

## Planning Committee

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**MEMBERS:** Councillor Murray (Chairman); Councillor Sabri (Deputy-Chairman); Councillors Jenkins, Miah, Murdoch, Salisbury, Taylor and Ungar

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## Agenda

- 1 Minutes of the meeting held on 1 September 2015.** (Pages 1 - 8)
- 2 Apologies for absence.**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**
- 4 Urgent items of business.**

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

**5 Right to address the meeting/order of business.**

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

**6 1 Baillie Avenue. Application ID: 150760.** (Pages 9 - 14)

**7 41 Pevensey Road. Application ID: 150759 (PPP).** (Pages 15 - 18)

**8 258 Sevenoaks Road. Application ID: 150921.** (Pages 19 - 22)

**9 28 Gorringe Road. Application ID: 141403.** (Pages 23 - 30)

**10 1 Samoa Way. Application ID: 150804 (HHH).** (Pages 31 - 34)

**11 South Downs National Park Authority Planning Applications.**

**12 Exclusion of the Public.**

The Chief Executive considers that discussion of the following item is likely to disclose exempt information as defined in Schedule 12A of the Local Government Act 1972 and may therefore need to take place in private session. The exempt information reason is shown beneath the item listed below. Furthermore, in relation to paragraph 10 of Schedule 12A, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. (The requisite notices having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)

(Note: Exempt papers are printed on pink paper).

**13 4 Nuthatch Road.** (Pages 35 - 42)

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

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

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

Members must declare the existence and nature of any interest.

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

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

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

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

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

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

## Further Information

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

**Local Democracy**, 1 Grove Road, Eastbourne, BN21 4TW  
Tel: (01323) 415023/415021 Text Relay: 18001 01323 410000, Fax: (01323) 410322  
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For general Council enquiries, please telephone (01323) 410000 or E-mail: [enquiries@eastbourne.gov.uk](mailto:enquiries@eastbourne.gov.uk)

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Tuesday, 1 September 2015  
at 6.00 pm



## Planning Committee

Present:-

**Members:** Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)  
Councillors Miah, Murdoch, Salisbury and Ungar

(Apologies for absence were reported from Councillors Taylor)

### **56 Minutes of the meeting held on 4 August 2015.**

The minutes of the meeting held on 4 August 2015 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

### **57 Apologies for absence.**

Councillors Jenkins and Taylor.

### **58 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.**

There were none.

### **59 8 Wellington Quay. Application ID: 150653.**

Addition of new side /rear single storey ground floor extension with two storey element to incorporate new person lift on West facade from Ground to First Floor.

Replacement of windows to the rear with new high energy efficient windows with some window opening to be enlarged and removal of the first floor window of the West facade and replacement of existing rear roof dormers with new enlarged bronze cladded dormers and enlargement of front dormers in similar style to existing –**SOVEREIGN**. Two written representations had been received.

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

A further representation had been received from the occupier of the neighbouring property commenting on the following issues:

- The visual appearance of the front (north) elevation was greatly improved.
- We are pleased to raise no objection on the basis of these revised plans.
- Some reservations remain about the external lift. Although its visual impact on us is clear, the extent to which the top of it would be visible from the highway was much more difficult to judge. The latter 'skyline' view was of most importance but we were content that you - the Council – were best placed to consider and decide this particular issue.
- The question of noise and vibration, while not necessarily a planning matter, would be a matter for Building Control

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time 3 Years 2) BAF - Approved drawings 3) Materials.

Informative

The applicant is advised that the development hereby approved is required to obtain building regulation approval; in this regard particular attention is drawn to the potential for noise transference from the operation of the person lift.

**60 14 Maple Road. Application ID: 141434.**

Application seeking retrospective planning permission for the retention of a biomass boiler, flue, and associated housing within the car park together with a 2.1 metre high boundary fence and lowering of the associated boiler pipework below and behind the top of the fence. (Amended description) – **ST ANTHONYS**. A petition of 14 signatures had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor Pollution and Licensing were summarised within the report.

Councillor Mattock, Ward Councillor, addressed the committee in objection stating that whilst she was not against the biomass boiler, its current position was totally inappropriate in its proximity to properties given the smell and dust generated and the lack of information regarding any impact this may have. Councillor Mattock urged the committee to seek an enforcement notice to remove the boiler.

Mrs Geering, addressed the committee in objection stating that the biomass boiler was visually intrusive and unsightly.

A further statement had been submitted by the applicants agent outlining that the evidence requested was in transit and would be delivered in the near future, given they had requested that the matter be deferred for the requested information to be evaluated and reported back to Planning Committee.

Members debated the issues around the case and offered their general support for the principle of renewable energy as a mechanism for reducing CO2 emissions, however they concluded that without any evidence to the contrary the siting of the equipment was inappropriate and resulted in an unneighbourly addition. Members commented further that the equipment would be more appropriately sited in a different part of the site further away from the sites' boundaries with existing residential properties.

**RESOLVED: (Unanimous)** That permission be refused and enforcement action be authorised on the grounds that that insufficient evidence has been submitted to show that the flue of the boiler is sufficient to disperse pollutants/emissions. Therefore it is likely that the boiler would have detrimental impacts on the amenity, through fumes/emissions, on the surrounding residential properties of Tollgate Gardens and New Derby

House, and thereby materially affecting the resident's quality of life. The scheme would be contrary to the National Planning Policy Framework 2012, policy B2 of the Core Strategy Local Plan 2013 and Saved Policy HO20 of the Borough Plan 2001-2011.

Appeal:

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

**61 Rivendale Lodge, 14 Prideaux Road. Application ID: 150682 (PPP).**

Single storey extensions at side and rear to form conservatory, laundry, one additional bedroom and enlarged bedrooms on the ground floor, together with the conversion of the roof, including dormers, to provide three additional bedrooms – **UPPERTON**. Three letters of objection had been received,

The relevant planning history for the site was detailed within the report. The observations of East Sussex County Council Highway Department, Specialist Advisors for Arboriculture and Planning Policy were summarised within the report.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time Limit 2) Approved drawings 3) The external finishes 4) Tree protection 5) At no time shall the bin store hereby approved be permitted to have its doors opening out – onto/over the public footpath/highway 6) The development hereby approved shall not be occupied until space has been laid out within the site for 7 cars to be parked and for vehicles to enter and leave the site in a forward gear to and from one enlarged access and egress point.(++)

**62 15 Upper Carlisle Road. Application ID: 150080.**

Erection of a detached 4 bedroom dwelling with a detached double garage at the front on land within the curtilage of 15 Upper Carlisle Road – **MEADS**. One letter of support had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor Arboriculture were summarised within the report. East Sussex County Council Department stated verbally that they did not wish to comment.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1 Commencement within three years 2) Compliance with approved plans 3) Hours of operation 4) Protection of street trees 5) Tree protection measures 6) No bonfires 7) Landscaping scheme 8) Details of foundations and services in relation to trees 9) Details of patio 10) Samples of materials 11) Restriction of PD rights between dwelling and preserved trees 12) Prevention of use of flat roof as a balcony/ increase in height of railings 13) Provision of new vehicular access and closing of former access before commencement 14) Wheel washing facilities.

**63 18 Chatham Court. Application ID: 150384.**

Retrospective application for the retention of raised decking to patio (Amended description) – **SOVEREIGN**. Two objections were received to the first round of consultation.

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

Further objections had been received following re-consultation on amended scheme commenting on the following issues:

- The installation caused and would continue to cause problems for residents
- High level decking impinges upon the enjoyment of the residents either side
- The addition of the trellis required permission which had not been granted
- Materially affects the use of the building in that the original design was being altered.
  
- The trellis would be an alteration requiring permission from the freeholder
- Do not feel the decking was necessary
- Health and Safety and privacy issue
- Unneighbourly development
- Whilst the reduced size and specified position alleviates some concerns, the screening was not high enough and would request the screening was not fixed to their wall or the railing, or a condition attached that the installation of the trellis was dependent on the written permission of the freeholder.

The applicant had expressed that the trellis would be free standing/supported by standing in heavy planters/pots. Therefore not fixed to the building to alleviate concerns of the neighbours.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) The existing decking shall be removed and/or reduced in size to that shown on the approved drawing within 1 month of the date of this decision 2) Approved drawings 3) The trellis shown on the approved drawing shall be erected as soon as the approved decking is implemented and maintained in perpetuity.

**64 37a The Goffs. Application ID: 150514 (PPP).**

Change of use from B1 offices to C3 residential to form four one-bedroom flats with introduction of internal courtyard and replacement of existing doors and windows – **UPPERTON**. Five representations had been received.

The relevant planning history for the site was detailed within the report. The observations of the Estates Surveyor and Specialist Advisor for Planning Policy and Conservation were detailed within the report.

**RESOLVED: (By 6 votes to 1 abstention)** that permission be granted subject to the following conditions: 1) Commencement of development within three years 2) Compliance with approved plans 3) Hours of operation 4) Colour of doors and rendered panels 5) Windows set into reveals with cills; structural glazing bars 6) Obscure fixed glazing to first floor window (permanent) 7) Only inward opening windows on west and north elevations

**65 199 Seaside. Application ID: 1500818 (LDP).**

Erection of single storey, ground floor rear extension to side return, formation of window opening at first floor level to rear elevation of side return, and removal of existing side facing window on first floor. Also included is the enlargement of an existing opening to the rear of existing rear projection at ground floor and installation of patio doors –

**DEVONSHIRE.**

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

No neighbour consultations were undertaken as the application has to be determined on points of law. However, 1 objection had subsequently been received from an adjoining property.

Mrs Madison addressed the committee in objection stating that the development would result in an overbearing and overwhelming dominance to her property, with the risk of flooding due to the placement of the guttering.

**RESOLVED: (By 4 votes with 3 abstentions)** That a Lawful Development Certificate be issued for this proposal.

**Informative:**

For the avoidance of doubt the certificate has been issued in accordance with the details shown on the following plans received on 04 August 2015:

Drawing No.: 1a – Proposed Ground Floor Plan

Drawing No.: 2a – Proposed First Floor Plan

Drawing No.: 3a – Proposed Side Elevation

Drawing No.: 4a – Proposed Rear Elevation

Drawing No.: 5 – Proposed Section A:A

**Details of Materials:**

Notwithstanding the drawings hereby approved, in order to be compliant under Class A Part 1, all external materials to be used in the development shall be similar to that of the existing dwelling.

**Gutter:**

The applicant is reminded that for the structure to be compliant, no part of the proposed extension, including proposed guttering should overhang the any property boundary.

**66 Koala, King Edwards Parade. Application ID: 150744 (VCO).**

Variation condition 6 of permission EB/2011/0023(FP) for the re-development of site with five storey building (with basement) comprising ten apartments (6no. 2 bed apartments, 4no. 3 bed apartments), with car parking together with terrace of four three-storey houses (with basement) and widening of vehicular access, to permit the side windows to have restricted opening (retaining obscure glazing) – **MEADS**. 13 objections had been received,

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

**RESOLVED: (Unanimous)** That condition 6 be varied as follows: The proposed windows in the side elevations of the houses and the flats at ground, first, second and third floor levels shall only be glazed in Pilkinton grade 5 obscure glass or similar, and only capable of being opened where they are 1.35m above internal floor level. All opening windows shall be bottom hung and inward opening, and shall not be changed to side opening, sliding sash or pivot units.

Informative

All other conditions attached to permission EB/2001/0023 remain valid and must be fully complied with.

**67 Shinewater Sports Ground. Application ID: 150600 (PPP).**

Erection of 80 seat stand to football ground – **LANGNEY**. A petition of 32 signatures objecting to the proposal had been received.

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

Councillor Shuttleworth, Ward Councillor, addressed the committee in objection to the current proposed siting of the seating. He stated that the site had been well looked after and thanked the volunteers for maintaining the site to a high standards, however he felt that there were more appropriate places to install seating.

Mr McCreadie, on behalf of the applicant, addressed the committee in response stating that they were happy to reconsider the placement of the seating and that other senior football clubs in Eastbourne had a seating area for spectators.

The applicant had submitted a further statement outlining their willingness to look into alternative locations for the 'stand' although no alternative plans had been received.

An additional objection had been received commenting on the following issues:

- Noise from spectators arriving, during and leaving the matches,
- Lack of parking facilities,
- Obstruction to the bus route by vehicle parking
- Blocking of emergency services

The applicant (Chairman of the football club) had written in support of the application stating:

'We maintain the playing field throughout the year from the clubs fund The club had been promoted and was therefore required to improve the ground facilities. The stand was caged preventing people sitting in it at night and CCTV would be installed'.

The applicant had suggested the re-siting of the stand to the opposite side of the existing pitch. Without a plan it had not been determined how feasible this was in terms of the existing dug outs, trees and fencing; and it

was not considered that the re-location of the stand would overcome the concerns set out in the main report.

**RESOLVED: (Unanimous)** That the application be deferred pending a Planning Committee site visit and further consideration and consultation as to the location of the proposed seating.

**68 St Bedes. Application ID: 150548.**

Provision of an artificial grass surface to school playing field – **MEADS**. One representation had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisors for Conservation, Arboriculture, Highway Authority and Corporate Property Manager were summarised within the report.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Commencement within three years 2) Development in accordance with plans and details 3) Hours of operation 4) No floodlighting 5) Wheel washing facilities 6) Traffic management scheme 7) Tree report/protection 8) Surveys of the condition of the lane before and after the development

**69 St Philips Church. Application ID: 150729.**

Application to vary condition 6 of planning permission Reference EB/2002/0465 for the Demolition of the existing church and hall and the erection of new church hall and community facilities, together with 16 flats and six houses, dated 3 March 2004 to allow the use of the garden by up to 12 children between the hours of 10am-12pm and 2pm- 4pm – **ST ANTHONYS**. Six letters of objection and a petition of 12 signatures had been received.

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

Councillor Mattock, Ward Councillor, addressed the committee in objection stating that the neighbour had purchased their property on the assurance that the existing condition would remain in force and that the applicant was aware of the restrictions when they acquired the lease for the playgroup.

Margaret Barr, Church Warden, addressed the committee in support stating that there were lots of nurseries in the area and referred to properties near schools that experienced noise from 300+ children during break times. Mrs Barr also stated that they were prepared to alter the times to suit neighbours requirements.

**RESOLVED: (By 3 votes to 2 with 1 abstention)** permission be refused on the grounds that the increase in the number of children from 6 to 12 would significantly increase the noise/activity generated in close proximity to noise sensitive residential boundaries detrimental to the amenity and enjoyment of the adjacent residential properties contrary to saved policy HO20 Residential Amenity of the Borough Plan 2001-2011 and Policy B2 Creating Sustainable Neighbourhoods of the Core Strategy Local Plan 2013.

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.

**70 South Downs National Park Authority Planning Applications.**

There were none.

The meeting closed at 8.10 pm

**Councillor Murray (Chairman)**

# Agenda Item 6

<b>App.No:</b> 150760	<b>Decision Due Date:</b> 22 September 2015	<b>Ward:</b> St Anthony's
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> <b>18 September 2015</b>	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 23 August 2015 <b>Neighbour Con Expiry:</b> 21 September 2015 <b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> To bring to Planning Committee		
<b>Location:</b> 1 Baillie Avenue, Eastbourne, BN22 8NY.		
<b>Proposal:</b> Erection of a two storey building to provide 2no. studio flats on and adjacent to 1 Baillie Avenue.		
<b>Applicant:</b> The Owner and/or Occupier		
<b>Recommendation:</b> Refused		

## **Executive Summary:**

The application proposes an extension to the existing dwelling house to provide two self-contained studio flats, with off street parking. The type of accommodation is considered out of keeping with the surrounding area, and the site has been previously developed to the rear. The addition of two more units is considered over development of the site, and the accommodation provided given the small floorspace is considered to provide sub-standard accommodation therefore it is recommending the application is refused.

## **Relevant Planning Policies:**

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
6. Delivering a wide choice of high quality homes
7. Requiring good design

Core Strategy Local Plan 2013 Policies

B2 Creating Sustainable Neighbourhoods  
C6 Roselands and Bridgemere Neighbourhood Policy  
D5 Housing  
D10A Design

Eastbourne Borough Plan Saved Policies 2007

UHT1 Design of New Development  
UHT4 Visual Amenity  
HO2 Predominantly Residential Areas  
HO20 Residential Amenity

**Site Description:**

The application property is a North Western facing, semi-detached single private dwelling situated on the junction of Roselands Avenue and Baillie Avenue. Occupying a corner plot, which is currently screened along its Northern Boundary by mature hedging, the property has an existing carriage cross over from Roselands Avenue providing vehicular access to off-street parking to the rear of the property, providing 2 spaces.

The site has been previously sub-divided with the rear currently under development by planning permission granted 13 August 2015 for the provision of 4 self-contained flats.

**Relevant Planning History:**

141562

Proposed two storey side extension measuring 3070mm in width to provide a store at ground floor and two bedrooms at first floor level.

Householder

Approved conditionally

09/02/2015

150671

Proposed development to rear of 1-2 Baillie Avenue to provide 4no.self-contained flats with parking to front

Planning Permission

Approved conditionally

13/08/2015

**Proposed development:**

The application proposes the erection of a two storey side extension to the existing dwelling measuring 5.8m in length set marginally back from the front elevation of the property by 0.2m, 3670mm in width, to provide two self-contained studio flats each measuring around 18m<sup>2</sup> in area.

**Consultations:**

External:

East Sussex County Council Highways

The level of car and cycle parking proposed for the development is acceptable.

It is noted that on street parking in the vicinity of the site is already well used and there is a concern about reducing the space available through

construction of a driveway. The layout currently proposed would lead to the loss of 2 spaces on street. With an alteration to the position of the vehicle crossover this could be reduced to 1. The spaces in the site should be positioned up against the north east boundary. This would allow the driveway to link to the driveway of the adjoining property. The current crossover could then be reinstated as footway. This would also move the driveway and therefore reversing vehicles further away from the junction.

With regard to loss of on street parking through creation of a driveway a number of factors must be considered. Firstly the land owner could install driveways without the need for planning consent, as any house owner in an unclassified road could. The number of spaces involved is also low.

It is noted also that there are concerns about the safety of the nearby junction of Roseland's Avenue & Baillie Avenue. Although there is on street parking around this junction it is marked with a give way line.

Ultimately any planning permission should be considered against paragraph 32 of the National Planning Policy Framework on highway impacts. This states that '*Development should only be prevented on or refused on transport grounds where the residual cumulative impacts of development are severe*'. Although there are concerns about reducing on street parking provision in the vicinity they are not considered to significant enough to have a severe impact on the highway network.

### **Neighbour Representations:**

Objections have been received from the following neighbouring properties;

18 Roseland's Avenue  
20 Roseland's Avenue  
24 Roseland's Avenue  
Petition signed by 42 local residents

Covering the following points;

- Over development
- Site is already developed to the rear
- Demand for on street parking
- Type of property (studio flats) is not in keeping with the area which is mainly single family dwellings
- Creating crossover reduces on street parking
- Detrimental to road safety adjacent to corner

### **Appraisal:**

#### Principle of development:

There is no objection in principle to the erection of a side extension or the provision of additional residential units in this location, providing there would be no significant impact on the amenity of the surrounding properties and the

design was appropriate for the setting in accordance with relevant sections of the NPPF 2012, policies of the Core Strategy Local Plan 2012 and saved policies of the Borough Plan 2007.

The rear of 1 and 2 Baillie Avenue was previously subdivided and has recently been developed with a block of 4 self-contained flats, with off-street parking to the front with access onto Roseland's Avenue. This application proposes a further two units on the site with three off-street parking spaces with access from Roseland's Avenue. The remaining corner plot is fairly large and would leave a reasonable sized garden to the rear for the remaining dwelling house. However the further two units is considered to be over development of the corner site.

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 Core Strategy seeks to protect the residential and environmental amenity of existing and future residents. Given the semi-detached nature of the property and as it is a corner plot it is not considered the extension would have a significant impact in terms of loss of light or outlook to surrounding residential properties.

The National Planning Policy Framework promotes a presumption in favour of sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The type of development, two small studio flats, is not considered in keeping with the surrounding residential uses which are a mixture of self-contained flats and houses. The type of development, an additional two residential units, to this plot results in an over-development of the site which would be detrimental to the surrounding area.

Amenity of future occupiers

The proposed studio flats are each approximately 18.5m<sup>2</sup> in floor area, including a separate shower room. This is considered small for residential accommodation. Whilst we do not have adopted policy in relation to sizes of residential accommodation the Nationally Described Space Standards set a floor area of 39m<sup>2</sup> for a 1 bed 1 person flat. Although this application proposes studios which are not covered by these space standards as nationally there is a move away from studio flats this is approximately half the suggested floor space for a 1 person flat. It is considered that the studios would provide substandard accommodation due to the small size which is considered contrary to policy B2 of the Core Strategy 2012 which states that proposals should protect the residential amenity of existing and future residents.

Design issues:

Planning permission was previously approved in February 2015 for the erection of a two storey extension to the property to provide a store at ground floor and two bedrooms at first floor similar in size to the extension the subject of this application. The previously approved extension was approximately half the width of the original dwelling which in design terms is appropriate. This proposal is wider by approximately a further 0.5m however there is no objection in principle to the size of the extension if it was to be used in conjunction with the existing dwelling house.

The extension is set back marginally from the front elevation and will be constructed in materials to match the host building, therefore it is not considered that a ground for refusal on design could be justified.

Impacts on trees:

None.

Impacts on highway network or access:

The majority of the objections are in relation to the impact on the demand for on-street parking by the creation of two additional units. The application proposes parking to the rear, one space for the remaining dwelling, and one for each studio flat. This is considered sufficient for the level of proposed development. However there would be an impact on on-street parking as the extension to the existing drop curb would mean the loss of on street parking in an area of high demand. However it is not considered the proposal would have a significant impact on the demand for on-street parking to warrant a refusal of the application on these grounds.

Ultimately any planning permission should be considered against paragraph 32 of the National Planning Policy Framework on highway impacts. This states that '*Development should only be prevented on or refused on transport grounds where the residual cumulative impacts of development are severe*'. Although there are concerns about reducing on street parking provision in the vicinity they are not considered to significant enough to have a severe impact on the highway network.

Planning obligations:

Given the proposal is for flats there would be no requirement for a Community Infrastructure Levy Charge. Also given the number of units proposed there would be no requirement for an affordable housing contribution.

Sustainable development implications:

None.

Other matters:

None.

**Human Rights Implications:**

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

**Recommendation:**

Refuse

The provision of two additional residential units to this corner plot is considered to constitute over development which would be detrimental to the surrounding residential area and the small size of the proposed units is considered to provide substandard accommodation for future occupiers contrary to Policy B2 of the Core Strategy Local Plan 2013.

# Agenda Item 7

<b>App.No:</b> 150759 (PPP)	<b>Decision Due Date:</b> 16 September 2015	<b>Ward:</b> Devonshire
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 14 September 2015	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 20 August 2015 <b>Neighbour Con Expiry:</b> 20 August 2015 <b>Press Notice(s):</b> 28 July 2015		
<b>Over 8/13 week reason:</b> To bring to planning committee		
<b>Location:</b> 41 Pevensey Road, Eastbourne,		
<b>Proposal:</b> Proposed conversion of a previously approved 2-bedroom ground floor flat into 1no. 1-bedroom flat and 1no. 2-bedroom flat including a new single storey ground floor rear extension.		
<b>Applicant:</b> Mr Tony Watson		
<b>Recommendation:</b> Refuse planning permission and authorise enforcement action.		

## Executive Summary:

The application proposes the conversion of the ground floor of the property into two self-contained one bed flats, the works have already been completed. The size of the units is considered to provide sub-standard accommodation to future occupiers and therefore it is recommended that planning permission is refused and enforcement action authorised to remove fixtures and fittings sufficient to enable the use as two independent units of residential accommodation.

## Conservation Area

Town Centre and Seafront Conservation Area

## Relevant Planning Policies:

### National Planning Policy Framework

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 12 Conserving and enhancing the historic environment

### Eastbourne Core Strategy Local Plan Policies 2013

B2 Creating Sustainable Neighbourhoods

C1 Town Centre Neighbourhood Policy

D5 Housing

D10 Historic Environment

D10A Design

## Eastbourne Borough Plan Saved Policies 2007

UHT15 Conservation Area

HO2 Predominantly Residential Areas

HO20 Residential Amenity

### **Site Description:**

The site refers to a three storey terrace property situated on the southern side of Pevensey Road which has been converted into 4 self-contained residential properties, two at ground floor level, and one each at second and third floor level. The site is situated within the Town Centre and Seafront Conservation Area.

### **Relevant Planning History:**

080321

Conversion from a house in multiple occupation to three self-contained flats

Planning Permission

Approved conditionally

09/07/2008

### **Proposed development:**

The application seeks to regularise works which have already been undertaken consisting of the erection of a single storey ground floor rear extension measuring 7.5m in length, to the north-eastern boundary with No.43 Pevensey Road; and conversion of the ground floor of the property into two one bed flats (previously approved 1 x two bed flat).

### **Consultations:**

No consultation responses received.

### **Appraisal:**

#### Principle of development:

There is no objection in principle to the proposed development, providing there would be no significant impact on the amenity of the surrounding properties, the flats provided suitable accommodation and the design was appropriate for the setting in accordance with relevant sections of the NPPF 2012, policies of the Core Strategy Local Plan 2012 and saved policies of the Borough Plan 2007.

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

It is not considered that the rear extension to the north-eastern boundary would have a significant impact on the adjacent property given the existing rear extension to No.43 Pevensey Road.

#### Amenity of future occupiers

Two one bed flats are proposed.

Flat 1 to the front of the property measures 33m<sup>2</sup> internal floor space. Flat 2 to the rear of the property measures 38m<sup>2</sup> internal floor space, this was originally proposed as a two bed flat, however this has been redrawn to have a separate lounge area to the kitchen and therefore be a 1 bed flat.

Whilst we do not have adopted policy in relation to sizes of residential accommodation the Department for Communities and Local Government have published Technical Housing Standards - Nationally Described Space Standards March 2015. These set a floor area of 50m<sup>2</sup> for a 1 bed 2 person flat. Both Flat 1 and Flat 2 are considerably below these standards in terms of floor space.

It is considered that the flats would provide substandard accommodation due to the small size which is considered contrary to policy B2 of the Core Strategy 2012 which states that proposals should protect the residential amenity of existing and future residents.

The previous planning permission in 2008 permitted the conversion of the ground floor to a two bed flat at 60m<sup>2</sup>, the above standards set internal floor space for a 2 bed 2 person flat at 61m<sup>2</sup>, which is roughly in line with the previous permission.

Design issues and impact on character and setting of a listed building or conservation area:

The extension is rendered to match the existing building, with upvc casement windows. The site is situated within the Town Centre and Seafront Conservation Area, however the extension is to the rear not visible from public viewpoints. Therefore it is not considered there are any detrimental impacts on the conservation area.

Impacts on highway network or access:

It is not considered that the addition of 1 residential unit will result in a significant additional demand for on-street parking to warrant the refusal of the application on this ground.

Sustainable development implications:

The National Planning Policy Framework promotes a presumption in favour of sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It is considered that the location is sustainable given the close proximity to the Town Centre and public transport links. However the proposed accommodation is considered substandard and therefore detrimental to the amenity of future occupiers.

Other matters:

None.

**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 erection of the rear extension is considered acceptable in design and scale and given the location it is not considered that the extension would have a significant impact on the amenity of surrounding properties.

However, the proposed creation of the additional flat is considered inappropriate. Both flats fall significantly below the Nationally Described Space Standards and therefore the accommodation is considered substandard and detrimental to the amenity of future occupiers contrary to Policy B2 of the Core Strategy Local Plan 2014.

**Recommendation:**

Refuse planning permission and authorise enforcement action for the following reason;

The small size of the proposed units is considered to provide substandard accommodation for future occupiers contrary to Policy B2 of the Core Strategy Local Plan 2013.

**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

<b>App.No:</b> 150921 (HHH)	<b>Decision Due Date:</b> 28 October 2015	<b>Ward:</b> Langney
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 17 September 2015	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> N/A <b>Neighbour Con Expiry:</b> 27 <sup>th</sup> September 2015 <b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b>		
<b>Location:</b> 258 Sevenoaks Road, Eastbourne		
<b>Proposal:</b> Retention of existing 2m high closed board timber fence to facilitate extension of rear/side garden boundary.		
<b>Applicant:</b> Mrs Jackie Whitlock		
<b>Recommendation:</b> Refuse Planning Permission and Authorise Enforcement Action		

## Executive Summary

Applicant seeks retrospective consent for the retention of boundary fence and enlarged side/rear garden.

Proposed boundary treatment given its design, height and location is such that it materially affects the open plan nature of this part of the estate. Given this it is considered that the proposal fails to respect the character and appearance of the site and surrounding area and has resulted in a form of development that has an overbearing and unneighbourly relationship with the occupiers of the adjacent property.

Retrospective planning permission is not to be issued and the application be refused and enforcement action authorised.

## Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

C8 : Langney Neighbourhood Policy  
D10A Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development  
UHT4: Visual Amenity  
HO20: Residential Amenity  
US5: Tidal Flood Risk

**Site Description:**

End of terrace property that is fronting an open area of informal green-space with their side boundary facing onto Sevenoaks Road. Adjacent properties to the rear face directly onto Sevenoaks Road.

The fence the subject of this application has been erected and is formed by 1.8m timber close boarded fence supported by concrete posts.

**Relevant Planning History:**

EB/1972/0235

62 BUNGS (9 WITH INTEG GARAGES) & 53 GARAGES Approved Conditional  
1972-05-11

EB/1968/0602

RES DEV Approved Conditional  
1969-04-10

**Proposed development:**

Applicant seek consent to retain boundary fence/trellis, 1.8m height and timber construction.

The applicant has submitted supporting information stating that they had followed permitted development legislation.

**Consultations:**External:

East Sussex County Highways Department: There are no highway safety issues with this proposal. It's not close to any junction so there is no impact on visibility splays. The forward visibility required (43m) is all provided for well within the highway boundary.

Neighbour Representations:

22 letters of consultation have been sent to neighbouring residential properties in connection with the current application; and has resulted in the following responses:-

- 1 letter of support
- 2 letters of observation/concern making in the main the following issues:-
  - Impact upon the character and appearance of the site and surrounding area,
  - estate was planned as an open plan estate.
  - Acknowledge the desire of the applicant to enclose a much larger garden providing secure and safe garden area for the family,
  - if supported would set a precedent for other sites in the area/estate.
  - Highway safety issues
  - Lines of sight have been impacted, previously could see Kingfisher Drive junction
  - Lines of sight very much reduced.

## **Appraisal:**

### Principle of development:

There is no objection in principle to home owners wishing to extend their properties/plots to meet their family needs/requirements. Any such change or resulting development should be designed to a high standard, and appearance should respect the character of the host property in particular and the surrounding area in general.

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

The siting/location of the proposed boundary treatment is such that it does materially affect the amenities of the occupiers of the adjacent/nearby residential properties. The greatest impact is upon the occupiers of the residential property to the rear of the plot/property and is considered that the fence in this regard has resulted in a form of development that is over-dominant and unneighbourly.

### Design issues:

Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy D10a of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Borough Plan state 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.

Seen in isolation the construction and the subsequent design and appearance of the fence is acceptable however it is considered that due to the very prominent and exposed position that the character and appearance of the immediate site and surrounding area in general is materially affected by this proposal.

It is therefore concluded that both the long and short-range views of the site are substantially affected by this proposal and as such the open plan nature of this part of the estate has been materially impacted.

### Other matters:

Given that there remains a significant highway verge added to layout and bend in the road it is considered that there remains adequate highway visibility and therefore it is considered that the proposed boundary treatment would not result in any material highway safety concerns.

## **Human Rights Implications:**

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

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

**Recommendation:**

**Refuse Permission/Enforcement Action:-**

Planning Permission be refused and Enforcement Action be authorised to secure the removal of the unlawful fence:-

The development has resulted in a form of development that has an over-dominant and unneighbourly relationship to/with the occupiers of the adjacent property, in addition to compromising the setting/character of this part of this open plan estate. The proposal is considered to conflict with policies UHT1, UHT4 and HO20 of the Saved Policies of the Eastbourne Borough Plan and Policies B1, B2, D10a of the Eastbourne Core Strategy Local Plan.

**Informatives**

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**.

# Agenda Item 9

<b>App.No:</b> 141403	<b>Decision Due Date:</b> 29 March 2015	<b>Ward:</b> Upperton
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 14 September 2015	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 2 March 2015 <b>Neighbour Con Expiry:</b> 2 March 2015 <b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> To negotiate improvements to the scheme and bring to planning committee.		
<b>Location:</b> 28 Gorringe Road, Eastbourne, BN22 8XL.		
<b>Proposal:</b> Extension of existing bungalow to form new storey and 2 level side extension incorporating one existing three bedroom unit, two new 2 bedroom units and a new 1 bedroom unit.		
<b>Applicant:</b> Mr Ramachandran Rajalatheepan		
<b>Recommendation:</b> Approved conditionally		

## **Executive Summary:**

The application proposes the extension of the existing bungalow to provide an additional 3 self-contained residential units, with 4 off street parking spaces. There have been previous applications in relation to the site, the latest was allowed on appeal in 2010 and proposed a link with the property to the rear 39 Lewes Road.

On balance, for the reasons set out in the report the proposed extension is considered acceptable and therefore it is recommended that planning permission is granted subject to conditions.

## **Relevant Planning Policies:**

National Planning Policy Framework 2012

- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design

Core Strategy Local Plan 2013 Policies

B2 Creating Sustainable  
D5 Housing  
D10A Design

Eastbourne Borough Plan Saved Policies 2007

UHT1 Design of New Development

UHT4 Visual Amenity

HO2 Predominantly Residential Areas

HO20 Residential Amenity

**Site Description:**

The site refers to a single storey detached bungalow situated on the western side of Gorringe Road close to the junction with Tutts Barn Lane. The existing building is a three bed bungalow, partially raised from road level with a raised front garden, and two lower garages attached to the north of the site.

To the north-west of the site is Tutts Barn which is partially residential and partially a Dance School, to the south-east are residential properties. To the rear of the site is a residential care home which is under is also the Applicants Ownership fronting onto Lewes Road.

The site is not listed, nor is it situated within a conservation area. To the north-east the site overlooks the Gorringe Road Allotment Site.

**Relevant Planning History:**

EB/1972/0075

Erection of a detached bungalow, with garage at side.

Granted (Five years).

1972-02-24

080705

Demolition of bungalow at 28 Gorringe Road and erection of a two-storey building for use as a residential care home; and erection of a two- storey extension to rear elevation of 39 Lewes Road to provide a lift, staircase and replacement office

Planning Permission

Refused

06/02/2009

100046

Demolition of existing bungalow at 28 Gorringe Road and erection of a two-storey building to be used as an enlargement of the existing care home at 39 Lewes Road, and construction of a single-storey link building; and a two-storey extension to rear elevation of 39 Lewes Road

Planning Permission

Allowed on Appeal

30 November 2010

**Proposed development:**

The application proposes the extension of the existing bungalow to form a new storey (first floor) and a two storey side extension to provide 1No.2 Bed

Flat, and 2No.1 bed flats in addition to the existing three bed bungalow (which becomes ground floor flat).

Together with excavation of the front garden area, which is currently raised to provide 4 off street parking spaces, bin and bike storage.

### **Consultations:**

External:

Highways ESCC

Amendments to the scheme have improved the parking provision and layout. Four units are proposed with four off-street parking spaces. Therefore it is not considered that a refusal on the grounds of demand for on-street parking could be justified as the residual impact would need to be considered severe. Conditions requested in relation to layout of parking spaces, stopping up of existing access, provision of parking areas and provision of cycle parking.

### **Neighbour Representations:**

Objections have been received from the following properties;

- 26 Gorringe Road
- 27 Gorringe Road
- 28 Gorringe Road
- Tutts Barn

Covering the following points;

- Increase in demand for on-street parking given close proximity of St Thomas A Beckett School and the adjacent Dance School;
- Impacts on highway safety for children and their parents travelling to the nearby school;
- Over development of the site;
- Impact on the wall between NO.27 and 28 given the excavation of the raised front garden;
- Loss of light/overshadowing/privacy to Tutts Barn adjacent;
- Bulk of proposal dwarfing the adjacent properties;
- Incongruous design;
- Unsuitable location;
- How the road will cope with additional construction traffic.

Comment from Flat 5, Tutts Barn Court, Tutts Barn Lane, in relation to impact on light into first floor flat.

### **Appraisal:**

Principle of development:

There is no objection in principle to the proposed development or the provision of additional residential units in this location providing there would be no significant impact on the amenity of the surrounding properties and the design was appropriate for the setting in accordance with relevant sections of

the NPPF 2012, policies of the Core Strategy Local Plan 2012 and saved policies of the Borough Plan 2007.

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

The existing property is detached from either adjacent property.

In terms of the impact on the adjacent property No.27 Gorringe Road to the south-east, it is not considered there would be significant impacts to warrant the refusal of the application. The adjacent property is slightly set forward of the existing bungalow, the proposal is to retain the existing footprint to this boundary maintaining the set back from the boundary of approximately 1.2m. The height of the eaves of the property would be raised by 0.8m, the height of the ridge by 1.4m as the angle of the roof is raised and the ridgeline brought forward. Dormers have been used to minimise the increase in the ridge height whilst maintaining internal headroom. Given the building is not extended to this boundary it is considered the impact on the adjacent property would be acceptable.

There would be increase overlooking to rear garden areas from the proposed first floor, however this is considered acceptable in a predominantly residential area.

An objection has been received to the proposal from the adjacent property to the north-west Tutts Barn. The proposal consists of a two storey extension, set back just over 1m from this boundary, the adjacent property is also set back by approximately 1m as there is a side access passage. The two storey element of the extension, is 5.3m in height to eaves level, 7.6m to ridge height. A barn hip is proposed to the rear to reduce the bulk of the roof.

The biggest impact from the proposed development will be the side windows at upper ground and first floor level (the adjacent property is raised from the application site. The lower ground floor has a garden adjacent to the application site and windows to this front elevation. Given the height of the building is raised to this boundary from the existing single storey garages, it is considered there would be an impact on this garden area given the bulk and scale of the proposed extension, however on balance this impact is considered acceptable.

There would also be an impact on the side elevation windows given the increased bulk adjacent to this boundary. This would reduce outlook and light to the existing side windows, specifically the upper ground floor windows. However the bulk of the extension is to the front of the site and therefore there would be some outlook to the rear. Careful consideration has been given to the impact on the occupiers of Tutts Barn adjacent however on balance the impact is considered acceptable.

The original proposal included a projecting dormer extension at first floor level to provide an additional window to the side elevation (facing forward to minimise overlooking/privacy impacts), however this was removed following advice in relation to the design and increase in bulk visually from this element of the extension. Two windows are proposed to the side elevation of the building, both are proposed to be obscurely glazed, this can be controlled by condition, as can making these non-openable or non-openable above 1.7m to minimise overlooking impacts.

The site is set lower than those properties to the rear which face onto Lewes Road. A comment has been received from Flat 5 (first floor) of Tutts Barn Court which is to the south-west of the site. It is not considered that there would be significant impacts on this building from the proposed development.

The site to the rear NO.39 Lewes Road, is owned by the Applicant and is currently in use as a care home. In terms of impact on this building there would be increased overlooking to the rear from the additional storey to the existing bungalow, however this is not over and above what is considered normal in residential areas with properties in close proximity to each other and is therefore considered acceptable.

A previous application was allowed on appeal in 2010 which sought to demolish the bungalow at 28 Gorringe Road and erect a two storey building to be used as an enlargement to the care home, with an extension to 39 Lewes Road and a single storey link building. The proposal the subject of this application is considered more sympathetic to the site and the surrounding residential properties.

#### Amenity of future occupiers

Whilst we do not have adopted policy in relation to sizes of residential accommodation the Department for Communities and Local Government have published Technical Housing Standards - Nationally Described Space Standards March 2015. These set recommendations for internal floorspace for 1 bed, 2 person flats (double bedroom) at 50m<sup>2</sup>, and 2 bed 3 person (one double, one single bedroom) flats at 61m<sup>2</sup>.

Flat 1, 3 bed ground floor flat, is the footprint of the original bungalow and is therefore considered acceptable.

Flat 2, 1 bed unit has a proposed floorspace of 52m<sup>2</sup> and provides a small rear walled garden of 20m<sup>2</sup>.

Flat 3, 1 bed unit has a proposed floorspace of 60m<sup>2</sup>.

Flat 4, which is proposed at first floor level above the existing bungalow with two dormer extensions to the front and rear elevation roof slopes to provide additional headroom has an internal floorspace of 62m<sup>2</sup>. As this flat is within

the roof space, there is restricted headroom to parts, however the floorspace is considered acceptable as a two bed unit.

The flats as proposed are considered to provide a good standard of accommodation in terms of internal floorspace and provision of natural light and ventilation and therefore are considered acceptable in principle.

Design issues:

The proposed building retains the existing bungalow increasing the eaves and ridge height, incorporating dormer extensions to the front and rear roof slopes. The dormer windows are proposed to be pitched roof which is considered acceptable in terms of design. This has been proposed to reduce the overall bulk and scale of this element of the proposal.

The two storey element sits slightly higher in ridge height, with a front section providing a main entrance for the additional units. The surrounding properties are a variety of design, bulk and scale with a mix of materials. Giving no overall design character to the area.

In terms of materials the extension is proposed in brick to match the existing bungalow with a grey slate look tile with white framed upvc windows. Given the context of the site the proposed materials are considered acceptable.

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

The site is not listed, nor is it situated within a conservation area.

Impacts on trees:

There are no impacted trees on the site.

Impacts on highway network or access:

The application proposes 4 off street parking space. The layout has been altered during the life of the application to achieve more useable parking spaces. The 4 spaces are a minimum of 4.5m in depth in line with requirements.

There have been a number of objections to the application on the basis of the impact on parking. It is acknowledged that the adjacent school and dance school have an impact on the demand for on-street parking. However given the type and tenure of proposed accommodation the provision of 4 off street spaces is considered acceptable. East Sussex County Council Highways have confirmed they would raise no objection to the proposal on highways grounds. It is considered that the impact on demand for on-street parking would not be severely increased by the proposed development given the level of parking provision to warrant the refusal of the application.

Cycle parking is proposed to be provided, both to the front of the site and within the rear garden of the ground floor three bed flat. Details of which will be required by condition.

#### Planning obligations:

Given that the proposal provides 3 additional residential units, below the threshold of 10 currently set by central government in relation to the requirement to provide affordable housing no provision or commuted sum in lieu of a provision is required. Additionally as the proposal provides residential flats, there is not requirement for a Community Infrastructure Levy payment. Therefore there are no planning obligations in relation to the proposal.

#### Other matters:

There is limited space available for bin storage, space for three bins is provided adjacent to the common entrance for the proposed units. Adjacent to this is a bike store. With a further space proposed at the raised level for the three bed ground floor flat. This is less than ideal, a condition/informative will be included to require details of the proposed bin and bike storage to be provided, with a view to providing additional bin storage to adjacent to the front path, and cycle parking provided in the space of the bin storage on the raised level.

#### **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:**

Careful consideration has been given to the proposed development, with amendments made to the scheme to improve the proposal in design terms and in relation to provision of off street parking. On balance the proposal is considered acceptable and will provide 3 additional good sized residential units in this sustainable location. Therefore it is recommended that planning permission is granted subject to the following conditions.

#### **Recommendation:**

Approve conditionally subject to conditions.

#### **Conditions:**

1. Time for commencement
2. Approved drawings
3. Windows proposed to the side (north-west) elevation shall be obscurely glazed and non-opening unless over 1.7m in height from the internal floor level.
4. Details to be submitted of stopping up of existing access, and kerb and footway reinstated in accordance with details.

5. New access shall be in position shown on the submitted plan
6. Submission of details in relation to provision of parking spaces, areas shall be retained for that use and shall not be used other than for the parking of motor vehicles.
7. Submission of details in relation to cycle parking.
8. Submission of details in relation to covered bin storage.
9. Notwithstanding the details shown on the approved drawing, the provision for bin storage shall be increased/amended to the front path area, with cycle parking moved to the site of bin storage 2 of the approved drawing.

**Informatives:**

1. Highways dropped curb informative.
2. Informative in relation to bin/cycle parking as required by condition 9.

# Agenda Item 10

<b>App.No:</b> 150804 (HHH)	<b>Decision Due Date:</b> 9 October 2015	<b>Ward:</b> Sovereign
<b>Officer:</b> Toby Balcikonis	<b>Site visit date:</b> 7 August 2015	<b>Type:</b> Householder
<b>Site Notice(s) Expiry date:</b> N/A <b>Neighbour Con Expiry:</b> 13 September 2015 <b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> The application is within date		
<b>Location:</b> 1 Samoa Way, Eastbourne		
<b>Proposal:</b> Retention of new boundary fence		
<b>Applicant:</b> Miss Carmen Bermudez		
<b>Recommendation:</b> Grant Permission		

## Executive Summary

Applicant seeks retrospective consent for the retention of boundary fence and enlarged side/rear garden.

Proposed boundary treatment does not result in any material/substantive harm to the appearance of the host site in particular and the surrounding area in particular.

Retrospective planning permission is recommended.

## Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

C14: Sovereign Harbour Neighbourhood Policy  
D10A :Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development  
UHT4: Visual Amenity  
HO20: Residential Amenity  
US5: Tidal Flood Risk

## Site Description:

Semi-detached property/plot at the junction of Samoa Way and Pacific Drive. A new boundary fence has been erected along the side/rear boundary of the property running along the boundary with Pacific Drive.

The fence is timber in form with shiplap/close boarded appearance to a height of 1.5m with 0.3m trellis on top.

**Relevant Planning History:**

001330

Application for variation to Condition no. 1 of EB/1992/0048 (as amended 2 April 1992) to provide five years extension of time.

Planning Permission - Approved conditionally - 15/02/2001

950295

Proposed use of land for residential development comprising houses and flats and construction of north harbour.

Outline (some reserved) - Approved conditionally - 13/08/1997

980425

Erection of 99 houses with provision of children's play area - (approval of reserved matters).

Reserved Matters - Approved unconditionally - 22/02/1999

**Proposed development:**

Applicant seeks consent to retain boundary fence/trellis, 1.8m height and timber construction.

The applicant has outlined their justification for the boundary treatment and this relates to increased security, privacy and aesthetics, for these reasons the former low boundary fence/means of enclosure was considered insufficient and inadequate.

**Consultations:**

Sovereign Harbour Residents Association:- Object The original brick wall of similar height afforded more safety and security and privacy to the property and had been constructed to the original estate design and thus in keeping with the other walls around the development.

Neighbour Representations:

7 letters of consultation have been sent to neighbouring residential properties in conjunction with this application; the Council have had no neighbour responses to the consultation.

**Appraisal:**

Principle of development:

There is no objection in principle to home owners wishing to extend their properties/plots to meet their family needs/requirements. Any such change or resulting development should be designed to a high standard, and whose appearance would respect the character of the area.

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

The siting/location of the proposed boundary treatment is such that it would not materially affect the amenities of the occupiers of the adjacent/nearby residential properties.

Design issues:

Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy D10a of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Borough Plan state 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.

The proposed design and appearance of the boundary treatment is such that it maintains the character and appearance of the host property in particular and the surrounding wider area in general. It is considered that from both the long and short range views of the site are not significantly affected by the application proposal. Given this it is considered that a refusal based on the design and appearance implications of the scheme could not be substantiated or sustained.

Other matters:

Given that there remains a significant highway verge (adequate visibility) it is considered that the proposed boundary treatment would not result in any material highway safety concerns.

**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 development is not considered to result in any significant loss of residential amenity by way of impacts through loss of privacy, loss of light or overshadowing or by way of disturbance through noise and would be in-keeping with the host property and the character of the area and would therefore accords to policies UHT1, UHT4 and HO20 of the Saved Policies of the Eastbourne Borough Plan and Policies B1, B2, D10a of the Eastbourne Core Strategy Local Plan.

**Recommendation:**

Planning Permission be granted

**Conditions:**

None as retrospective

**Informatives**

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**.

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

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