open space beyond.

Relevant Planning History:

110810

Extension of existing block of flats to provide four additional units comprising two ground floor flats and two penthouse flats including alterations to the existing elevations together with the provision of additional parking

Approved conditionally 16 March 2012

130676

Reconstruction of existing garage block and erection of two floors above to provide four 2 bedroom flats.

Withdrawn 10 January 2014

140628

Alterations to existing garage block to form new pitched roof to replace flat roof and formation of two 2 bedroom flats within roof space - resubmission of application 130676.

Refused 30 July 2015 – currently awaiting the outcome of an appeal to the Secretary of State

Proposed development:

Permission is sought to construct a three storey extension on the east elevation of the building to provide three additional flats, each with two bedrooms together with a separate entrance from the rear car park. The footprint of the extension is staggered to wrap around the corner of the building and to fit in with the angled boundary of the site. The footprint of the extension equates to 86m², and has a maximum width of 7.5m and a maximum depth of 11m, under a flat parapet roof 18m high. Although the extension lines up with the rear elevation, it finishes 1.2m forward of the front building line.

Although not indicated on the site layout plan, the proposal would result in the loss of one lime tree (T9 of Tree Preservation Order 144). An arboricultural report submitted with the application suggests that the lime should be replaced with two small ornamental trees, and that the other preserved trees would not be affected by the development. The Planning Statement accompanying the application identifies that no trees would be lost and that no additional planting is proposed.

Consultations:

Internal:

Specialist Advisor (Arboriculture) – comments to be reported verbally.

Highway Authority (ESCC) notes that the proposal, plus the partially unimplemented scheme and the appeal scheme would result in an under provision of parking spaces for the total number of flats on the site, as follows:

Current situation:

17 flats, 13 garages (allocated parking space), 4 unallocated. Parking demand=**22 spaces.**

There are 18 spaces on site so the likely demand is 4 more than the spaces available on site.

Proposal: 20 flats, 13 garages (allocated parking space), 7 unallocated. Parking demand=**26 spaces.**

There would be 21 spaces on site so the likely demand is 5 more than the spaces available on site. As the likely overspill would be 1 more than the current situation this would not create a 'severe' impact on the public highway, which is the ultimate test on transport matters as part of the planning application process.

Proposed scheme + 2 'Penthouse' flats already consented: 22 flats, 13 garages (allocated parking spaces), 9 unallocated. Parking demand=**28 spaces.**

The likely demand in this case would be 7 higher than the capacity on site and therefore the likely overspill would be 3 cars. This would have more of an impact, although still not a severe one on the operation of the highway network. Having said that if there is a way to control this consent not being implemented (i.e. legal agreement), if the current proposal is granted consent, then then it is recommend this is done as it would limit the impact on the highway.

Proposed scheme + 2 'Penthouse' flats already consented + 2 flats scheme currently being appealed: 24 flats, 8 garages (allocated parking space), 16 unallocated. Parking demand= **25 spaces**.

There would be 21 spaces on site more of which would be unallocated (car ports rather than garages) meaning the overall demand is lower (25 spaces) even though there are more flats on site. The difference between this scenario and the current situation is 4 spaces so would not make the situation any worse.

However the shortfall is small, and the applicant may be prepared to give up to prevent the partially implemented scheme. The National Planning Policy Framework directs local authorities that an application can only be refused on transport grounds where the impact would severe. On this basis, there are no objections to the scheme.

Specialist Advisor (Planning Policy) confirms that the proposal would not attract any contributions towards affordable housing or the Community Infrastructure Levy.

Specialist Advisor (Conservation) notes that architecturally, Meads is a collection of mostly late 19th century houses of a substantial size with generous gardens. In contrast, there is a variation of architectural detail found in Silverdale Road, part of which is an Area of High Townscape Value and as such less formal, as a result of modern intervention including blocks of flats including Southdown House. However despite the variety of built form, the inherent pattern of development reflects that of the wider conservation area, as a result of generous open spaces between buildings and the subservient nature of ancillary structures, such as garages, resulting in a rhythm that contributes to the character of the immediate and wider area. In context, Southdown House is a six storey block of flats, brick with horizontal concrete bands / string courses, defining each floor; in contrast dark brick at ground floor is articulated with vertical concrete columns, representative of pilotis, a typical mid C20th design feature. The overall mass of the principal elevation is recessed off centre and at the corners through the introduction of glazed balconies, the footprint of which project past the built line to the front and sides.

The siting of the extension is to the south-east corner of the principal building, addressing the junction of Silverdale Road and Compton Street, a prominent location in terms of views from the seafront which is at a higher level due to the topography of the land. The scale at three storeys high is almost equal to the eaves line of the adjacent residential villa and those addressing Jevington Gardens, glimpsed views of which are provided by the characteristic open spaces between the built form which are representative of the area. In terms of mass, this is alleviated with the use of horizontal concrete bands and fenestration, however little articulation has been provided within the fabric, in terms of recesses to reduce the overall mass. In summary the siting, scale and mass of the extension, reduces glimpsed views of the interior of the urban block which in turn erodes the character associated with open spaces and mature vegetation within and between the existing buildings. The design, although reflective of the principal building, is limited when considering the prominent location of the building; in addition, the juxtaposition of the principal building and proposed extension is awkward as it interrupts the corner balconies associated with the principal building, which provides relief to the existing mass and is reflective of the host buildings design.

In summary the siting, scale, mass and design of the proposed extension are considered to detract from the overall character and appearance of the immediate and wider area, and refusal is recommended.

External:

Neighbour Representations:

Nine objections have been received and cover the following points:

- Increase in on street parking, resulting in additional hazards to pedestrians on a dangerous corner; lack of residents permits for area makes this worse
- Overdevelopment of the site resulting in cramped accommodation and poor outlook; loss of light; loss of privacy; not enough on site parking
- Too much on an already congested site; not enough recreational space; the land should be planted with flowers and shrubs
- Strong objection to an addition to an ugly building; the architecture would not be in keeping
- Develops beyond the building line; intrusive
- Not enough space for it to be built; would be an eyesore
- Repeat applications; no decision should be made until the outcome of the appeal is known
- Impact on trees
- Would block views to the sea

Appraisal:

Principle of development:

The main issues to take into account in determining this application are the impact on visual and residential amenity, with particular regard to its location within an Area of High Townscape Value, and the impact on the preserved trees.

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

Although the extension has been designed with all windows to the front and rear, the windows on the rear elevation above ground level would have an outlook directly over the garden of 30 Compton Street, due to the angle of the boundary between the two buildings and their proximity to it. Whilst all the buildings backing onto Jevington Gardens are subject to a degree of overlooking, it is no worse than many residential streets; the direct overlooking from the windows serving kitchens and bedrooms located on the rear elevation of the proposed development would be within a few metres of the boundary, with the garden of 30 Compton Street between the new flats and the communal gardens beyond. It is considered that this degree of overlooking is unacceptable and would be detrimental to residential amenity.

The proposed development would extend 1.2m beyond the front building line of Southdown House, and would require the blocking up of existing windows on the side elevation, as well as extending 0.5m beyond the open sides of the existing balconies and first and second floor levels (2.6m forward of the living room windows). It is considered that this would have an adverse impact on the amenities of the occupiers of these flats, who would have enjoyed light and outlook from the corner balconies.

Design issues:

Whilst the design of the block is firmly rooted in the 1960's, it nevertheless has a degree of articulation and detail providing some interest to what could otherwise be a bland exterior. The footprint and outline of the building is symmetrical (although the fenestration is not) with both ends recessed and further lightened with balconies on the corners. The addition of a three storey extension on the most prominent end of the building, projecting forward of both the corner and the front building line would sit awkwardly on the edge of the site and disrupt the rhythm of the elevation; as such it would detract from the overall design, scale and massing of Southdown House.

Impact on character and setting of the Area of High Townscape Value:

Although the design of the existing building is out of character with the predominant architecture of Silverdale Road, it has a largely symmetrical layout and form, is set back from the boundary from the highway and the side boundaries. In this respect, it sits comfortably with the general pattern of development typical of the immediate and wider area. The addition of a three storey wing on the most visible corner of the building, which sits forward of the building line, interrupting the end balconies, bringing the footprint to within 800-1000mm of the side boundary and thereby blocking views into the gardens beyond, would present a bland side elevation close to a busy and prominent corner (the junction with Compton Street), which would be visible from the seafront. The juxtaposition with the adjacent Edwardian villa in Compton Street, with a similar eaves height to the extension and at an angle of 45° only 6m away, would add to the cramped appearance resulting from the development.

This awkward relationship with the host building and its environs would result in a development which would be severely detrimental to the visual amenities of the area and the character and appearance of the designated Area of High Townscape Value.

Impacts on trees:

To be confirmed by the Specialist Adviser (Arboriculture). It is not considered that a case has been made for the loss of the preserved tree; there are also concerns that the root protection areas are shown to be smaller than they may be.

Impacts on highway network or access:

Notwithstanding the shortfall in parking, it is not considered that the impact on the highway network would be so severe that a refusal could be sustained. The 21 parking spaces are considered to be adequate by the agent, and no more are being considered, because (it is stated) the flats now proposed are to replace those previously approved at penthouse level (see "Other matters" below). The previous scheme which is currently the subject of a planning appeal proposed two flats above the reconstructed garage block, and involved the provision of a cycle store (effectively one garage space). If all the schemes are implemented, there would be 24 flats on the site with a maximum of 21 parking spaces and no cycle spaces. There are many converted flats in the area with no parking, and it appears to function adequately given the proximity of the seafront and bus routes, and a level walk into the town centre.

Other matters:

The agent states that the 2012 permission for the addition of four flats (two within the service areas on the ground floor and two within an extension on the roof) has only been partially implemented, and that if consent is granted for the current application, it is

envisioned that the roof extension for the penthouse flats would not be completed as it is not currently financially viable. This issue could only be controlled by the completion of a section 106 agreement, which has not been offered. The partially implemented permission remains extant, which means that it could be completed at any time in the future.

The agent also considers that the impact of the extension is limited and should be balanced against the benefit of providing three additional residential units and perhaps measured against the decision not to fully implement the 2012 permission.

Human Rights Implications:

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

Conclusion:

Notwithstanding the addition of three units of accommodation to the towns housing stock, it is considered that the proposal represents a cramped form of development, which would be detrimental to visual and residential amenity, and would therefore not comply with the Council's adopted policies or the provisions of the NPPF.

Recommendation: Refuse for the following reason:

The proposal represents an overdevelopment of the site, resulting in an extension with a cramped and awkward relationship with the host building and the boundaries of the site, and a detrimental impact on the outlook of the occupiers of the existing block. The extension, by reason of its scale, siting and design, would result in an intrusive feature that would fail to preserve or enhance the character and appearance of the designated Area of High Townscape Value. The proposal would also adversely impact the preserved trees on the boundary with Silverdale Road, both through the loss of one tree, the construction process, and future/ongoing pressure for severe pruning. As such the proposal conflicts with policies B2 and D10A of the Eastbourne Core Strategy Local Plan 2013 and policies HO20, UHT1, UHT4 and UHT16 of the Eastbourne Borough Plan 2003 (Saved Policies) and the paragraphs 56, 60, 131 and 135 of the National Planning Policy Framework.

Appeal:

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

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