



Planning Committee

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

Agenda

- 1 Minutes of the meeting held on 3 September 2013. Previously circulated.**
- 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 (please see note at end of agenda).**

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 34 Dillingburgh Road. Application ID 130500 (FP) (Pages 1 - 8)**7 42 Wannock Road. Application ID 130516 (PPP) (Pages 9 - 16)****8 72 Sancroft Road. Application ID 130404 (PPP) (Pages 17 - 24)****9 Fishermans Quay, Atlantic Drive. Application ID 130442 (Pages 25 - 42)****10 Gateway Christian Church, Frenchgate Road. Application ID 130515 (Pages 43 - 52)****11 Kings Drive. Application ID 130468 (RMT) (Pages 53 - 62)****12 Marine Road CAC. Application ID 130316 (Pages 63 - 66)****13 Marine Road PP. Application ID 130216 (Pages 67 - 72)****14 Motcombe Baths, Motcombe (Pages 73 - 98)**

Report of Specialist Advisor – Conservation and Design.

15 Eastbourne Town Centre Local Plan (formerly known as Eastbourne Town Centre Area Action Plan). (Pages 99 - 106)

Report of Senior Head of Development.

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 Minicom: (01323) 415111, 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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Agenda Item 6

Application No: 130500 (FP)	Decision Due Date: 21.09.2013	Ward: Old Town
Officer: Mehdi Rezaie	Site visit date: 11.09.2013	Type: Minor Dwelling
Site Notice(s) Expiry date: 22.08.2013		
Neigh. Con Expiry: 22.08.2013		
Weekly list Expiry: 22.08.2013		
Press Notice(s): N/A		
Over 8/13 week reason: To be heard at Planning Committee at first opportunity.		
Location: Land to the rear of 34 Dillingburgh Road, Eastbourne, BN20 8LU.		
Proposal: Erection of two-storey detached dwellinghouse with garage, crossover and dropped curb.		
Applicant: Mr. A. Bennett.		
Recommendation: Approve, subject to conditions.		

Planning Status:

- Predominantly Residential Area.

Relevant Planning Policies:

Core Strategy 2013 Policies

B2 Creating Sustainable Neighbourhoods
C4 Old Town Neighbourhood Policy
D1 Sustainable Development
D10A Design

Eastbourne Borough Plan Saved Policies

H020 Residential Amenity
H02 Predominantly Residential Areas
H06 Infill Development
H07 Redevelopment
NE4 Sustainable Drainage Systems
NE7 Waste Minimisation Measures in Residential Areas
TR11 Car Parking
UHT1 Design of New Development
UHT2 Height of Buildings
UHT4 Visual Amenity

UHT6 Tree Planting
UHT7 Landscaping
UHT8 Protection of Amenity Space

National Planning Policy Framework 2012

Supplementary Planning Guidance; Sustainable Building Design 2013

Site Description:

The application site is a rectangular plot of land to the rear of 34 Dillingburgh Road which covers a total area amounting to 230m². In terms of local context, the application site relates to a property on Dillingburgh Road which intersects onto Dacre Road, both roads lead onto Victoria Drive or Longland Road which interconnect with East Deans Road (A259), an area that falls within the district ward boundary of Old Town.

In terms of immediate context, the application site falls within a predominantly residential area. The site and its surroundings are made up of detached and semi-detached dwellinghouses with purpose built extensions, between two and three storeys in height, of varying architectural form and style.

Relevant Planning History:

Application for Full Planning Permission (EB/1988/0447) for a detached bungalow with garage on land within the curtilage of the applicant's site, application refused on 17.08.1988.

Application for Full Planning Permission (EB/2003/0515) to erect a part two-storey, part single storey split level two bedroom dwelling with integral garage, planning application was refused on 09.10.2003.

Application for Full Planning Permission (EB/2007/0522) for the erection of a single storey extension at the side to form one self-contained flat, application refused on 03.10.2007.

Proposed development:

The applicant seeks planning permission to erect a two-storey, detached dwellinghouse onto the rear garden of 34 Dillingburgh Road. The proposed scheme is of a pitched roofed design, which includes a single storey pitched roof garage to the eastern side, an area for dropped curb with a new vehicular crossover to form a separate access and entrance that fronts onto Dacre Road.

Applicant's Points:

The applicant has submitted the following documents with this submission:

- Tree Survey;
- Parking Statement;
- Economic Statement;
- Lighting Assessment;
- Flood Risk Assessment;
- Design and Access Statement.

- Affordable Housing Statement;
- Daylight/Sunlight Assessment;

Consultations:

- Neighbour notification letters were sent out on 01.08.2013 to 65 nearby and neighbouring properties, period for public consultation expired on 22.08.2013.
- A site notification was placed nearby; this 'Notice of Application for Planning Permission' was carried out on 01.08.2013, which expired on 22.08.2013.

Pre-Application Advice:

- Prior advice has been sought from Mr. M. Rezaie (Senior Planning officer at Eastbourne Borough Council) on 04.06.2013. Details of the pre-application advice received from Mr. Rezaie include:

"Request to maintain building lines, building heights, roofshape and roofscape with nearby and adjoining buildings".

- Pre application advice obtained from Email received from Mr. C. John (Highways Officer at East Sussex County Council) on 11.06.2013, stating:

"No objections raised on highway grounds, the width of the proposed garage area needs to be enlarged, otherwise the proposal satisfies requirements".

Neighbour Representations:

9 objections received, comments taken into consideration based on material planning grounds include: over development, impact on the character and appearance of the area, impact on highway safety, parking and traffic, loss of light/overshadowing, loss of privacy/overlooking, loss of tree's.

Reference made by neighbours to potential issues surrounding the following shall not be taken into consideration, as they are not material planning considerations: increase in noise and disturbance, previously refused schemes and decrease in property values.

Statutory Consultee Responses:

- Internal memo received from Mr. Lee Michael (Specialist Advisor – Arboriculture at Eastbourne Borough Council) on 05.09.2013 stating:

"The two Elms provide some visual amenity to the area but are not of sufficient merit to constrain the development and do not meet the criteria for the application of Tree Preservation Order.

The applicant has also submitted an indicative planting plan which shows space to plant trees between the new dwelling and the existing 34 Dillingburgh Road.

Should this application be approved it will lead to the loss of two semi mature Elms within the development site. The loss of these trees could be negated with an acceptable tree planting scheme within the development".

- Email received from Mr. Mark Western (Senior Transport Development Control Officer at East Sussex County Council) on 13.09.2013, stating:

"I've had a look at this and don't have any real concerns. The garage and parking space in front are large enough to accommodate vehicles and an additional access onto Dacre Road in this location is acceptable.

One issue which will need to be addressed by condition is cycle parking. Although it is shown within the garage on the submitted plan, the garage itself is not considered to be large enough to accommodate cycle storage as well. Internal dimensional of 7m x 3m are necessary to include cycles. Separate long term storage will be required in accordance with ESCC, Parking Guidelines which is one long term (covered and secure) space.

The only other thing to mention is the construction of the vehicle crossover which will need to be licensed by ESCC, should planning consent be granted. I would therefore request any consent includes the following attached condition and informative".

- Internal memo received from Mr. Craig Steenhoff (Senior Planning and Policy Officer at Eastbourne Borough Council) on 16.09.2013 stating:

"The development proposes a net gain in residential dwellings of 1 unit, therefore in line with Policy D5: Housing of the Core Strategy Local Plan the development is expected to make a contribution towards affordable housing. The applicant has met with a specialist advisor and housing officer to discuss the required contribution and has agreed to pay the commuted sum payment through a unilateral agreement. The application is therefore supported in principle subject to other planning considerations to be considered by the case officer".

Appraisal:

Amount, Scale, Building Height

The proposed dwellinghouse covers an area of the site no greater than 53.5m² with the garage amounting to 22.6m², and private amenity space amounting to approximately 125m². It has therefore been considered that the proposal given the size of the plot provides more than adequate amenity space and therefore the scheme falls in keeping with saved 'Policy H020' on 'Residential Amenity' and saved 'Policy UHT8' on the 'Protection of Amenity Space' from the 'Eastbourne Borough Plan 2007'.

The scale of the proposed dwellinghouse has been designed to respect and reflect properties nearby, a building depth of 6.4m and width of 8.7m provides a modestly scaled dwelling suited to its surroundings, by no means an overdevelopment of the site as determined from the 'two-third one-third rule' to which the scheme suffices. It has therefore been demonstrated that the proposed development is appropriate in its form, bulk and mass, in keeping with saved 'Policy UHT1' (b) on 'Design of New Development' from the Adopted 'Eastbourne Borough Plan 2007'.

The proposed scheme portrays a roof height to be comparable with nearby properties, a roof ridge no greater than 7.2m and with its eaves height finishing in at 4.8m, all demonstrate a high degree of consistency by preserving existing measured heights. The proposed scheme adheres to saved 'Policy UHT2' on '*Height of Buildings*' from the Adopted '*Eastbourne Borough Plan 2007*'.

The proposed dwellinghouse is considered modestly scaled and appropriate to its setting with no disruption on the amenities of neighbouring properties, there are no overriding concerns of overshadowing or overbearing as the scheme complies with saved 'Policy H020' (a, b, c, d) on '*Residential Amenity*' from the Adopted '*Eastbourne Borough Plan 2007*'.

Character, Appearance, Materials

The general pattern and form of development falls in line with other dwellings seen throughout the streetscene. The proposed scheme shall in no way set precedent, as similar types of development which back onto the rear gardens of adjoining dwellings presently coexist, to name a few: 23, 29, 30, 31, 36 Darce Road; 34 Broomfield Street (Road parallel). Within the primarily residential areas planning permission will be granted for infill residential development, where it can be satisfactorily demonstrated that the development of other adjacent sites would not be unreasonably prejudiced by the proposal, therefore the proposed scheme satisfies saved 'Policy H06' on '*Infill Development*' and saved 'Policy H07' on '*Redevelopment*' from the Adopted '*Eastbourne Borough Plan 2007*'.

Given the mixed array of architectural styles found throughout the area, dwellings with varying roofshapes, roofscapes, detailing and finishing, there is no particular 'one fits all' style of development as properties do not fall 'uniform' to one another. Notwithstanding this, the applicant has demonstrated a link by continuing the pattern of existing roofshapes with its pitched roof design. Furthermore, there are no overriding concerns of overshadowing, overbearing or overlooking; all windows have been fenestrated in line to one another which add further depth and character to the building, and at first floor level to the rear elevation both windows proposed will serve bathrooms and therefore will be restricted to obscure glazing to minimise overlooking issues. It has therefore been considered that the general design principles fall sympathetic to the surrounding area, in keeping with saved 'Policy UHT1' (a) on '*Design of New Development*'; saved 'Policy UHT4' (c) on '*Visual Amenity*' from the Adopted '*Eastbourne Borough Plan 2007*'.

The description of the proposed materials and finishes have been specified to include: walls 'facing brickwork'; roof 'plain tiles with colour to be approved'; windows and doors 'UPVC white'; boundary treatments 'brick walls and timber fence'; vehicular and hardstandings area 'brick paviors'. The proposed scheme therefore conforms to saved 'Policy UHT1' (b) on '*Design of New Development*' and with saved 'Policy UHT4' (c) on '*Visual Amenity*' from the Adopted '*Eastbourne Borough Plan 2007*'. The proposed scheme further adheres to 'Policy D1' on '*Sustainable Design*' from the '*Eastbourne Core Strategy Local Plan 2013*' and in line with design principles from '*Eastbourne Borough Councils Supplementary Planning Document 2013*' on '*Sustainable Building Design*'.

In line with the recommendations made by the Councils arboriculture officer, to safeguard the visual amenity of the area, it has been suggested a landscaping plan be submitted to and approved to create minimal disruption of the streetscene through the loss of the trees on the side elevation. A condition will have to be placed to this affect on the application. In keeping with the above recommendation and requirement, the proposed scheme shall fall in accordance with saved 'Policy UHT6' on '*Tree Planting*'; saved 'Policy UHT7' on '*Landscaping*' from the Adopted '*Eastbourne Borough Plan 2007*'.

Access, Movement, Parking,

Inclusive access to the rear garden of the proposed dwellinghouse would fall from its front elevation (east facing) fronting onto Dacre Road. Evidently present is the space around the building, indicative of its free flowing layout is 'ease of movement'. The proposed scheme therefore satisfies the essential requirements found in layout of design in accordance with 'Policy D1' on '*Sustainable Development*' from the '*Eastbourne Core Strategy Local Plan 2013*'.

Vehicular access to and from the site shall run off Dacre Road, the newly proposed dropped curb with crossover have been carefully assessed by the Highways Agency and based on their recommendations, there is no cause for concern on visibility spays or hazard to public safety. The site falls capable of accommodating two vehicles on site with the provision for on-street parking, upon satisfying the conditions placed by the Local Highways Manager, the proposed scheme with its parking arrangement falls in accordance with saved 'Policy TR11' on '*Car Parking*' from the Adopted '*Eastbourne Borough Plan 2007*'.

Material Planning Considerations

S106 Contributions - The applicant has completed their Unilateral Agreement for S106 contributions in relation to an affordable housing contribution to the satisfaction of the Councils Housing and Policy teams.

Landscaping - Additionally, the Councils Arboriculture Officer has stated '*The trees in the rear of 34 Dillingburgh Road are not worthy of a tree preservation order and would be classed as category C trees which should not be considered a constraint to development, I think the applicant should be looking at a landscaping plan to offset the loss of these trees should an application be successful*'. In keeping with their recommendations, the proposed scheme shall fall in accordance with saved 'Policy UHT6' on '*Tree Planting*' from the Adopted '*Eastbourne Borough Plan 2007*'.

Infrastructure - The proposed scheme has failed to demonstrate its proposed drainage arrangements. A condition will have to be attached to this consent so that further details for the drainage points, rainwater collection methods, guttering and downpipes to be provided to the Council and approved in writing prior the commencement of development. As it stands, the proposed scheme fails to address saved 'Policy US4' on '*Flood Protection and Surface Water Disposal*' and saved 'Policy NE4' on '*Sustainable Drainage Systems*' from the Adopted '*Eastbourne Borough Plan 2007*'.

Human Rights Implications:

It is considered that there are no adverse Human Rights implications.

Conclusion:

The proposed dwellinghouse with its area of hardstanding and vehicular crossover is considered acceptable on its planning merits, as it would be compatible with the pattern of development seen throughout the area. The proposed scheme falls in accordance with the Eastbourne Core Strategy Local Plan (2012); saved policies from the Eastbourne Borough Plan (2007) and the National Planning Policy Framework (2012). Having regard to the material considerations and all other matters raised, the Local Planning Authority considers that the balance of considerations therefore weigh in favour of granting planning permission, subject to conditions.

Recommend: Permission be granted approval subject to the following conditions:

- 1) Timescale
- 2) Compliance with Submitted Drawings
- 3) Compliance with Material Specification/Submission of details
- 4) Submission of Drainage Details
- 5) Cycle Parking
- 6) Highways - Vehicular Access and Crossover
- 7) Highways earthworks washing equipment
- 8) Construction hours Standard
- 9) Arboricultural – Landscape Design

Summary of recommendations:

The proposed development is considered acceptable for the following reasons:

The proposed scheme by virtue of its design, siting, scale, use of materials would not detract the visual amenity of the area or fall detrimental to the amenities of nearby or adjoining properties. Subject to conditions, the proposal accords with Eastbourne Borough Local Plan 2007, Eastbourne Core Strategy Local Plan (2007-2027) and the National Planning Policy Framework (2012). It is therefore recommended that this application be put for approval.

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Agenda Item 7

App.No: 130516 (PPP)	Decision Due Date: 27 September 2013	Ward: Devonshire
Officer: Katherine Gardner	Site visit date: 27 August 2013	Type: Planning Permission
Site Notice(s) Expiry date: 3 September 2013 Neigh. Con Expiry: 3 September 2013 Weekly list Expiry: 3 September 2013 Press Notice(s): N/A		
Over 8/13 week reason: To Planning Committee at earliest opportunity.		
Location: 42 Wannock Road, Eastbourne.		
Proposal: Proposed Conversion and Extension of an Existing Single Storey Storage Building into a 1 Bedroom, 2 Storey Dwellinghouse.		
Applicant: Mr R. Mitchell		
Recommendation: Approved conditionally		

Planning Status:

Primarily Residential Area
Close Proximity to Sub-station
Currently storage - conversion to residential

Constraints:

Archaeological Notification Area
Aquifer
Flood Zone 2

Convenants

Gilbert Estate

Eastbourne Core Strategy Policies:

B1 Spatial Development Strategy and Distribution
B2 Creating Sustainable Neighbourhoods
C3 Seaside Neighbourhood Policy
D1 Sustainable Development
D5 Housing Low Value Neighbourhoods
D10A Design

Borough Plan Saved Policies:

US5 Tidal Flood Risk

HO2 Predominantly Residential Areas
NE4: Sustainable Drainage Systems
NE6: Recycling Facilities
NE7: Waste Minimisation Measures in Residential Areas
NE14: Source Protection Zone
UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT7: Landscaping
HO1: Residential Development Within the Existing Built-up Area
HO2: Predominantly Residential Areas
HO6: Infill Development
HO7: Redevelopment
HO9: Conversions and Change of Use
HO20: Residential Amenity
TR11: Car Parking

National Planning Policy Framework 2012

Site Description:

The application site is a garage/storage area at the far end of a residential road which has a private access at the end to Sovereign Court. The properties are terraced and the store is currently single storey attached to a row of 2 storey residential properties. There are flats located on the other side of the site which are separated by a parking area for the flats and a small alleyway with access to an electrical substation at the rear of the property.

The site is currently unused, except for storage, and is run down. It backs onto the rear of properties in Sidley Road and there is a small alleyway separating the gardens of the properties. There is a necessity for on-street parking in this street. It is within the low value housing, Seaside Neighbourhood and close to the Seaside District Shopping Area.

The terraces within the area are all of a similar design. The storage area has driveway access at the moment with a ramped curb. There are already toilet facilities on the ground floor to the rear of the property which are outside in the existing courtyard. The site shares a party wall at ground floor level with number 40.

Relevant Planning History:

No relevant planning history.

Proposed development:

The applicant proposes the conversion of the single storey storage building, along with a second storey extension to form a 1 bedroom dwellinghouse.

Firstly, there will be a change of use of the site from B8 (Storage) to C3 (Dwellinghouses).

In relation to the proposed extension, the second storey will not extend beyond the roofline of the existing terraces. The conversion is to a terraced dwelling, the ground floor is currently terraced to number 40 and the development requires a second storey to be built and attached to this adjoining neighbour.

The first floor extension will be in line with the roof line of the existing terraces and form a two storey terrace with number 40. It will be a gable roof in line with the existing terraces. There is one skylight proposed on the rear pitch, and 2 second storey windows on the front elevation and one second storey window on the rear elevations.

The lower extension on the left will reach 6.2m in height to form a smaller gable roof for internal staircase space with a skylight on the front pitch of the roof.

The ground floor front elevation will house a full length glazed area where the front entrance is and where the left hand double garage doors currently sit, a small window as existing, but in line with the other fenestration and a bay window to match those existing on the other terraces, nearest to number 40 on the front elevation. There are 2 high level windows on the side elevations, measuring 1.17m width by 0.46m height. There are no windows or access proposed on the ground floor rear elevation. The current rear courtyard will be enclosed to form a utility area and toilet which already exists at the site.

The back of the property which houses the utility and downstairs toilet are ground floor only with a flat roof and skylight window. The ground floor extension will be constructed using the existing brick and render will be used on the first floor elevations. The roof tiling will be interlocking to match that on number 40 Wannock Road.

The applicant proposes a small front garden area with soft landscaping, bounded by a 750mm high brick wall and piers to match the adjacent terrace. There is provision for a refuse bin and bike store at the front of the property which is nearest the alleyway to the left of the site and enclosed by a 1600mm high brick wall at the front.

The 2 redundant crossovers will be removed and the pavement and curb reinstated to form an extra 2 parking spaces.

Consultations:

Internal:

Cleansing Contracts Manager – no objections

External:

Southern Water – no objections

Fire Brigade – no objections

Seaboard Energy – no objections

Building Control Manager – no objections

Environment Agency – recommendation by condition

County Archaeologist – no objections

Local Highway Manager – recommendation by condition
South East Water – no objections
Southern Gas Networks – no objections

Neighbour Representations:

2 Objections have been received and cover the following points:

Appearance

Front access and layout

Rear access and bins

Gardens and recreational use

Parking

Rear elevation and change of use

Loss of light/privacy

Drainage/flooding

Appraisal:

Following delegation and escalation to committee, the applicant has provided amended plans to address some of the objections received.

By virtue of the size, layout and materials proposed for this development, it harmonises with local character and makes effective use of a currently disused storage area.

The conversion is acceptable as the premises is currently a redundant storage facility. It will form a terrace to number 40, as are the majority of existing properties in this road, and the amenity of adjoining residents has been considered. It is believed that due to the modest size of the development and its location and layout, there are no adverse effects on neighbouring residents. Although the site is small, the proposal still provides an adequate level of accommodation. There is only one door for access in and out of the property as there is no back garden, however the Building Control Manager has been informed and raised no objections.

The development is within the existing built up area and therefore is situated in an appropriate location and within a Predominantly Residential Area. It achieves change to residential use through infill development and redevelopment of a redundant site which is in line with policy HO2 of the Eastbourne Borough Plan. Furthermore, HO6, Infill Development, ensures that development does not prejudice adjacent sites and it is well designed in terms of scale, siting and materials and enhances the locality. The full terrace has been designed in with the existing character of the neighbourhood but there is a modern element to the proposal, which the applicant wished to keep, and is accepted as it is at the end of the terrace and next door is Sovereign Court which is a modern development and not in keeping with the terraces, therefore the addition of a small modern half terrace does not detract from character of the area.

Due to the development providing only one, 1 bedroom property, issues surrounding sustainable neighbourhoods are minimal but have been taken into account. It has already been discussed that transport links are good and it is already an established neighbourhood area, close to a District Shopping Centre.

The development is considered sustainable development in that it enhances the built environment, conserves resources by efficiently using the available space and demonstrating sustainable construction and waste minimisation measures. As discussed transport links are good and improving the site in this way may also prevent crime as it will be a used, inhabited site.

The applicant has provided an Affordable Housing Statement and has been instructed to complete a Unilateral Undertaking for the relevant contribution to size of development, thereby adhering to the Core Strategy Policy on Housing.

The height of the proposed building does not exceed that of number 40 and there is no significant effect to the skyline as the buildings surrounding the site are as tall, if not taller than the proposal and the site is adjacent to properties in Sidley Road so there are no distinctive skylines or long distant views effected.

The enclosing of the rear courtyard to form a utility area and indoor toilet facilities will increase the privacy of the neighbours at number 40 as the facilities will be internal and no longer part joining the rear garden of number 40. The roof on this area of the extension is flat and no more intrusive than the structure already there. There is an evident change of use for this back area but activities will be internal and there are no windows on the ground floor rear elevation to effect privacy.

The second storey extension is small and only reaches the height of the current terraces over half of the site. The second storey does not protrude over any of the existing elevations and the first floor rear extension does not extend above the existing roof of the toilet facilities and is flat roofed so effect on overshadowing is minimal. Loss of privacy is not increased as there are no ground floor windows on the rear elevation, the windows proposed on the front and rear do not cause any more privacy issues than the windows of existing terraces and therefore this can not be considered a significant issue. There will be a condition stating that the side elevation windows need to be obscured glazing and non-opening.

The development does not cause an unacceptable loss of outlook. It is part 2-storey but this is not out of keeping with the locality. Due to the position of the application site, next to a footpath, within a residential street and backing onto Sidley Road, there is no overlooking into habitable rooms created by the development as it is not sufficiently close to windows or doors of neighbouring properties for this to be considered a problem.

The windows proposed on the side elevation are first floor only and the skylights do not impose an unacceptable view into the rear of rooms of properties in Sidley Road of the gardens of neighbours in Wannock Road.

As this is a small residential dwelling the level of noise, general disturbance or odour is not likely to increase significantly as the use is residential within an already largely residential street. There is concern that as there is no back garden, the front garden will be used as recreational space and cause noise and

disturbance. As only a small garden space is proposed and there will be a bin store in the vicinity of the soft landscaping area, there is not a significant likelihood that the front of the property will be used for recreational purposes any more than any of the other terraces therefore this is a small consideration which is outweighed by the positive impact on the neighbourhood and area.

Neighbours object to the fact that the proposal does not have a bay window and the positioning of the front door is close to the bay window of number 40, rather than the opposite side. This has been addressed in the amended plans, a bay window has been installed closest to number 40 and the front door relocated to the left hand side. Due to the location of the development not being within any areas of special interest (conservation etc) and developments on surrounding properties changing the character of the area (different styles of bays and porches, enclosing bay windows) it is not deemed that the development has any requirement to stay avidly in-keeping with the surrounding area. However, concerns have been taken on board but this applies to the modern addition and supports keeping this element in the proposal.

Following conversations about how the extension is intended to be attached to the party wall, the applicant has given consideration to this proposing a timber-framed external masonry structure to be incorporated. There will also be lead sheet weathering detail at the abutment of the existing tiles.

There is also shrubery proposed to be planted to increase the natural screening, therefore the privacy for neighbours at number 40 is maintained.

There is landscaping proposed at the front of the site, to form a front garden area. There are no existing hedges, shrubs etc to retain, as the site for landscaping is currently a concrete driveway. Therefore, there is only provision for new planting and creation of a small lawn area. The boundary is proposed to be brick and piers to fall in line with the neighbouring properties.

There is no provision for car parking on-site and the majority of properties in Wannock Road are subject to on-street parking. However, as the 2 existing vehicular crossovers will be removed and the curb reinstated, this will arguably provide 2 extra car parking spaces in Wannock Road.

Consideration has been given to the effect of further vehicles parking in this residential street. As it is a small dwelling (1 bed), there will not be a significant increase in the number of cars relating to the change of this site to a residential dwelling. There are concerns from neighbours regarding the level of on street parking in relation to being near the town and the seafront and being used by residents and visitors to Sovereign Court nearby. Who uses the parking is not an enforceable planning consideration. There are no restrictions on Wannock Road, or the roads immediately surrounding the site, except for a few allocated disabled bays.

There is provision for space to store refuse bins at the front of the property. One neighbour concern is that refuse is collected from the rear of properties in Wannock Road through alleyway access between Wannock Road and Sidley Road.

Having checked with the Specialist Advisor that deals with the waste contract, the contractors have to go to the end of Wannock Road (Sovereign Court end) on their rounds and therefore if 42 Wannock Road was to present refuse bins at the front of the property, it would not be an issue to have these collected.

The Highway Authority has been consulted and advise that the kerb and pavement must be reinstated before the property is occupied.

Water resource adequacy has been considered and the appropriate external agencies, Environment Agency and local water and sewage companies have been consulted in order to alleviate any concerns in regard to whether there are adequate water resources to sustain another dwelling in this area. It is a comparatively small development but the Environment agency have responded as above and Southern Water suggest the applicant consults with them directly which can be applied as an informative.

There has been a concern raised from the residents at number 36 Wannock Road, as the main sewage pipe for the existing terrace of houses, runs through their property and they have previously experienced blockages in the drain which is situated beneath their conservatory. All the necessary external consultees have been informed and the Environment Agency have voiced concerns regarding flood risk improvements which are enforcable through condition.

There is already toilet facilities at the site so there is a connection to the main drains, but the development proposed a new bathroom and additional toilet so this is still a consideration. The Environment Agency, Southern Water and South East Water were consulted. No objections have been received in regard to this.

The development is within Floodzone 2 and The Environment Agency have been consulted. There is already provision for the disposal of surface water into nearby drains. No objections were received.

The applicant has provided a flood risk assessment and there is consideration given to the fact that surface water will be discharged into an adopted combined foul/surface water sewer. The applicant has also provided a waste minimisation statement to comply with the requirement for waste minimisation measures in residential areas.

There is not considered to be an unacceptable risk of pollution to the aquifer or air, land or water in relation to the development or indeed the quality or yield of water available. This is due to the small scale of the development and the consideration given to flood risk assessment and the levels.

The development demonstrates neutral benefits to the environmental amenity of the area and is therefore in support of granting the application.

The development of this site into residential supports the Core Strategy requirements of spatial development and distribution of residential development within the Seaside Neighbourhood Area. The development also supports the

Seaside Neighbourhood Policy through redeveloping and converting this redundant property into a single private dwelling.

Human Rights Implications:

It is considered that the proposed development would not affect the rights of occupiers of surrounding residential properties to the peaceful enjoyment of possessions and protection of property. Furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conclusion:

The proposed development is suitable in terms of location, scale and materials. It has a positive impact on the Neighbourhood Area and a neutral impact on residential, visual and environmental amenity.

This is subject to conditions but the proposal accords with Eastbourne Borough Local Plan (Saved policies, 2007), Eastbourne Core Strategy Local Plan (2007-2027) and the National Planning Policy Framework (2012).

Recommendation: Approve with conditions and subject to satisfactory completion of a Unilateral Undertaking in relation to an affordable housing contribution.

Conditions:

- (1) Time for commencement.
- (2) Approved drawings.
- (3) Access shown on the submitted plan to be stopped up and the kerb and footway reinstated.
- (4) In accordance with the approved Flood Risk Assessment

Informatives:

Southern Waters
Flood proofing
Pre-commencement conditions.

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

Agenda Item 8

App.No: 130404 (PPP)	Decision Due Date: 31 July 2013	Ward: Old Town
Officer: Richard Elder	Site visit date: 15 August 2013	Type: Full planning permission
Site Notice(s) Expiry date: 01.08.13		
Neigh. Con Expiry: 01.08.13		
Weekly list Expiry: 01.08.13		
Press Notice(s): N/A		
Over 8/13 week reason: Processing delay		
Location: 72 Sancroft Road, Eastbourne		
Proposal: Erection of new dwelling adjacent to 72 - a replica version of 72 Sancroft Road with matching materials.		
Applicant: Mr A Ward		
Recommendation: Refuse		

Planning Status:

Predominantly residential area.

Constraints:

N/A

Relevant Planning Policies:

Eastbourne Borough Plan 2001-2011

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

HO1: Residential Development Within the Existing Built-up Area

HO6: Infill Development

HO20: Residential Amenity

TR11: Car Parking

Eastbourne Core Strategy Local Plan 2006-2027

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

D1: Sustainable Development

D5: Housing

Supplementary Planning Document

Sustainable Building Design SPD 2013

National Planning Policy Framework 2012

Site Description:

Application site comprises a 2 storey detached house with attached single storey garage to the side located on the west side of Sancroft Road at its north end on a corner site backing onto Cherry Garden Road and the junction with Osborne Road. The area is characterised by post war detached and semi-detached 2 storey houses incorporating pitched tiled roofs

The street slopes relatively steeply towards the northern end where it meets Osborne Road and Cherry Garden Road. The application site slopes relatively steeply upwards in line with the gradient of the street. The house at no.72 Sancroft Road is set at the highest point of the road and is approximately 1 metre higher than its neighbour to the south at no.70 where the road slopes steeper up to the junction with Osborne Road

Relevant Planning History:

None

Proposed development:

The proposal involves the demolition of the attached garage to the side of the existing house and erection of a 2 storey, 3 bedroom house within the side garden to match the size and appearance of the existing house at 72 Sancroft Road. The finished floor level and height of the proposed house would match that of the existing house but would be set back from no.72 by approximately 1 metre. The new house would have a front and rear garden with a section to the side. Due to the raised ground level to the side of the existing house, the footprint of the proposed house would require excavation down into the soil to be level with the existing house.

One off-street parking space would be provided for the new house on the existing driveway utilising the existing crossover. The plans show a new vehicular crossover would be provide to serve the existing house, however, this is not specified on the planning application form. This would provide 1 off street parking space for the existing house.

Consultations:

Internal:

Arboriculture – No objection subject to conditions requiring tree protection and landscaping.

Neighbour Representations:

22 objections have been received from 16 neighbouring properties and cover the following points:

- Overdevelopment of site and barely fits into this small site due to excessive size and mass. Proximity to side boundary would be detrimental to amenity of adjoining residents and general character of the residential area.
- Unsustainable and unsympathetic to the local residential area.

- Houses built at the end of streets in the area are built on larger plots and proposal would be out of keeping with appearance of the area.
- Parking is difficult in the street in the evening and weekends and highways survey would be required.
- Would overlook neighbours and be overlooked.
- Would significantly reduce shrubs, plants, trees and garden area.
- Would set precedent for future in-fill development in an already built up residential area.
- Would be contrary to Planning Policy.
- Highway safety issues with parking and sight lines around the corner and additional traffic on a bus route. Increased risk of an accident taking place.
- Additional crossover would result in loss of an off street parking space.
- Building work would cause noise, disturbance and stress for residents.
- Being built on the boundary of the Downs National Park.
- Not affordable housing.

Appraisal:

Principle of Development

Paragraph 17 of The National Planning Policy Framework 2012 states that Local Planning Authorities should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. Paragraph 53 goes on to say that inappropriate development of residential gardens should be resisted where development would cause harm to the local area.

The application site is a residential garden and is considered a greenfield site as such. The NPPF seeks to resist development such as this unless it would not cause harm to the local area. Therefore, it is considered that the main considerations in the determination of this proposal relate to whether the development is appropriate on this site in this location, sympathetic to the character and appearance of the surrounding residential area, its impact on residential amenity and its acceptability on highway grounds with regard to sufficient provision of off street parking spaces and additional crossover serving the existing house.

Design, Siting and Layout

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 (preferably locally sourced), setting, alignment and layout. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

Policy H06 states that within primarily residential areas planning permission will be granted for infill residential development, where it can be satisfactorily demonstrated that the development of other adjacent sites would not be unreasonably prejudiced subject to appropriate siting, scale and materials which reflects the local townscape.

Policy B1 of the Eastbourne Core Strategy states that spatial development strategy will deliver at least 5,022 dwellings by 2027 within the built up area boundary, in

accordance with the principles of sustainable development. It will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land. 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.

The side garden of the existing house serves to provide an openness and an element of development relief to the sweeping corner site where the land slopes relatively steeply up to Osborne Road and Cherry Garden Road. It is similar to the treatment of the sweeping corner site opposite to Osborne Road and Cherry Garden Road where there is a hedge and trees to the boundary. It is considered therefore, that this sloping garden site provides an element of visual amenity, where there are trees and bushes located around the edge of the site, when viewed from properties to the rear along Cherry Garden Road and opposite along Osborne Road and Sancroft Road.

Due to the size of the footprint extending to within 1.5 – 2.5 metres of the sweeping side boundary, it is considered that it would not only dominate the width of the site, but it is likely that many of the trees and bushes along the boundary would be lost due to the proposed excavation into the sloping ground where retaining walls would be required to hold back the soil leaving a planting area of no more than 0.5 to 1.5 metres wide. No details have been submitted of any trees, bushes or planting to be retained. In this regard, the proposal would fail to enhance the appearance of the area and would have a detrimental impact on surrounding visual amenity.

In addition, no information has been submitted with the application with regards to how the proposal would address differing ground levels across the site, access, and how the sloping front driveway would be addressed as a result. The elevation plans show that the house would be set 0.6 metres below the existing level of the side garage but has not addressed the upward sloping gradient of the existing front driveway or the upward sloping gradient of the side garden. There is no indication of access down to reach the front door of the house and how this would impact on the character and appearance of the site and on visual amenity. No details have been submitted with regards to the location or height of retaining walls around the house to facilitate its construction below the existing ground level. It would appear, then, that in order to achieve a 2 storey house on the site, it would need to be set into the ground to match that of the existing house requiring significant excavation works to prevent it from being overly dominant and intrusive within the street scene.

It is considered, therefore, that the proposal is ill-conceived and would fail to address any of the constraints or amenity value of the site in this prominent location. It would unacceptably dominate this constrained corner site, requiring significant alterations to the site to facilitate the development. As such, it is considered that the proposal is inappropriate, unsympathetic, would fail to harmonise with the character and appearance of the local area and would harm the appearance of the local area as a result, contrary to Policies UHT1, UHT4 and HO6 of the Eastbourne Local Plan and Policies B1 and B2 of the Eastbourne Core Strategy and the National Planning Policy Framework.

Residential Amenity

Policies HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. Policy H06 states that within primarily residential areas planning permission will be granted for infill residential development, where it can be satisfactorily demonstrated that the development would not significantly harm residential or environmental amenity.

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

Although the proposed house would not result in any significant loss of sunlight, daylight, overshadowing, loss of privacy or outlook to surrounding residential properties, it is considered that its inappropriate siting within a side residential garden on a prominent corner junction, potential loss of the existing trees, bushes and planting at the site and the loss of the open nature of the garden on the sweeping corner would significantly harm surrounding visual and environmental amenity of existing and future residents. The submitted plans and details fail to demonstrate that this would not be the case.

As such, it is considered that the proposal would significantly harm visual and environmental amenity contrary to Policies H06 and HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Sustainable Development

Policy D1 requires all new development to be sustainable and be well designed and constructed and demonstrate that it has taken account of the principles of sustainable development. All new residential developments should demonstrate that they meet the minimum requirement of Code Level 4 for all new homes from April 2013.

The application has not been accompanied by any justification that the proposed development would address principles of sustainable development or meet the minimum requirement of Code Level 4 of the Code for Sustainable Homes. As such, it is considered the proposal would fail to accord with Policy D1 of the Eastbourne Core Strategy and the Sustainable Building Design Supplementary Planning Document.

Highway Considerations

Policy TR11 of the Eastbourne Local plan states that new development must comply with approved maximum car parking standards as set out in the East Sussex County Council Highways SPG parking standards.

Policy H06 states that within primarily residential areas planning permission will be granted for infill residential development, where it can be satisfactorily demonstrated that provision of adequate car parking would be provided.

East Sussex parking standards would require 2 off street or allocated parking spaces for a 3 bed house which would result in a provision of 4 spaces in total for both houses.

The submitted Design and Access statement states that the proposal would provide 2 off street parking spaces for each house. The proposed layout plans clearly show 1 car on each driveway and there would fail to be sufficient space to accommodate 2 cars in total. In addition, the provision of a crossover to serve the existing house at no.72 would remove an existing on-street parking space. In the absence of any details of overnight on-street parking capacity in the area, it is considered that the proposal is likely to add to existing on-street parking stress in the evenings and weekends.

As such, it is considered that the proposal would be contrary to Policy TR11 of the Eastbourne Borough Local Plan and East Sussex County Council parking standards SPG.

Affordable Housing

Policy D5 seeks to deliver housing within the sustainable centres and sustainable neighbourhoods and must take appropriate account of the need identified in the most up-to-date strategic housing market assessment with particular regard to size, type and tenure of dwellings. All development will be required to contribute towards affordable housing where there is a resultant net gain of 1 or more residential units (C3 Use Class).

The proposal would involve a net gain of 1 residential unit within a high value neighbourhood which would trigger a requirement of a commuted financial contribution towards affordable housing. As refusal of planning permission is recommended, this would not be applicable in this instance.

Human Rights Implications:

It is considered that the proposal would have adverse impacts on the amenities of nearby residents and would not have any negative impact on human rights, equality and diversity.

Conclusion:

It is considered, therefore, that the proposed 2 storey house within the side garden of no. 72 Sancroft Road is ill-conceived and would fail to address any of the constraints or amenity value of the site in this prominent location. It would unacceptably dominate this constrained corner site, requiring significant alterations to the site to facilitate the development. As such, it is considered that the proposal is inappropriate, unsympathetic, would fail to harmonise with the character and appearance of the local area and would harm the local area as a result, contrary to Policies UHT1, UHT4 and HO6 of the Eastbourne Local Plan and Policies B1 and B2 of the Eastbourne Core Strategy and the National Planning Policy Framework.

The potential loss of the existing trees, bushes and planting at the site and the open nature of the garden on this sweeping corner on a prominent junction would significantly harm surrounding visual and environmental amenity of existing and

future residents contrary to Policies H06 and HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

The application has not been accompanied by any justification that the proposed development would address principles of sustainable development or meet the minimum requirement of Code Level 4 of the Code for Sustainable Homes. As such, it is considered the proposal would fail to accord with Policy D1 of the Eastbourne Core Strategy and the Sustainable Building Design Supplementary Planning Document.

With regard to Highway issues, the proposal would fail to provide 2 off-street parking spaces for each of the proposed and existing houses contrary to Policy TR11 of the Eastbourne Borough Local Plan and East Sussex County Council parking standards SPG.

Recommendation: Refuse

Reasons for refusal:

1. The proposed development is considered unacceptable by virtue of its excessive footprint and massing which would dominate this constrained corner site, requiring significant alterations to ground levels to facilitate the development. As such, it is considered that the proposal would be inappropriate, unsympathetic and would fail to harmonise with the character, appearance and development pattern of the local area contrary to Policies UHT1, UHT4 and HO6 of the Eastbourne Local Plan and Policies B1 and B2 of the Eastbourne Core Strategy and the National Planning Policy Framework.

2. The proposed development would significantly harm surrounding visual and environmental amenity of existing and future residents by virtue of its inappropriate and obtrusive siting resulting in the potential loss of existing trees, bushes and planting and the open nature of the garden on this sweeping corner on a prominent junction. As such, the proposal would be contrary to Policies H06 and HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

3. The proposed development is considered unacceptable by virtue of its failure to provide sufficient off-street parking spaces for the proposed and existing houses which is likely to add to increased overnight on-street parking stress in the local area and highway safety concerns on a busy junction. As such, the proposal would be contrary to Policy TR11 of the Eastbourne Borough Local Plan and East Sussex County Council parking standards SPG.

4. It has not been demonstrated that the proposed development would address principles of sustainable development or meet the minimum requirement of Code Level 4 of the Code for Sustainable Homes. As such, it is considered that the proposal is unacceptable and fails to accord with Policy D1 of the Eastbourne Core Strategy and the requirements of the Sustainable Building Design Supplementary Planning Document.

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

Agenda Item 9

App. No: 130442	Decision Due Date: 12 September 2013	Ward: Sovereign
Officer: Ray Deans	Site visit date: Numerous	Type: Planning Permission
Site Notice(s) Expiry date: 28 August 2013 Neigh. Con Expiry: 27 August 2013 Weekly list Expiry: 3 August 2013 Press Notice(s): 3 August 2013		
Over 8/13 week reason: Major application requiring detailed internal and external consultation and the detailed evaluation of the submitted scheme and associated documentation		
Location: Atlantic Drive, Site 3, Land rear of 29 The Waterfront		
Proposal: Proposed Fishing Quay comprising of buildings with storage and chiller Space and office accommodation to upper floors and separate Visitor Centre.		
Applicant: Mr G Doswell, Eastbourne U10 Fishermen CIC		
Recommendation: Approve subject to conditions		

Executive Summary:

The proposal represents a sustainable form of development as it provides purpose built accommodation to meet the needs of the fishermen within the heart of the Harbour and also provides enhanced facilities for local residents and visitors.

The proposals will have no detrimental impact on the visual amenities of the locality and will result in improvements to the appearance of the site.

The proposals are acceptable in terms of their impact on the highway network.

The development will have no significant detrimental effects on the amenities of occupiers of surrounding residential properties.

For the above reasons, the proposals are acceptable and conform with all relevant planning policies.

Planning Status:

- Archaeological Notification Area
- Within 250 Metres of a Former Landfill Site

- Tidal Flood Zone 3a

Relevant Planning Policies:

The **National Planning Policy Framework** (NPPF) was published in March 2012 and supersedes Planning Policy Guidance Notes and Planning Policy Statements and provides a concise policy document. The NPPF introduces a '*presumption in favour of sustainable development*' although it still requires proposals to be determined in accordance with the development plan.

The **Eastbourne Core Strategy Local Plan** (2013) was adopted by the Council in February 2013 and the following policies are considered relevant to this application:

- Policy B1 Spatial Development Strategy and Distribution
- Policy B2 Creating Sustainable Neighbourhoods
- Policy C14 Sovereign Harbour Neighbourhood Policy
- Policy D2 Economy
- Policy D8 Sustainable Travel
- Policy D10a Design

The following 'saved' policies of the **Eastbourne Borough Plan** (2003) are considered to be relevant to this application:

- Policy NE15 Protection of Water Quality
- Policy NE16 Development Within 250 Metres of a Former Landfill Site
- Policy NE28 Environmental Amenity
- Policy UHT1 Design of New Development
- Policy UHT2 Height of Buildings
- Policy UHT4 Visual Amenity
- Policy UHT7 Landscaping
- Policy HO2 Predominantly Residential Area
- Policy HO20 Residential Amenity
- Policy TR2 Travel Demands
- Policy TR6 Facilities for Cyclists
- Policy TR7 Provision for Pedestrians
- Policy TR11 Car Parking
- Policy US3 Infrastructure Services for Foul Sewage and Surface Water Disposal
- Policy US5 Tidal Flood Risk

Supplementary Planning Documents

Sovereign Harbour Supplementary Planning Document (SPD) (2013)

The Sovereign Harbour SPD provides detail to the Eastbourne Core Strategy Local Plan Policy C14 in order to guide development and ensure that new and improved community facilities are at the heart of future building plans.

Sovereign Harbour is identified in the Core Strategy Local Plan as a Sustainable Centre and sets a vision and policy for the Sovereign Harbour Neighbourhood (Policy C14), which is a priority location for balanced housing growth alongside delivering significant improvements to the provision of community facilities and services and improving linkages.

The SPD provides a detailed strategy for the implementation of the policy by providing guidance on the uses considered to be appropriate for each of the remaining development sites at Sovereign Harbour, including details of the size, scale and form of development and the specific community benefits to be delivered.

The SPD identifies the application site as Site 3 – rear of The Harvester pub/restaurant. The Vision for this site is as follows:

'There is an opportunity to provide enhanced, permanent facilities for the fishermen on this site with appropriate storage. In addition, the provision of a new pedestrian link between The Waterfront and Atlantic Drive, via a new harbour walkway is likely to result in the site becoming more of a destination. It is therefore envisaged that alongside the fishermen, other ancillary and associated uses, such as a fresh fish shop could be provided, to the benefit of residents, visitors and Eastbourne's fishing community.'

The SPD acknowledges that one option for Site 3 is for the fishermen to continue using it to store their equipment, park their vehicles and land their catch. The site is screened from The Waterfront so the current use has no detrimental impact on visual amenity. In addition, the West Channel is one of only two places in the Harbour (the other being adjacent to Site 4) that has deep water and can allow large fishing vessels to pull up against the Harbour walls.

It is understood that it was originally intended for the fishermen to be located in the inner basin of the Outer Harbour, however this would require substantial works to be undertaken which would involve dredging the Outer Harbour, providing pontoons and access to the higher level spit. Bearing in mind the costs likely to be associated with these engineering works, it is considered unlikely that the fishermen would be able to relocate to the Outer Harbour.

The SPD confirms that the preferred option for Site 3 is to provide a permanent home for the fishermen to enable them to land their catch and to store their equipment. In addition, it is considered the site would also be suitable for associated and ancillary uses such as net shops.

National Planning Policy Framework (NPPF)

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

Site Description:

The application site has an area of approximately 0.32 hectares and is located at the rear of the Harvester pub/restaurant at The Waterfront.

The site which is essentially rectangular in shape, extends to a maximum width of 110 metres and a maximum depth of 41 metres.

The site, which is owned by Sovereign Harbour Limited and leased to Premier Marinas, is currently used by fishermen for the storage of equipment and parking of their vehicles and a number of their boats are moored immediately adjacent to the site. The fishing fleet consists of some 32 boats and employs up to 65 fishermen, 40 full time and 25 seasonal workers.

The southern boundary of the site adjoins the West Channel of the Harbour with three storey terraced residential properties on the opposite side of the channel. The northern boundary of the site adjoins the service road at the end of Atlantic Drive which provides vehicular access to the site and delivery access for The Waterfront premises.

Whilst Site 3 is centrally located within Sovereign Harbour and is accessible by many residents, it does not occupy a prominent position, being sited at the rear of The Waterfront and backing on to the service areas of the adjacent bars and restaurants.

Pedestrian linkage from The Waterfront is currently constrained by the existing layout around the West Harbour Bridge with a reduced width, changes in level and a lack of clear line of sight.

Relevant Planning History:

The original outline planning permission for the harbour development, comprising a comprehensive mixed use development for residential, commercial business, hotel, leisure and retail, including the construction of harbours and associated works was granted in 1988, following the completion of legal agreements (EB/86/431). The current application site was included in this original outline approval.

An application for approval of reserved matters was submitted in 2006 for the erection of 8 No. 1 bedroom flats, 8 No. two bedroom flats, 4 No. three bedroom houses and 3 No. four bedroom houses with associated parking. Approval was sought for the siting, design, external appearance, landscaping and means of access pursuant to the outline planning permission EB/86/431.

The application was recommended for approval, but was refused by the Planning Committee in August 2006 for the following reason:

'That the proposal represents an undesirable form of development, which by reason of its size, scale and form would result in an unacceptable over-

development of the site and would be detrimental to the amenities of occupiers of surrounding residential properties. As such the proposed development would be contrary to Policies UHT1 and HO20 of the Eastbourne Borough Plan 2001-2011.'

Proposed development:

Planning permission is sought for the complete redevelopment of the site, transforming it from a makeshift storage and shipping area to a fully functioning fishing quay.

The main driver for the scheme is to provide a suitable and sustainable place for the fishing fleet to land their catch and store fish and shellfish prior to sale.

The development will involve the erection of three buildings on the site. Two buildings will be used for storing equipment, storage and preparation of fish as well as other associated uses on the ground floor and office space on the upper floors. The third building is proposed to be a Visitor Centre which will be used to promote fishing as a sustainable local industry and educate visitors about the history of the fleet, the harbour and the significance of fishing in general.

Building 1 will be the most important for the scheme. This building will house the majority of the chillier equipment, cold room, fish preparation areas and storage.

Building 2 will be the largest building on site and will contain storage on the ground and first floors with office space provided on the second floor.

The Visitor Centre will be connected to Building 1 in order to provide a view into the storage and preparation area. There will be open display space and other spaces for the use of training and education.

The proposal has been designed to meet the particular needs of the fleet as well as producing buildings that are well designed, with their own architectural merit.

The buildings take design inspiration from the traditional coastal fishing buildings with the use of 'boarded' elevations, as well as more contemporary architecture. The use of modern composite cladding will reflect the timber cladding used in traditional quay side buildings and net shops.

The Visitors Centre will have a contemporary design with a flowing 'wave' roof which creates shaded glazed elevations, coupled with elevations constructed and clad like the other buildings.

The design of the buildings allows them to be adaptable in order to be altered as the needs of the fishing fleet change. Essentially an open super-structure with clear spans and sympathetic cladding means that in years to come the buildings could be completely altered if the needs of the fleet change. This should enhance the lifetime of the development and ensure its viability for many years to come.

The proposal includes the creation of formal on site parking for use by the fishing fleet as well as the creation of additional disabled parking spaces and cycle storage.

To the rear of the site adjacent to Atlantic Drive it is proposed to provide 10 parking spaces and 3 disabled bays. There will also be adequate space to park the crew's trucks on the quay side in a similar fashion to the way they currently do.

It is not envisaged that there will be a large increase in traffic. The development of the quay will make the fishing operations more efficient.

The proposal will also include improved pedestrian access between The Waterfront and Atlantic Drive by way of a raised path way running in front of the proposed buildings. This will offer improved views of the waterside and enable visitors to observe the fishermen at work.

The application site is essentially an unmade yard at present with no landscaping. The level changes, proposed landscaping and street furniture will improve the character and appearance of the site.

An Ecology Assessment has been submitted with the application and confirms that the site is 'insignificant' in terms of ecology.

A Flood Risk Assessment has been submitted with the application and confirms that the development is 'Water Compatible' and 'not significant' in terms of flood risk.

Applicant's Points:

- The Eastbourne fishing fleet currently run 32 boats and employ up to 65 people. Annually the fleet land fish and shellfish worth between £1.8 - £2 million
- The proposed development will offer additional employment opportunities on shore. The jobs available on the quayside directly linked to the fleet, will range from fish preparation to the management and maintenance of the quay
- The new facilities will allow the fleet to begin catching Sprat and Herring and most significantly Spider Crabs and Velvet Crabs. The prominence of shellfish and its added value offers greater potential to create more jobs and more money. These species aren't hugely popular in the UK and will for the most part be exported to Europe or further afield. Rough projections suggest that around 100 tonnes of Spider crab could be landed in Eastbourne at a value of around £170,000
- The proposals include the construction of safe, flat hardstanding for stacking and carrying materials safely around
- The proposals will remove the sloping unfinished ground from the site
- Adequate drainage will be provided as the site is currently prone to puddling and in winter the site ices over
- Currently there isn't any suitable lighting on site, and the fishermen have to provide their own lights due to the hours they have to work

- Many of the fishermen work with the seasons and use different equipment at different times of the year. The proposed development will provide enclosed storage sheds for storing a variety of different kit and equipment. Being able to stow this equipment away when not in use will significantly reduce the visual clutter that is currently seen on the site
- There are currently no cold storage facilities on the site and this is one of the most important aspects of the proposals
- There is currently no facility to make or keep ice on the site
- There are no welfare facilities on site. The fleet has a great desire to improve their working conditions and the proposed development will provide toilets and showers
- Working hours are obviously a concern to local residents when proposing a scheme of this type. The use is established; the majority of boats start at 5 am and return around 2-3 pm. Work then continues on shore. Most are finished by 5 pm. There are exceptions notably quick shooting for soles, which start at midnight and most boats are finished by 8 am. Bass drifting takes place at night starting at 4-5 pm and continuing till 8 am. On windy days most crew and skippers will work on the quay performing maintenance and repairs to both boats and gear, this is from 8 am to 5 pm
- Deliveries and collection times are normally kept between 8am and 8pm
- The fleet causes minimal disturbance and the residents are used to the noise levels the fleet generate.

Consultations:

Southern Water raises no objection to the proposals however they advise that if permission is granted then the following informative should be attached.

'A formal application for connection to the public sewerage system is required in order to service the development, please contact Atkins Ltd, Anglo St James House, and 39A Southgate Street Winchester.'
(Memo received 21/08/2013)

Sovereign Harbour Residents Association have written in support of the application and have confirmed the following:

'A major justification for the Eastbourne Harbour Act which became law in 1980, was that the harbour would provide a permanent home for the Eastbourne fishing fleet. It is sad that 30 years after the Act was passed by Parliament, this objective has still not been fulfilled.

After many years of being pushed from one temporary site to another, it is of great credit to the fishermen that they are now working together to establish that permanent home. It is also of great credit that they plan to construct and finance the scheme with their own resources and management company.

The design of the buildings and associated landscaping proposed are entirely appropriate for the intended purpose and also attractive and innovative.

One of the harbour's least attractive sites will be transformed into a commercial area of great significance. When complete the development will provide security for the fishermen and provide ancillary jobs for local people. It will enhance the Waterfront offering and attract tourists and visitors to the area. The increased business activity will benefit the local economy and the economy of Eastbourne in general.

Concerns have been raised that local residents could be subjected to increased levels of noise. However it seems likely that having purpose built facilities and carefully controlled access to the site will probably result in reduced impact on residents.

Overall the benefits of the proposed development heavily outweigh any possible disadvantages.

The Sovereign Harbour Residents Association have therefore no hesitation of giving this application their full support.'

Neighbour Representations:

One letter of objection and two further letters expressing concern have been received from local residents and the comments made are summarised below:

- Concerned for residents in Daytona Quay and would not want to see visitors' cars parking in residential streets.
- Restrictions on trading hours should be put in place to ensure no noise nuisance for residents.
- Biggest concern is noise pollution. Some fishing boats are extremely noisy and some boats are unloaded directly into large refrigerated trucks that frequently arrive hours before the boats arrive and the engines are left running. It is extremely noisy and disturbs sleep. Another major source of noise relates to the power washing of the lobster pots.
- Proposed refrigerated storage unit must be silent.
- There is a constant smell of fish which is unpleasant.
- An extension to The Harvester restaurant would be a better use of the site.
- Operating times of stalls needs to be strictly enforced.
- Adequate washing down facilities need to be in place to ensure material is not washed into canals, polluting them and attracting seagulls.
- Storage of waste should be kept enclosed to deter vermin and seagulls.

In addition comments have been received from five local residents in support of the proposals and the comments made can be summarised as follows:

- The fishermen and boats are very important to the enjoyment of the harbour.
- The proposed development will enhance the attractiveness and success of the harbour.
- Particularly welcome the idea of the learning centre as well as the opportunity to buy fresh fish locally.

- There are no negatives with this application. It will tidy up an eyesore site and enhance the general environment as well as securing the base for the long established fleet.
- The Visitor Centre should bring economic benefit to the whole area.
- Development will enhance the appearance of the harbour to residents and visitors alike.

Appraisal:

The main issues to consider in the determination of this application are as follows:

- The principle of the development having regard to the existing use of the site
- The principle of the development having regard to the Development Plan, national policy and other material planning considerations
- The effect the proposed development will have on the visual amenities of the locality
- The effect the proposed development will have on the amenities of occupiers of surrounding residential properties
- Highways and parking considerations
- Other material considerations

The principle of the development having regard to the existing use of the site

The site is currently occupied by the Eastbourne U10 Fishermen CIC. The fleet consists of some 32 boats and employs up to 65 fishermen; 40 full time and 25 seasonal workers.

The site is currently used for the storage of fishing equipment and the landing of catch. The site is open and there are currently no buildings; just an open yard with no services or hardstandings.

The proposal is for a mixed use redevelopment of the site primarily for the use of landing and preparing fish and shellfish, along with safe and secure storage for fishing equipment. The proposal includes provision of a Visitor Centre in order to promote fishing as a sustainable local industry and educate visitors about the history of the fleet, the harbour and the significance of fishing in general.

Having regard to the existing use of the site, the principle of the proposed development is considered to be acceptable.

The principle of the development having regard to the Development Plan, national policy and other material planning considerations

Section 38(6) of the Planning and Compulsory Purchase Act (2004) outlines that a planning application should be determined in accordance with the Development Plan, unless other material planning considerations indicate otherwise. The principle of development will therefore firstly be considered in line with Eastbourne's Development Plan which consists of the adopted Core Strategy Local Plan (2013) and saved policies of the Eastbourne Borough Plan (2003).

Consideration will then be given to national policy contained in the National Planning Policy Framework and then other material planning considerations, to indicate whether a departure should be made from the Development Plan.

Development Plan

Sovereign Harbour is identified in the Eastbourne Core Strategy Local Plan as a Sustainable Centre and sets a vision and policy for the Sovereign Harbour Neighbourhood (Policy C14), which is a priority location for balanced housing growth alongside delivering significant improvements to the provision of community facilities and services and improving linkages.

The proposed development which will include the provision of a Visitor Centre and shops selling fresh fish will provide improved facilities for the local community. It will also provide employment opportunities for local people and will result in an improved linkage between The Waterfront and Atlantic Drive. For these reasons it is considered that the development will contribute to the Core Strategy Local Plan Vision for Sovereign Harbour as a Sustainable Centre.

The proposal contributes to sustainable development (Policy D1 of the Core Strategy Local Plan) by delivering some employment opportunities and improving the provision of services and facilities within the Sovereign Harbour neighbourhood.

In accordance with Policies B2: 'Creating Sustainable Neighbourhoods', and D8: 'Sustainable Travel', the site is considered to be sustainable, as a large number of visitors to the site will arrive on foot. The site will also become increasingly accessible by public transport with the planned bus link between the North and South Harbour areas.

The site currently provides no formal parking however the proposal will result in 10 on site car parking spaces, three disabled parking spaces and cycle parking. In addition, the fishermen will still be able to park their vehicles adjacent to the quayside.

The proposed development also complies with the following saved Policies of the Eastbourne Borough Plan:

- UHT1 Design of New Development
- Policy UHT2 Height of Buildings
- Policy UHT4 Visual Amenity
- Policy UHT7 Landscaping
- Policy HO20 Residential Amenity
- Policy TR6 Facilities for Cyclists
- Policy TR7 Provision for Pedestrians
- Policy TR11 Car Parking
- Policy US5 Tidal Flood Risk

The height, design, scale and landscaping of the proposed development is considered to be acceptable and will result in improvements to the visual amenities of this part of Sovereign Harbour.

The proposed development will not result in any significant detrimental effects on the amenities of occupiers of surrounding residential properties and this will be discussed in more detail below.

The development provides adequate car and cycle parking and is further served by the nearby Waterfront car park.

The submitted Flood Risk Assessment confirms that the development is 'water compatible' and is 'not significant' in terms of flood risk.

National Planning Policy Framework (NPPF)

Relevant policies of the NPPF which should be considered as part of the planning application include:

1. Building a strong, competitive economy

Para. 19 - Significant weight should be placed on the need to support economic growth through the planning system.

Para. 21 - Support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area.

7. Requiring good design:

Para 58. - Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks'

8. Promoting healthy communities

Para 70. - Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.

Sovereign Harbour Supplementary Planning Document (SPD)

The Sovereign Harbour SPD confirms that the preferred option for Site 3 is to provide a permanent home for the fishermen to enable them to land their catch and to store their equipment. In addition, it is considered the site would also be suitable for associated and ancillary uses such as net shops.

Summary

To conclude from a planning policy point of view, the proposal:

- is well integrated within Sovereign Harbour
- the site is already being used by the fishermen

- promotes the development of services accessible to the local community
- is of economic benefit to the local neighbourhood
- is considered sustainable development and conforms with both the Development Plan and national policy contained in the NPPF.

In summary, given that the proposal accords with the Development Plan and the NPPF there are no planning policy objections to the proposed development.

The effect the proposed development will have on the visual amenities of the locality

There are currently no buildings on site. The sloping site is currently used as an open yard with outside storage of the fishermen's equipment.

The application site is currently one of the harbour's least attractive sites and it is considered that the proposed development will transform the appearance of the site with the provision of attractive modern buildings. Furthermore, it will enhance The Waterfront offer and attract tourists and visitors to the area.

The design of the new buildings is considered to be wholly appropriate for the location as they reflect the appearance of traditional quayside buildings and the provision of the proposed Visitor Centre with its contemporary design will reflect the character and appearance of other modern buildings in the Harbour.

For these reasons it is considered that the proposals will have a significant positive effect on the visual amenities of the locality.

The effect the proposed development will have on the amenities of occupiers of surrounding residential properties

The comments made by residents relating to the following concerns are noted:

- Noise nuisance caused by the fishermen and their boats
- Noise from refrigerated vehicles visiting the site
- Noise related to the power washing of the lobster pots
- Proposed refrigerated storage unit must be silent
- There is a constant smell of fish which is unpleasant
- Adequate washing down facilities need to be in place to ensure material is not washed into canals, polluting them and attracting seagulls
- Storage of waste should be kept enclosed to deter vermin and seagulls

Considering each of the comments in turn, it is considered that the noise associated with the boats is unavoidable and the fishermen already operate from the site. However the documents that have been submitted with the application confirm that there is no intention to increase the size of the fleet, and as such there will be no increase in the noise associated with the boats.

It is acknowledged that large refrigerated lorries currently visit the site and often leave their engines running. However the proposed development will have its own

refrigeration facilities which will mean the refrigerated lorries will no longer have to access the site.

The purpose built facilities will enable the fishermen to clean and repair their equipment inside rather than outside on the quayside. The buildings will also allow the fish to be prepared inside. This should result in a significant reduction in the noise, disturbance and odours that are currently experienced by local residents.

Furthermore, it is recommended that a condition is attached to any grant of consent to control any noise associated with any plant or equipment on site so there will be far more control over noise than there is now.

Finally, it is proposed to have an enclosed refuse/waste store within a secure compound and the Waste Minimisation Statement that accompanied the application confirms that the waste will be dealt with as follows:

Cardboard - allocated bins specifically for cardboard will be sited within the waste compound.

Nylon – off-cuts of nylon nets can be quite springy and take up a lot of space, so the fleet plan to invest in a baler in order to reduce the space taken up by these off-cuts. The bales can then be easily stacked then taken off to be recycled.

Fish offal - the fishing quay will have a certain amount of fish processing on site; the fear of this can be an unpleasant odour permeating from the waste compound. This waste is actually a valuable commodity; the strategy for all of this material is to recycle it into bait. This will be kept to one side in the on-site refrigeration facility, then taken to sea each morning. Little or no organic waste from fish processing will be sent to landfill.

General waste - it is inevitable that general waste will be produced. Where possible plastic and glass will be separated, but the remaining waste will have to be collected in bins by contractors who will have a duty of care to dispose of the waste responsibly.

Therefore to conclude, it is acknowledged that a few residents have expressed concerns that they could be subjected to increased levels of noise. However it is considered that having purpose built facilities and carefully controlled access to the site will be likely to result in a reduced impact on residents. The proposed development is therefore considered to be acceptable in terms of its effect on the amenities of occupiers of surrounding residential properties.

Highways and parking considerations

The current site has little in the way of facilities and there are no formal parking arrangements. Parking is currently provided on a first come first served basis.

The proposed development stands to benefit from the provision of dedicated on site car and cycle parking.

The site is in close proximity to the Sovereign Harbour Retail Park and the car park serving The Waterfront and these areas have good pedestrian linkages to the application site. In addition, a new pedestrian walkway is to be provided alongside the Harvester to provide visitors and residents the opportunity of viewing the fishermen at work.

The site is currently used by the fishermen each day. Eight or nine pick-up trucks park on the site while the crews are at sea. Most crews operate an informal truck sharing scheme in order to reduce the number of vehicles that need to park on the site. The majority of the crew members are picked up and dropped off at home.

The site is currently served by trucks and lorries at intervals throughout the week. 2/3 vehicles up to a maximum of 7.5 tonnes visit the site each day to make collections. Around once a week an articulated lorry will visit to collect other catch. The remaining catch is transported away in the crew's trucks.

The times when the collection vans and lorries can visit the site is limited to 8am-8pm each day.

The largest vehicle to visit the site is a 44 tonne articulated lorry, which currently has to reverse across the unmade ground of the site.

The proposal includes the creation of formal on-site parking for the use of the fishing fleet as well as the creation of additional disabled parking spaces and cycle storage.

To the rear of the site adjacent to Atlantic Drive the formation of 10 parking spaces and 3 disabled bays will be provided. There will also be adequate space to park the crew's trucks on the quayside in a similar fashion to the way they do now.

The scheme will also benefit from the proposed bus link between the North and South Harbour areas.

It is considered that the proposal will not lead to a significant increase in traffic movements using Atlantic Drive. The development of the quay will make the fishing operations more efficient, and the aim isn't to drastically increase the size of the catch as there is a limit to what can be caught by the 32 boats that operate from the quay. The fleet will not increase in size, so the number of fishermen will stay the same.

The main increase in vehicle traffic is likely to be attributed to those visiting the site. The fishing quay and Visitor Centre will hopefully become a significant draw in terms of tourism. However as detailed above, the additional traffic generated should have minimal impact due to the established use by the fishing fleet as well as the established car parking at the Retail Park and The Waterfront.

Therefore, the traffic impact of the proposal should be minimal as there is already an established use on site. The development provides improvements in terms of efficiency and not an increase in traffic.

The office space and Visitor Centre has the potential to increase vehicle traffic in the area, however this is likely to be minimal. A small number of staff will be able to park on site, but the majority of visitors will be expected to use the existing Waterfront car park.

Therefore in light of the above, the proposed development is considered to be acceptable in highway and parking terms,

Other material considerations

The site currently has no drainage facilities and is prone to puddling, and in the winter the site ices over. As part of the development it is proposed to provide a full drainage scheme.

An Ecology Assessment has been submitted with the application and confirms that the site is 'insignificant' in terms of ecology.

A Flood Risk Assessment has been submitted with the application and confirms that the development is 'Water Compatible' and "not significant" in terms of flood risk.

In terms of energy efficiency, the new buildings have been designed to achieve BREEAM 'very good', in line with policy, and will incorporate sustainable design and construction methodologies and other techniques to improve energy efficiency.

Conclusion:

The proposals represent a sustainable form of development as they will transform a currently unattractive site into an enhanced facility not only for the fishing fleet but also for residents and visitors. It is considered that the new fishing quay will become a new destination to contribute to the 'offer' already available at The Waterfront.

The proposals will have no detrimental impact on ecology or the visual amenities of the locality.

The proposals are acceptable in terms of their impact on the highway network.

Finally, subject to conditions being attached to any grant of consent to manage the construction process and to ensure any plant or equipment does not cause a noise nuisance, the proposals will have no detrimental impact on the amenities of occupiers of surrounding residential properties.

For the above reasons, the proposals are acceptable and conform with all relevant planning policies.

Human Rights Implications:

It is considered that the proposal would not affect the rights of occupiers of surrounding residential properties to the peaceful enjoyment of possessions and

protection of property. Furthermore the proposals will not result in any breach of the Equalities Act 2010.

Recommendation:

That planning permission be granted subject to the following conditions:

- (1) Commencement of development within three years
- (2) Drawing Nos. of approved plans
- (3) Samples of all materials
- (4) Further details of building operations
- (5) Submission and approval of a Construction Environmental Management Plan
- (6) Submission and approval of a Construction Traffic Management Scheme
- (7) Programme of archaeological works
- (8) Site contamination
- (9) Drainage Strategy (surface water, use of SuDs and foul)
- (10) Lighting Strategy
- (11) Refuse and recycling details
- (12) Landscaping details
- (13) Boundary treatment details
- (14) Car parking spaces to be provided
- (15) Cycle parking
- (16) No building to be occupied until certificate has been issued certifying BREEAM rating of 'Very Good'
- (17) Method statement for handling unspecified contamination
- (18) Wheel washing facilities on site
- (19) Restriction of external noise levels
- (20) Hours of building operations
- (21) No burning of waste on site
- (22) Servicing details
- (23) In accordance with FRA
- (24) Details of all plant and machinery (e.g. air conditioning, refrigeration units, extraction system) including predicted noise levels
- (25) Construction access details and details of location and size of any temporary structures
- (26) Details of directional signage
- (27) Foundation design
- (28) Details of any temporary structures/hoardings
- (29) Finished floor levels and Details of any changes to site levels to be provided prior to commencement on site
- (30) Bird deterrent measures

Informatives:

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewerage capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd, Anglo St James House, 39a Southgate Street, Winchester, S023 9EH, (tel: 01962 858688) or www.southernwater.co.uk.

SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reasons:

The proposals represent a sustainable form of development as it will result in improved facilities for the local fishing fleet and will provide enhanced facilities for residents and visitors in a sustainable location.

The proposed development will have no significant detrimental effect on the wider visual amenities of the locality, the highway network or residential amenity and therefore conforms with all relevant planning policies.

Appeal: Should the applicant appeal the decision the appropriate form, 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: 130515 (PPP)	Decision Due Date: 18 November 2013	Ward: Hampden Park
Officer: Anna Clare	Site visit date: 11 September 2013	Type: Planning Permission
Site Notice(s) Expiry date: 13 September 2013 Neigh. Con Expiry: 13 September 2013 Weekly list Expiry: 29 August 2013 Press Notice(s):		
Over 8/13 week reason: Brought to Planning Committee within Statutory Time Frame.		
Location: Gateway Christian Church, Frenchgate Road, Eastbourne		
Proposal: Demolition of existing buildings, removal of temporary buildings and sheds and the erection of a new church and community centre, including external works.		
Applicant: Mr Clive Harrison		
Recommendation: Grant planning permission subject to conditions.		

Executive Summary:

The proposal represents a sustainable form of development as it provides purpose built accommodation to meet the needs of the church and will also provide enhanced facilities for community uses.

The proposal is a modern design which will have no detrimental impact on the visual amenities of the locality or significant impact on surrounding residential properties and will result in improvements to the appearance of the site.

The proposals are acceptable in terms of their impact on the highway network.

Relevant Planning Policies:

Eastbourne Core Strategy Policies:

B2 Creating Sustainable Neighbourhoods
C7 Hampden Park Neighbourhood Policy
D1 Sustainable Development
D7 Community, Sport and Health
D8 Sustainable Travel
D10A Design

Saved Borough Plan Policies

NE16: Development within 250 Metres of a Former Landfill Site

NE17: Contaminated Land

NE18: Noise

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

UHT7: Landscaping

HO2: Predominantly Residential Areas

HO7: Redevelopment

HO20: Residential Amenity

TR6: Facilities for Cyclists

TR11: Car Parking

TR12: Car Parking for Those with Mobility Problems

National Planning Policy Framework 2012

7. Requiring good design.

8. Promoting Healthy Communities.

Site Description:

The site is located on the corner of Frenchgate Road and Lottbridge Drive, in Hampden Park. The existing buildings on site are ad-hoc and consist of the original Frenchgate Chapel, a pair of semi-detached houses, a relatively new entrance linking the two together and a portable building and two sheds at the rear of the site.

The site has been a church for many years, with the original Frenchgate Chapel dating from around the 1930's. The surrounding area is residential, with predominantly two storey dwellings of varying designs. The site is situated within a sustainable location with Hampden Park train station nearby and a bus route running along Lottbridge Drive.

Relevant Planning History:

Planning permission was granted in 1999 (Ref: EB/1999/0217) for the redevelopment of the site, at this time the site did not include both of the semi-detached properties 66 and 68 Lottbridge Drive and therefore the proposed church was contained to the frenchgate street elevation, with off street parking to the front and rear of the site. This proposal included a two storey octagonal tower with No.66 Lottbridge Drive retaining the visual appearance externally however linked with the church internally.

This application lapsed, and a further application for a similar scheme with some minor alterations to the external appearance, was submitted and approved in 2004 (EB/2004/0564). However, this permission also lapsed in 2009.

Proposed development:

The proposed development consists of the demolition of all buildings on site; and the redevelopment of the site to provide a replacement purpose built church with

office, classroom and meeting room facilities with four parking spaces, plus one additional disabled parking space provided with access onto Frenchgate Road.

The proposal also includes a separate Police support office with its own external entrance, providing a permanent Police presence. The Church currently has a facility for the Police, which the Applicant confirms is used as a facility on a regular basis.

A large main entrance with multi-purpose foyer and reception room is proposed; the external area to the main entrance is proposed to be paved with some soft landscaping provided.

Consultations:

External Consultee Responses:

Sussex Police (6 September 2013)

Write in support of the application stating it is widely agreed that promoting a visible public presence on the part of the Police reduces fear of crime and feelings of insecurity. Reasons why the proposal will benefit the community;

- *It will allow officers to have refreshment breaks in the community rather than returning to the main Police station.*
- *Neighbourhood Officers would be able to hold appointments in the office rather than homes where residents may be frightened of reprisals from neighbours etc.*
- *Police would be able to hold beat surgeries from the office, and crime prevention events directly in the neighbourhood.*
- *It would encourage the public to interact with the neighbourhood officers in a neutral building.*

Neighbour Representations:

44 Responses have been received from interested residents, from the surrounding area and further across Eastbourne.

7 Objections have been received raising the following points;

- Increase in demand for parking
- With a capacity of 289 where will people park with only 5 spaces provided.
- Lottbridge Drive is a busy Road and Frenchgate Road is a narrow residential street, clear parking proposals will be needed to maintain the flow
- Design is not in keeping with the area.

Objections specifically to note from;

2 Kingston Road which shares the sites northern boundary have raised an objection on the grounds the view from their kitchen window and natural light will be blocked by the proposed development

22 Frenchgate Close which shares the eastern boundary with the site comments on the application and specifically states they would not want access to the plot via the private garage area which adjoins the site to the east.

Whilst 37 comments in support of the application were received stating the following reasons;

- For the common good and care in our community.
- The development will benefit people of all ages.
- The new building will enhance the local surroundings.
- Will rejuvenate an area of Eastbourne in a positive way.
- The new building will improve the site in appearance and facilities available.
- Modern development, not too tall, fills the site well.
- Greater capacity to continue and provide additional community activities.
- Will improve the visual appearance of the area.
- The site is well served by public transport.
- Ideal location, wide roads allowing parking on both sides whilst allowing traffic to flow.
- Positive visual impact.
- Could become a landmark building, something the community could be proud of.
- The existing buildings are run down, the plans look energising for the area.
- Tasteful modern design.
- The hours the property will be used fall within sociable hours.
- The building has been designed to take into account the issues of both noise and light.
- A new building will attract more people in the community.
- The new building will give the community a real 'lift' in having a purpose-built centre for them to use.
- The design uses the available space in the best possible way, maximising the internal space.
- The police presence in the building will be beneficial to the community and add to the safety of the neighbourhood.
- Parking is not currently an issue.
- Hopefully the development will prompt some well needed regeneration to this part of Eastbourne.

Applicant's Points

- The Gateway Christian Church was formed in 2011 by the amalgamation of two existing church fellowships – Frenchgate Christian Fellowship and Edmond Evangelical Church (Previously located in Old Town).
- To have a church wishing to invest in the community is rare and the building itself aims to reflect its use.
- The Gateway Christian Centre aims to provide an inclusive building, providing flexible accommodation that can be adapted as required to suit changing needs.

- The new Gateway Centre will provide a high quality facility within Hampden Park, offering excellent facilities not only for the church congregation, but also for the community around.
- As the site is surrounded by housing it is considered necessary to keep the new building as low as possible, in order to minimise any overshadowing of the neighbouring properties, especially those to the north.
- A variety of roof planes creates an undulating, interesting form, without being excessively tall and also helps to break up the massing of the building. The use of clerestory glazing not only allows the new centre to benefit from high levels of natural light, but it also gives the building a light appearance and suggests that the roof is floating above the accommodation provided.
- In addition to the usual church activities, such as Sunday worship, the Gateway Christian Church offers activities during the week which are available to the local community as well as the church congregation.
- The proposed new building is contained within the site, and a margin has been retained around to the building to allow access for cycle storage, maintenance, refuse and recycling bins and fire escape routes. This margin also respects the neighbouring properties.
- The tallest part of the roof is at the corner of the two roads, which helps to announce the building at the focal point of the site, within its urban context.
- The proposal is to make this building as sustainable as is possible within the budgetary constraints of the client. The building fabric and energy consuming systems will be designed to minimise the usage of energy and related carbon emissions in the most appropriate way possible.
- A green travel plan has been provided as part of the application; this states that the church has a membership which is evenly spread across all generations. This should be taken into consideration when evaluating transport preferences and options. The Gateway Christian Church is committed to providing alternative modes of transport wherever possible, encouraging those who are local to walk and those who live further away to use public transport.

Appraisal:

Principle of Development

The use of the church is existing on site; the buildings are currently very ad-hoc with a modern entrance linking a pair of semi detached previously residential properties and the old chapel. The proposal is to replace the existing buildings with one purpose built church building to improve the facilities available. The existing buildings are of little character and the re-development of the site would greatly improve the visual appearance of this site which is situated within a prominent location.

The planning system can provide an important role in facilitating social interaction and creating healthy, inclusive communities. The NPPF in paragraph 70 states that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities (including meeting spaces and places of worship and cultural buildings) and other local services to enhance the sustainability of communities and residential environments; and ensure that facilities and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.

There is no doubt that the replacement building will provide significantly better facilities which will be available to the local community which is in line with the vision of the NPPF. The building has been designed to be passively solar efficient, and to reduce the need for air handling units all the spaces are designed to be natural ventilated. The site is sustainable in terms of location and proximity to public transport reducing the need for the private car. Policy B2 of the Eastbourne Core Strategy states that the sustainability of the neighbourhoods will be improved by addressing the issues specific to the individual communities, and encouraging links between the neighbourhoods; proposals will be required to meet the needs of the local community, provide services and facilities locally within reasonable walking distance, whilst protecting the residential and environmental amenity of existing and future residents. Additionally, Policy C7 of the Eastbourne Core Strategy 2013 outlines the vision for the Hampden Park neighbourhood, which will be promoted by increasing provision for facilities for children and young people.

Transport and Parking Issues

The site has 4 officially laid out parking spaces existing on site, with hardstanding which could accommodate further off-street parking spaces although there is no official drop curb to access the full hardstanding.

The proposal allows for 4 off street parking spaces, maintaining the current amount, with one additional disabled space all with access onto Frenchgate Road. The Applicant's Green Travel Plan which has been submitted in support of the application states that typically attendances for the Sunday service (although held off site since the amalgamation of the two churches) is around 80 to 100 adults and 20 to 30 children slightly more than the 70 to 90 who attended the previous Frenchgate Church.

Whilst a number of objections have been received in relation to parking and traffic issues, it is not considered that a refusal based on impacts of parking could be substantiated given the proposed development maintains 4 off-street parking spaces. Undoubtedly the development will increase the number of visitors with improved facilities and therefore a greater number of services provided, however it is not considered the visitors would dramatically increase to cause significant impacts on parking in the surrounding area. The site is located within a sustainable location, with good public transport links; the proposal also includes the provision of secure cycle parking which will encourage cycling by visitors. Lottbridge Drive is a wide residential road whilst there are some properties with drop-curbs facilitating off street parking, there remains a significant amount of space for on street

parking of vehicles without hindering traffic flow or safety. Frenchgate Street is more narrow and is less suited for on-street parking without causing traffic flow issues. However, planning cannot control where visitors park.

Impacts on Amenity of Surrounding Residential Properties

The proposed new building is contained within the site and a margin has been retained around the building to allow access for cycle storage, maintenance, refuse and recycling bins and fire escape routes. This margin also respects the neighbouring properties, and the set back will minimise the impact of the proposed building on surrounding properties in terms of appearance, and impacts on over shadowing.

No.2 Kingston Road which is located adjacent the site to the north have objected to the proposals on the grounds of the impact on their property in terms of outlook and light. This property was granted planning permission for a two storey side extension in 2006. The plans of this indicate that the window to the side elevation which would be most affected by the proposal is a secondary kitchen window. The original kitchen window faces out over the rear garden. The second window at ground floor level appears to serve the garage. The proposed building is set back 2m from the boundary here with the neighbouring property and is proposed to be 5m in height. The height and set back from the boundary are considered to minimise the impact on the neighbouring property. It is not considered that the proposed building will have a significant impact on this property in terms of over bearing or loss of light or outlook to warrant a refusal of the application on this ground.

Another neighbouring property No.22 Frenchgate Close which shares a boundary with the site to the east, have objected to the application. The site is defined from this neighbouring properties garage area which will adjoin this boundary and it is not considered as such that the proposal will have a significant impact on this property.

Design

The proposed building is a modern design, with the external walls finished in brickwork and the roof a standing seam zinc roof, in part proposed to be coloured red which gives a more dramatic appearance of the roof planes facing onto Lottbridge Drive.

Given the corner location, the site is approached from several directions, therefore has more than one elevation of importance visually. The building has been designed to provide a focal point at the intersection of the two roads, which is appropriate for its proposed community uses.

Policy C7 of the Eastbourne Core Strategy states that the vision for Hampden Park will be promoted by improving the public realm in residential and shopping areas to create a sense of place. The Government through the NPPF places great importance on the design of the built environment; paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively for making places better for people.

Policy D10A of the Eastbourne Core Strategy goes further to state that new development can be modern or based on historic forms but must respect, preserve or enhance local character. It is vital that design goes beyond the focus of the individual development and also takes account of sense of place, safety and security.

The design is proposed to be a landmark, visually drawing people to the site with the use of prominent design features and proposed red zinc roof to the auditorium. The surrounding area is residential, predominantly pairs of two storey semi-detached dwellings to Lottbridge Drive with brick ground floor and first floor render or cladding, and two storey terraced properties to Frenchgate Road with brick and tile cladding. The existing properties although fairly uniform are of no particular character. It is therefore considered that the design is appropriate to the setting, proposing a modern development a focal point within the residential area in line with national and local policy.

Flood Risk

The site is situated within a flood risk area, the proposal to re-develop the existing buildings on the site, given there is no additional hardstanding it is considered there are no additional risks in terms of flooding or surface water drainage issues.

Human Rights Implications:

It is considered that the proposed development would not affect the rights of occupiers of surrounding residential properties to the peaceful enjoyment of possessions and protection of property. Furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conclusion:

Consideration has been given to the impacts on the surrounding neighbouring properties in terms of over bearing, and impacts on outlook and daylight however it was not considered that the proposed development would have significant impacts on the neighbouring occupiers to justify the refusal of the application.

Whilst undoubtedly the proposed building will provide significantly better facilities and enable more services to be run from the premises thereby increasing footfall or visitors by car, it is not considered that it is reasonable to assume the additional increase in visitors will result in significant impacts on the surrounding road network in traffic generation or demand for on-street parking. Cycling facilities will be provided which will encourage users to cycle to events; and the site is situated within a sustainable location with nearby train station and bus services.

The design of the proposal is considered to respect the character and appearance of the area, proposing a modern focal point design for the residential area. Given the above, the proposal is considered acceptable and in line with saved policies of the Borough Plan and policies of the Core Strategy and guidance set out by the National Planning Policy Framework.

Recommendation: Grant planning permission subject to conditions.

Conditions:

- (1) Time limit for commencement
- (2) In accordance with approved drawings
- (3) Submission of samples of materials
- (4) Submission of details of the cycle storage facilities
- (5) Vehicular access to be constructed prior to occupation
- (6) Layout of parking spaces prior to occupation of building
- (7) Protection of visibility splays
- (8) Details of boundary treatment
- (9) Standard demolition hours of work condition.

Informatives:

- (1) Pre-commencement conditions

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

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App.No: 130468 (RMT)	Decision Due Date: 18 September 2013	Ward: Ratton
Officer: Anna Clare	Site visit date: 11 September 2013	Type: Reserved Matters
Site Notice(s) Expiry date: N/A Neigh. Con Expiry: 6 September 2013 Weekly list Expiry: 6 September 2013 Press Notice(s): N/A		
Over 8/13 week reason: Brought to Planning Committee within Statutory Expiry Date.		
Location: Land East Of Kings Drive, Kings Drive, Eastbourne		
Proposal: Application for approval of reserved matters (Details of the appearance and scale of buildings and landscaping of the site) following outline approval. (EB/2010/0003- Outline Planning Permission for 119 new Dwellings)		
Applicant: Bovis Homes Limited		
Recommendation: Grant permission subject to conditions and prior conclusion of a deed of variation to the Unilateral Undertaking in relation to the original outline planning permission granted on appeal.		

Executive Summary

The application concerns the reserved matters in relation to the grant of Outline planning permission for the development of the site granted on appeal dated 27 October 2010; namely the appearance and scale of buildings, and landscaping of the site.

The proposed design of the buildings and materials proposed are considered acceptable and in keeping with the surrounding area; and the scale of the dwellings and the landscaping proposed respect the topography of the site and the important vista's towards Eastbourne Park.

Relevant Planning Policies:

Core Strategy Local Plan 2013 Policies

B2: Creating Sustainable Neighbourhoods
 C5: Ocklynge and Rodmill Neighbourhood Policy
 D1: Sustainable Development
 D5: Housing

Eastbourne Borough Plan Saved Policies

UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT6: Tree Planting
UHT7: Landscaping
UHT8: Protection of Amenity Space
UHT10: Design of Public Areas
HO20: Residential Amenity
TR5: Contributions to the Cycle Network
TR6: Facilities for Cyclists

National Planning Policy Framework 2011

4. Promoting Sustainable Transport
7. Requiring Good Design
11. Conserving and Enhancing the Natural Environment

Site Description:

The application site, covering approximately 3.24 hectares, is a greenfield site within the boundary of Eastbourne Park. It is bounded to the north and west by main routes into and out of the town, Kings Drive and Cross Levels Way and to the east by low lying open fields that form Eastbourne Park. It is broadly triangular in shape and comprises grazed grassland interspersed with trees and shrubs.

The topography of the site is such that it slopes from north west to south east and west to east, with the southern tip being approximately 4.5 metres below Kings Drive.

Beyond its immediate boundaries, the site lies at the edge of an established residential area which is characterised by a mix of building heights and varying house types, most set within spacious plots. Within this development the houses step down towards Kings Drive with groups of houses served by cul-de-sacs being interspersed by areas of open space which are locally known as 'green fingers'.

Although the area is predominantly residential to the south and west and open parkland to the east, other uses and facilities form part of the context of the area. For example Eastbourne District General Hospital (DGH) is to the north of the site and a parade of shops is located to the north west of the site in Framfield Way. There are existing bus stops adjacent to the site providing direct access into the town centre which is located some 1.5 kilometres south of the site.

Relevant Planning History:

There is extensive planning history relating to this site. This report will outline only the relevant history to this application.

An application for outline planning permission dated 24 December 2009 related to the development of the site for 140 dwellings of which 42 would be affordable units (EB/2010/0003). This application was revised and dated 5 February 2010, following a requirement by the Environment Agency to provide an 8 metre wide buffer along the

Lottbridge Sewer. This resulted in amendments to the layout in the southern part of the site and the loss of three dwellings and therefore relates to 137 dwellings of which 41 would be affordable units, plus associated access and parking, open space, play areas and allotments (Option A).

Following concerns expressed by the Case Officer and local residents, regarding the scale, impact and massing of the proposed four storey blocks of apartments in the northern part of the site, an alternative option for the northern part of the site was submitted with alternative drawings dated 7 April 2010, known as option B. This option reduced the apartment buildings 1 and 2 from 4 to 3 storeys thereby reducing the number of apartments and the total number of dwellings was reduced to 119.

This application was not determined within the statutory timeframe, and the Applicant chose to appeal to the Secretary of State on non-determination of the application. It was however noted that had the Council been able to determine the application, permission would have been refused on Option A on the grounds that the proposed development is contrary to the emerging Local Development Framework, Core Spatial Development Strategy; and that the height, scale, form and massing of the proposed two four-storey block of apartments on the northern part of the site would harm the appearance and character of the area and views towards Eastbourne Park, contrary to Policies UHT1, UHT2 and UHT4 of the Eastbourne Borough Plan 2001-11. The Council would also have refused Option B for the sole reason that the proposed development is contrary to the emerging Local Development Framework, Core Spatial Development Strategy.

The appeal was determined following a Public Inquiry; the Inspector in his decision dated 27 October 2010 granted outline planning permission for Option B, for 119 dwellings, associated access and parking, open space, play areas and allotments with 35% affordable housing secured through a unilateral undertaking which also secured contributions towards archaeological display, bus stops, cycleway, household waste, pedestrian crossing, primary school places, real-time bus information, transport and a travel plan audit fee. Further contributions were required to be made to flood storage and flood mitigation.

A further application was submitted in 2012 (EB/2012/0823) to amend the layout of the proposed development, and altered the proposal to include slightly more houses, introduced the Flats Over Garages to the proposal and moved the pumping station further from residential properties to the south of the site. This application was approved at Planning Committee on 21 May 2013.

Proposed development:

This application follows the previous granting on appeal of the outline planning permission and relates to the matters reserved by the previous consent, namely the details of the appearance and scale of the buildings and landscaping of the site.

Further to the previous consent for material amendments to the layout plan, a revised proposed site layout plan has been submitted in support of this application to incorporate two technical amendments which relate to minor alterations to the highways to take into account technical requirements for example parking standards and appropriate turning heads, and amendments to the pumping station size whilst the

location remains as approved. These are very minor and have little if any impact on the overall development.

A further addition is a cycle path which runs along the eastern boundary of the site adjacent to Eastbourne Park and was included in response to a representation received from Bespoke.

As the application is for the reserved matters following the grant of outline permission, the application can only be considered with regard to the appearance and scale of the buildings and the landscaping of the site. Whilst it is acknowledged that there remains some opposition to the residential development on the site, the debate into the planning merits or otherwise of the principle of development cannot be reopened.

Consultations:

A number of consultations were undertaken. Where responses were received comments are outlined below. Given the application is for reserved matters most consultees will have no further comments to make on the proposed development.

Internal:

Downland, Trees and Woodland Manager

'The site contains 18 trees predominantly Ash, Sycamore and Elm, of which half are indicated on the tree protection plan as removed. The loss of the existing trees will in the long terms be compensated for by the new tree planting scheme. The applicant indicates the retention of nine trees on the eastern boundary, but without the root protection area of each tree being calculated and the close proximity of the new cycle path I can only conclude that the application may lead to the loss of all trees on site. The application will also lead to the loss of the four young highway street trees on Kings Drive which the applicant's tree protection plan does not mention. It is expected that the applicant will pay the costs associated with the removal and replacement of these four trees should the application be approved. Conditions recommended in relation to tree protection, landscape design, screening, planting and landscape management and maintenance.'

Housing Services Manager

'Overall, the development of this site is to be supported as it will help provide homes to meet the needs of Eastbourne's growing population. The location of this site, at a critical transport hub, needs to pay heed to maintaining a proportionate and sensitive view for those arriving in and travelling around Eastbourne. This should reflect the arguably 'evolutionary' rather than 'revolutionary' nature of Eastbourne's built environment. There are however some aspects of the proposal that do not concur with this approach. The appearance of the flatted blocks with flat roof structures is not in keeping with the appearance of Kings Drive, where the prevailing style is for pitched roofs and detailing undertaken with brick, render and other similar treatments. The use of flat roof structures, which arguably are not as long lasting as pitched roofs, may present maintenance and repair costs for leaseholders. There is a high proportion of terraced development with little relief in terms of appearance along the blocks.'

Local Highway Manager

'The outline planning consent granted for this site included permission for the number of dwellings, access arrangements, number of parking spaces, and traffic movements and therefore these have not been considered as part of the response as they have already been approved. A revised layout plan has been submitted which contains a few minor amendments. The main change from a highways perspective is the cycle route at the rear of the site. This alteration is welcomed as it will be able to be linked to the existing cycle route that runs along Cross Levels Way and will allow for future expansion of the network towards the Town Centre.'

ESCC are currently assessing an application for highway works to Kings Drive in relation to the development which include a pelican crossing and bus stop improvements in line with the previous outline permission for the development of the site.

External:

County Archaeologist

'Recommendations from the previous application remain, namely that the site be subject to a comprehensive program of archaeological mitigation including excavation, recording, publication of the results and local curation and display of the artefacts.'
Recommendation to add standard conditions in relation to archaeological.

Natural England

Make no specific comments on the proposals, stating;

'The lack of specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designed sites, landscapes or species.'

This proposal does not appear to be either located within, or within the setting of, any nationally designated landscape. All proposals should complement and where possible enhance local distinctiveness and be guided by your Authority's landscape character assessment where available, and the policies protecting landscape character in your local plan or development framework'.

Neighbour Representations:

20 Objections have been received from surrounding residents which cover the following points:

- Increased traffic to Kings Drive and surrounding area
- Lack of parking and therefore impacts on surrounding areas
- Flooding
- Impact on the view
- Effect on social infrastructure (such as schools and drains)
- Energy and Climate change
- Biodiversity
- Density of housing not in keeping with area
- High density/low quality estate

Only objections based on the three issues to be assessed as part of this application can be taken into consideration. The principle of the development of the land for housing was assessed under the outline planning application which was approved on appeal by the Planning Inspectorate. Some of those neighbouring residents objecting did so on the grounds that the design is out of keeping with the area, and on landscaping issues requesting that railings to the boundary with Kings Drive be retained and/or replaced. These issues are assessed below.

Bespoke Cycle Group made an objection to the application on the grounds that the plans did not show a cycle route through the development and therefore does not fulfil the Eastbourne Cycling Strategy.

Appraisal:

This appraisal will look at each of the three issues to be assessed as part of the application in turn.

Design

The scheme is made up of apartment blocks, terraced houses and town houses. The most recurring house type is the town houses to the centre of the site, the composition of which have been designed to be simple and modern but with interesting elevational detailing.

The town houses are three storeys in height and are composed primarily of red brick and white rendering interspersed with dark grey coloured weatherboard cladding to relieve the brickwork and add texture. The roofs are hipped and made of reconstituted slate.

The flats above garages consist of living accommodation above open fronted garages. The appearance will be similar in style to the two storey terraced properties to the south of the site, mainly red brick in construction with orange detailing and some weatherboarding at prominent positions and row ends. The roofs are hipped and tiles in a Tuscan Colour.

The apartment blocks to the north of the site are a modern flat roof design. The exterior walls will be finished in white render and interspersed by dark grey panelling.

The quality of the overall design of the buildings will come from the variation and colour of the key materials and the finer detailing. The rows of terraces are long so the design creates a balance of compositions that have an interesting and controlled rhythm in the dispersion of projections and key facing materials.

Saved Policy UHT1 of the Eastbourne Borough Plan states that development proposals will be required to harmonise with the appearance and character of the local environment. The Rodmill Estate to the west of the site whilst being fairly uniform is of no particular character, and is set back from Kings Drive. The site is visible from Kings Drive a major vehicular route into Eastbourne and the Rodmill roundabout and therefore the design of the proposed buildings is of great importance.

The Government attaches great importance to the design of the built environment. Paragraphs 56- 58 of the NPPF state good design is a key aspect of sustainable development; and that planning decisions should aim to ensure that developments will

function well and add to the overall quality of the area and will establish a strong sense of place.

The use of a variety of materials and controlled symmetry in the design of the facades of the buildings as they step down through the site gives a sense of uniformity and structure whilst maintaining important views through the site. The modern design of the apartment blocks and the proposed materials are considered acceptable and will harmonise with the appearance and character of the local area.

Given the design of the development is structured and has a sense of uniformity; it is proposed that the permitted development rights of the dwellings will be removed by condition. This would mean the Local Planning Authority would have more control over the type of development and alterations that could be undertaken to the properties after completion.

Scale

The dwelling tenure is a mix of flats, terraced and end of terrace housing and flats over garages. Generally the scale is agreed within the outline permission. Given the topography of the site, whereby the north is higher than the south there is a need for the proposed development to respect and take account of the change in ground levels.

The scale of the proposed dwellings responds to the lie of the land by positioning the taller buildings towards Kings Drive and the hospital and stepping them down to towards Eastbourne Park. The houses to the south of the site are two storeys in height responding to the lower levels of this part; these houses would be predominantly hidden as the site is approximately 4 metres lower than Kings Drive at this point.

Saved Local Plan Policy UHT1 requires the design of new development to be appropriate in scale and form, with the highest density appropriate to the locality, UHT2 requires the height of buildings to conform to most of the surroundings. The Inspector in his Decision dated 27 October 2010 in paragraph 52 stated;

'This sloping site leads down to flat marshland; and the proposed two-storey development is most appropriate at the bottom end of the site. Three -storey development would occupy the middle and higher parts of the site, so it would follow the lie of the land.'

Landscaping

The landscaping treatment aims to reflect the urban-fringe character of the site, whilst helping to integrate the site with the surroundings. The 'green fingers' onto which the town house terraces face follow through from the Rodmill Estate which has similar green corridors to the west of Kings Drive. The layout of the dwellings means the green fingers and open spaces are overlooked to maximise their potential with natural surveillance. The 'green fingers' also allow the continued view through to Eastbourne Park from Kings Drive which is in accordance with Saved Policy UHT4 which states development proposals will be judged having regard to their effect on visual amenity, specifically the effect on an important vista.

The Councils Specialist Advisor for Arboriculture has commented on the landscaping proposals. The applicant indicates the removal of nine trees in the interest of safety and

the retention of nine trees, the plans do not indicate the root protection area required to ensure the protection of the trees during development; however this will form a condition to ensure the trees proposed to be retained survive. The loss of the existing trees will in the long term be compensated for by the new tree planting scheme. The indicative landscaping scheme does not provide location of species and numbers of trees to be planted, however this also can be controlled by condition. The landscaping plan seeks to ensure a sufficient amount of tree and hedge planting for visual amenity whilst retaining important vistas across the site and western boundary over to Eastbourne Park.

Human Rights Implications:

It is considered that the proposed development would not affect the rights of occupiers of surrounding residential properties to the peaceful enjoyment of possessions and protection of property. Furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conclusion:

It is considered that the proposed design and scale of the dwellings whilst respecting the topography of the site and the important vista towards Eastbourne Park will make a positive contribution to the area and the proposed design and scale is therefore considered to comply with saved policies UHT1, UHT2 and UHT4 of the Eastbourne Borough Plan and Policies B2 and C5 of the Core Strategy Local Plan 2013.

The proposal incorporates a cycle path to the east of the site, this path will make a positive contribution to the cycle network in accordance with Saved Policy TR5 of the Eastbourne Borough Plan and Policies C5 and B2 of the Core Strategy 2013 which state that development should encourage sustainable modes of transport and create good connections between neighbourhoods.

In addition, when outline planning permission was granted it was subject to a Unilateral Undertaking. This agreement provides for the provision of 35% of affordable housing units, contributions to archaeological display, bus stops, household waste, pedestrian crossing, primary school places, real-time bus information, transport and a travel plan audit fee. With further contributions towards flood storage and flood mitigation, and a commuted sum towards public open space.

The Council are currently in the process of undertaking a deed of variation to this agreement. The Applicant has also agreed to a contribution to secure the proposed cycle way to the eastern boundary of the site. It is therefore recommended that the application is granted subject to the required deed of variation to the unilateral undertaking.

Recommendation:

Grant permission subject to conditions and the prior conclusion of a deed of variation to the Unilateral Undertaking in relation to the previous outline planning permission.

Conditions:

- (1) Time commencement (two years from the date of this decision in line with the previous commencement condition of the Outline Planning permission).
- (2) That the conditions attached to outline planning permission EB/2010/0003 are reiterated and, unless otherwise discharged to the satisfaction of the Local Planning Authority, should be complied with.
- (3) In accordance with approved plans of this permission.
- (4) Removal of permitted development rights – no buildings, structures, walls or fences.
- (5) Removal of permitted development rights – no roof extensions.
- (6) Submission of details of boundary treatment to Kings Drive.
- (7) Submission of details in relation to cycle parking to the outdoor play area.
- (8) Submission of method statement in relation to root protection of retained trees.
- (9) Details of the installation of the cycle path within the root protection areas.

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

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Agenda Item 12

App.No: 130316	Decision Due Date: 04 July 13	Ward: Devonshire
Officer: Ray Deans	Site visit date: 17 May 13	Type: Minor
Site Notice(s) Expiry date: 12 June 13 Neigh. Con Expiry: 13 June13 Weekly list Expiry: 10 June 2013 Press Notice(s)-: N/A		
Over 8/13 week reason: Backlog of applications in connection with staff changes and organisational restructure		
Location 14 and 15 Marine Road And1 Leaf Hall Road		
Proposal: Conservation Area Consent Demolition of buildings (14 and 15 Marine Road) and construction of 3 new terrace houses in addition to change of use from car valeting to residential with creation of flat at 1 Leaf Hall Road		
Applicant: Mr M Mumtaz		
Recommendation: Approve		

Planning Status:

- Residential area
- Flood zone 3
- Former Car Valeting site
- Town Centre and Seafront Conservation Area

Relevant Planning Policies:

Eastbourne Core Strategy Policies:

B2 Creating Sustainable Neighbourhoods
 C3 Seaside Neighbourhood Policy
 D1 Sustainable Development
 D10A Design

Eastbourne Borough Plan Saved Policies:

UHT1 Design of development
 UHT2 Height of buildings
 UHT4 Visual amenity

UHT7 Landscaping
HO1 Residential development within existing built-up area
HO2 Predominantly residential areas
HO6 Infill development
HO20 Residential amenity
TR11 Car parking
US5 Tidal flood risk

Site Description:

The site is located at the junction between Marine Road and Leaf Hall Road. The area is predominantly residential, although there are some community and commercial uses in nearby Seaside and Leaf Hall Road.

Surrounding development is mainly two and three storey including terraced houses along Marine Road although the Metropole an 8 storey residential block of flats is located immediately to the north-west.

Relevant Planning History:

App Ref: EB/1959/0436 Extension of Garage to Provide Showrooms Inc Semi-Derelict Premises Previously Used As Builders Store: Approved conditionally

App Ref: EB/1987/0429 Alterations to form new garage front and Canopy, demolition of Store & 2 storey addition forming showroom & Office on Ground /Floor living Accommodation on 1st floor. Decision: Refused,

App Ref: EB/1986/0243 Description: Erection of a three-storey building comprising 6 one-bedroom flats, with 6 car-parking spaces at the rear. Date: 18/06/1986 Decision:

App Ref: EB/1986/0627 Description: Erection of a terrace of 3 single private dwellinghouses, with integral garages. Date: 14/01/1987 Decision: Refused,

Proposed development:

Demolition of Buildings. The applicant seeks Conservation Area Consent for the demolition of buildings to facilitate the development of 3 new terraced houses and 2 new flats, the new this will provide for additional residential accommodation.

Consultations:

Consultation letters were sent to neighbouring residents and businesses, and a site notice was displayed nearby.

Representations were sought from the Conservation, Highways and the Planning Policy Team.

Highways Response (15.04.13):

The site is considered to be accessible by sustainable modes of travel, and is within walking distance of a number of shops and services in both Seaside and Lottbridge Drove.

Planning Policy Response (24.04.13):

The application site is currently a low grade space within the Borough and makes no contribution to either the local environment or the townscape quality. It is shown on the Eastbourne Borough Plan Proposals Map as being located within a Predominantly Residential Area (HO2), and is therefore an appropriate location for new residential development.

The proposed scheme will contribute to the aim of increasing densities in the most sustainable parts of the town and provide a useful small-scale windfall opportunity that will help meet the housing needs of the area.

As the application was submitted prior to the changes regarding Affordable housing contributions, no contribution are sought for this application

Conservation Response (11 June 2013):

The proposal **13 0316** is to for demolition in a Conservation Area. The proposal is to demolish the single storey car valeting building to Marine Road. It is considered that the style and quality of design of the existing structure does not contribute to the streetscape, and would be considered a negative detractor to the streetscape. Therefore, there is no objection to the demolition.

Neighbour Representations:

No objections were received however one letter of support was received from a local resident welcoming the proposals and the positive contribution the development would make to the street scene.

Appraisal:

The Conservation Officer raises no objections to the proposed demolition of the building or the development of the site. An acceptable scheme has been submitted for approval for full planning permission. The application for Conservation Area Consent for demolition works is therefore recommended for approval.

Human Rights Implications:

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

Recommendation: Permission be granted for Conservation Area Consent.

Conditions:

- (1) Time for commencement
- (2) Standard Demolition Condition

Agenda Item 13

App.No: 130216	Decision Due Date: 4 July 13	Ward: Devonshire
Officer: Ray Deans	Site visit date: 17 July 13	Type: Minor
Site Notice(s) Expiry date: 12 June13 Neigh. Con Expiry: 13 June13 Weekly list Expiry: 10 June 13 Press Notice(s)-: N/A		
Over 8/13 week reason: Backlog of applications in connection with staff changes and organisational restructure		
Location 14 and 15 Marine Road And1 Leaf Hall Road		
Proposal: Demolition of buildings (14 and 15 Marine Road) and construction of 3 new terrace houses in addition to change of use from car valeting to residential with creation of flat at 1 Leaf Hall Road		
Applicant: Mr M Mumtaz		
Recommendation: Approve Subject to Conditions		

Planning Status:

- Residential area
- Flood zone 3
- Former Car Valeting site
- Town Centre and Seafront Conservation Area

Relevant Planning Policies:

Eastbourne Core Strategy Policies:

B2 Creating Sustainable Neighbourhoods
 C3 Seaside Neighbourhood Policy
 D1 Sustainable Development
 D10A Design

Eastbourne Borough Plan Saved Policies:

UHT1 Design of development
 UHT2 Height of buildings
 UHT4 Visual amenity
 UHT7 Landscaping
 HO1 Residential development within existing built-up area
 HO2 Predominantly residential areas
 HO6 Infill development
 HO20 Residential amenity
 TR11 Car parking
 US5 Tidal flood risk

Site Description:

The site is located at the junction between Marine Road and Leaf Hall Road. The area is predominantly residential, although there are some community and commercial uses in nearby Seaside and Leaf Hall Road.

Surrounding development is mainly two and three storey including terraced houses along Marine Road although the Metropole an 8 storey residential block of flats is located immediately to the north-west.

Relevant Planning History:

App Ref: EB/1959/0436 Extension of Garage to Provide Showrooms Inc Semi-Derelict Premises Previously Used As Builders Store: Approved conditionally

App Ref: EB/1987/0429 Alterations to form new garage front and Canopy, demolition of Store & 2 storey addition forming showroom & Office on Ground /Floor living Accommodation on 1st floor. Decision: Refused,

App Ref: EB/1986/0243 Description: Erection of a three-storey building comprising 6 one-bedroom flats, with 6 car-parking spaces at the rear.
Date: 18/06/1986 Decision:

App Ref: EB/1986/0627 Description: Erection of a terrace of 3 single private dwellinghouses, with integral garages.
Date: 14/01/1987 Decision: Refused,

Proposed development:

The applicant seeks permission for the change of use of vacant buildings from a car valeting use (14 and 15 Marine Road) and showroom /office (1 Leaf Hall Road) to residential whilst retaining the existing 1st Floor Flat at 1 Leaf hall Road.

The ground floor premises have been vacant for over 18 months and the proposed development will see the demolition of the existing buildings and the redevelopment of the site.

The proposal is for 3 new terraced houses and 2 new flats, the new this will provide for additional residential accommodation. The overall development I will incorporate a pitched roof to 1 Leaf Hall Road.

Consultations:

Consultation letters were sent to neighbouring residents and businesses, and a site notice was displayed nearby.

Representations were sought from the Conservation, Highways and the Planning Policy Team.

Highways Response (15.04.13):

The site is considered to be accessible by sustainable modes of travel, and is within walking distance of a number of shops and services in both Seaside and Lottbridge Drive.

Planning Policy Response (24.04.13):

The application site is currently a low grade space within the Borough and makes no contribution to either the local environment or the townscape quality. It is shown on the Eastbourne Borough Plan Proposals Map as being located within a Predominantly Residential Area (HO2), and is therefore an appropriate location for new residential development.

The proposed scheme will contribute to the aim of increasing densities in the most sustainable parts of the town and provide a useful small-scale windfall opportunity that will help meet the housing needs of the area.

As the application was submitted prior to the changes regarding Affordable housing contributions, no contribution are sought for this application

Conservation Response (11 June 2013):

The originally submitted plans were discussed, and some amendments have now been made, primarily to exterior finishes. The current street frontage (corner of Leaf Hall Road and Marine Road) comprises a two storey car valeting service. It is proposed to retain this, and add an additional storey and pitched and tiled roof as shown in proposal drawings. There are minor alterations to the Marine Road elevation to create a domestic entrance, and the introduction of new fenestration to the Leaf Hall elevation. It is noted that casement windows are detailed to this elevation, where it is preferred that sliding or fixed with top hung casement or sashes (as detailed to the Marine Road elevation) are used, to retain the style of opening typical of the street.

The use of exterior finish of multi stock brick to ground floor, white render and weatherboard is considered appropriate. However, the use of *Cedral* weatherboard, rather than white painted timber similar to the adjacent building would be considered more appropriate.

The roofline of the proposal is considered to be high, and the roof pitch steep for the setting. It is noted that the steeply pitching roof conceals a flat roofed section with sunpipes behind. This is an unusual design as the roof space is not marked as living space. A lowered roofline, with lower pitch would be considered appropriate and in keeping with the surrounding properties. This would reduce the dominance of the massing of the townhouses as proposed. The use of Redland Cambrian slates to roofs is welcomed. Rainwater goods are not detailed, but the adjacency to the Leaf Hall would make cast metal preferable, and should be subject to detail.

It is recommended that both the demolition and proposal be recommended for approval subject to alteration of roofline and samples of materials as described above.

Neighbour Representations:

No objections were received however one letter of support was received from a local resident welcoming the proposals and the positive contribution the development would make to the street scene.

Appraisal:

The applicant has stated in their submissions that the ground floor of the building has been redundant in excess of 18 months.

The Policy Team raise no objections to the proposed development and welcome the residential use on the site.

The site as mentioned lies adjacent to the Leaf Hall Building and is considered likely to be a positive addition to the streetscene. The Conservation Officer raises no objections to the proposed demolition of the building or the development subject to redesign of the roof echoing the comments made at the CAAG meeting. The applicant has subsequently submitted revised plans which have seen the roof form altered in line with CAAG and Conservation comments. The Conservation Officer now welcomes and supports the scheme and raises no further objections.

The proposed 3 new terraced houses and 2 new flats, will provide for additional residential accommodation in line with Council Policies and objectives as given by the Eastbourne Core Strategy.

The ground floor premises have been vacant for over 18 months and the proposal will incorporate a pitched roof to 1 Leaf Hall Road.

There is no single design of buildings that is dominant in the area, apart from rows of terracing. This feature is reflected in the appearance, as well as being a simple, modern design that blends well with the surrounding properties the proposed development is of appropriate scale and design commensurate with the surrounding area and urban form. The scale, location and visual impact of the proposals are unlikely to detract from the residential amenity of the surrounding area.

In accordance with saved policy HO20, the proposal by virtue of its location, size and design, does not impact on outlook, privacy, overshadowing or loss of light, and is at a scale that is appropriate to the neighbouring buildings. Subject to conditions, the proposal complies with the relevant Borough plan policies and Eastbourne Core Strategy 2013.

In conclusion, the planning application is recommended for approval subject to conditions.

Human Rights Implications:

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

Conclusion:

The scale, location and visual impact of the proposals do not detract from the residential amenity of the surrounding area. In accordance with policy HO20, the proposal by virtue of its location, size and design, does not impact on outlook, privacy, overshadowing or loss of light, and is at a scale that is appropriate to the neighbouring buildings. Subject to conditions, the proposal complies with the relevant borough plan saved policies and policies of the Eastbourne Core Strategy 2013.

Recommendation: Permission be granted subject to conditions.

Conditions:

- (1) Time limit
- (2) Hard and soft landscaping to be submitted
- (3) Foul and surface water details to be submitted
- (4) Materials to be submitted
- (5) Details of cycle parking
- (6) Construction and demolition times
- (7) Removal of PD rights
- (8) Refuse and recycling facilities to be submitted
- (9) Means of enclosure to be submitted
- (10) In accordance with approved plans

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

COMMITTEE: Planning Committee
DATE: 1 October 2013
SUBJECT: Motcombe Baths, Motcombe
REPORT OF: Clare Dales
Specialist Advisor – Conservation & Design

Ward(s): Old Town

Purpose: To seek recommendation of CAAG for the inclusion of The Motcombe Baths, Motcombe Road, Eastbourne, BN21 1PU in the list of Buildings of Local Interest

Contact: Clare Dales, Specialist Advisor – Conservation & Design
1 Grove Road, Eastbourne
Tel no: (01323) 415251
E-mail: clare.dales@eastbourne.gov.uk

Recommendation: Members agree to consult on the inclusion of The Baths, Motcombe, as a Building of Local Interest
Planning Committee on 1st October 2013

1.0 Introduction

The purpose of this document is to propose The Motcombe Baths, in Motcombe Conservation Area for inclusion in The Local List. A list of Buildings of Local Interest is held by The Council and comprises buildings or structures which make a special contribution to the Townscape; represent the work of an important local Architect represent a particular style of Architecture, or period in the development of the town.

2.0 The Role Of Local Heritage Listing

2.1 English Heritage in its Guidance Note, identifies that Local heritage listing is a means for a community and a local authority to jointly identify heritage assets that are valued as distinctive elements of the local historic environment. It provides clarity on the location of assets and what it is about them that is significant, guaranteeing that strategic local planning properly takes account of the desirability of their conservation.

3.0 National Planning Policy Framework And Heritage Assets

3.1 The NPPF advises LPAs to set out 'a positive strategy for the conservation and enjoyment of the historic environment' in their Local Plan. Emphasis is placed on 'sustaining and enhancing the significance of heritage assets' and recognising that heritage assets are an 'irreplaceable resource' and should be conserved 'in a manner appropriate to their significance'. Heritage assets are defined in the NPPF as:

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

Heritage assets not designated under statutory regimes, but recognised by the LPA as having heritage significance, do merit consideration in planning matters; with the LPA taking a balanced judgment having regard to the scale of any harm or loss and the significance of the heritage asset.

It is the intention of this proposal that the Motcombe Baths will be better protected, as set out above.

4.0 Buildings of Local Interest

4.1 Buildings of special architectural or historic interest are Listed by the Secretary of State. However the criteria for the lowest listing category - Grade II - states that the building should be of special interest. This may mean it is of National significance in architectural, technological or social means, or is designed by an important Architect. Therefore, buildings that might be considered of local importance but not of sufficient special interest do not achieve listed status. Some buildings not considered of National Importance, and therefore not listable, may be considered to be of sufficient Local importance to be included on The Local List.

4.2 Such buildings of local interest contribute to the townscape of Eastbourne do not have the statutory protection of listed buildings but, nevertheless, they should be retained and ideally enhanced. It must be stressed that like areas of high townscape value, there is no statutory control on buildings of local interest, over and above those that already exist for any building. However many of the buildings are within Conservation Areas and therefore they are automatically afforded a degree of protection against demolition. Inclusion on The Local List highlights the special qualities and contribution of a building and may reflect architectural merit, social history or development of town planning.

5.0 Local Policy and Guidance

5.1 When considering planning applications for the alteration of Buildings of Local Interest, the Council will take into account that the property is of more than ordinary significance.

The Eastbourne Borough Plan (2001-2011) contains saved policies in relation to conservation. Saved Policies relevant to this proposal are;

- UHT15 Protection of Conservation Areas
- UHT18 Buildings of Local Interest

Proposals which would adversely affect the character or appearance of Buildings of Local Interest will not be permitted. Should planning permission be granted for a major alteration, the consent will be subject to a condition to provide an opportunity for the building to be inspected and recorded.

Both Policies are within the SPG *The Townscape Guide*, a saved policy.

5.2 The Motcombe Baths is within Old Town Conservation Area

6.0 **Setting & Development of 'The Motcombe Baths'**

The land for the pool was purchased from the Compton Estate on 22nd April 1904, at a cost of £315, for the express purpose of 'providing a baths for public use'. Construction began, and once completed by Peerless Dennis & Sons, they were opened by The Mayor in January 1905. The report in the *Eastbourne Gazette* (4th January 1904), states that the pool is expected to be self-financing, and to make substantial contribution to school and club exercise, the learning of swimming and lifesaving activities.

The pool comprised a Ladies and Men's slipper baths, and central pool with poolside changing in cabins with curtains. A caretaker's cottage was built adjoining the facilities. The purpose of slipper baths was to provide personal bathing at a time when few houses had bathrooms.

The main pool was constructed for exercise and learning.

7.0 **The Motcombe Baths**

The Baths are still spring fed from the Bourne stream. The Gentlemen's and Ladies slipper baths and main pool are relatively structurally un-altered, with the removal of some fittings as the building has been updated over the years to meet the needs of bathing and safety and access arrangements. The Caretakers Cottage exists in relatively unaltered form. Although now used as administration and a day nursery for young children still exhibits original plan form, joinery, windows and fireplaces.

A full description exists as Appendix A, with Maps showing development of Motcombe as Appendices B/C/D

7.1 A full photographic schedule is held by the council, and is available to view, by contacting the Specialist Advisor Conservation & Design.

8.0 **Assessments**

8.1 The assessments were undertaken in line with the Guidelines in the 'English Heritage Good Practice Guide For Local Heritage Listing'

The recommendation from this assessment is that The Motcombe Baths be added to the local list as a Building of Local Interest.

8.2 The quality of construction of The Motcombe Baths, its contribution to the streetscape and its place within the development and history of bathing and social habits and its structural completeness as a pool and within the complex, suggest its inclusion in the Local list.

8.3 Therefore, the recommendation of this report is that The Motcombe Baths be included in the List of Buildings of Local Interest, to signify its contribution to the history of the Motcombe area of the town, and its place in the social history of bathing.

9.0 Consultation

- 9.1 After consideration of CAAG (Conservation Area Advisory Committee), on 27th August 2013, the Group praised the quality of the supporting document, appended to the report and unanimously supported the recommendation to the Planning Committee for the inclusion of Motcombe Baths as a Building of Local Interest as its meeting on 1 October 2013.

Public comments have been invited on the inclusion of The Motcombe Baths in the local list of Buildings of Local Interest for a period of 21 days between 27th August 2013 and 17th September 2013.

The report appended to this document has been made available at 1 Grove Road, and at The Town Hall.

No representations have been made, however comments relating to content, and/or to support the motion in an informal manner, have been received by the Specialist Advisor, Conservation & Design.

10.0 Financial and Staffing Implications:

- 10.1 The cost of the consultation has been met from within existing budgets and will largely consist of staff time.

11.0 Sustainability Implications

- 11.1 The conservation of heritage assets, which are a finite and diminishing resource, is an integral aspect of sustainable development. The designation as a Building of Local Interest will assist in the conservation of heritage assets.

12.0 Other Implications

- 12.1 There are no youth, anti-poverty, equality or community safety implications as a direct result of the draft documents.

13.0 Conclusion

- 13.1 The proposal for the Motcombe Baths to be added as a Building of Local Interest has been prepared following English Heritage's Guidance Note. It aims to set out, in a clear and concise manner, the special architectural and historic interest of the building and to provide information on the best approach to managing change, in order to conserve or enhance the special interest of the area.

Clare Dales
Specialist Advisor – Conservation & Design

Background Papers:

The Background Papers used in compiling this report were as follows:

Eastbourne Borough Plan (2001 – 2011)

Eastbourne Borough Council SPG Eastbourne Townscape Guide

GOOD PRACTICE GUIDE FOR LOCAL HERITAGE LISTING; 2012
English Heritage Guidance Note

Appendix A – Description & Photographs

Appendix B – Motcombe Baths Map 1899

Appendix C – Motcombe Baths Map 1910

Appendix D – Motcombe Baths Map 1925

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MOTCOMBE BATHS A Brief History



Let those who bathe now
Who never bathed before
And those who have always bathed
Now bathe the more

MOTCOMBE BATHS

A Brief History

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The Advent of Public Bathing & Slipper Baths

Increased urbanisation and densely populated communities had been on the rise since the beginning of the Industrial Revolution. With it came disease multiplied by living in unsanitary conditions, compounded by poor nutrition, lack of health education or freely available medical intervention or education. Victorian technology, the creation of groups such as The Society of Sanitary Engineers and philanthropy, perhaps pricked by the campaigns of *The Architectural Review*, and its predecessor *The Builder*, led to advances in public health.

The Public Baths & Washhouses Act - 1846, aimed to provide washing and bathing facilities for all, although in reality a charge of 1d would still be above the reach of the poorest. The building of the first public baths stems from the 1844 movement, The Association for Promoting Cleanliness Among the Poor, which aimed to provide washing facilities for those members of "the poorer working classes". At this time wealthier households would have had rudimentary washing facilities for the person, and would have had the means to send laundry items out, or daily help to launder in the home. Poorer households would have had a shared WC, and no specific facilities for personal hygiene.

The Public Baths and Wash Houses Act and then, in 1852, Baths and Washhouses for the Labouring Classes aimed:

"To promote the health and cleanliness of the working classes, and as a necessary consequence, improve their social condition and raise their moral tone, thereby, tendering them more accessible to and better fitted to receive religious and secular training."

This act gave local authorities the power to commission public baths in their own boroughs, although few councils chose to do this.

When built, many Baths comprised;

- Slipper baths – Segregated bathing, that is to say actual bath tubs, for individual bathing
- A pool, for diving, swimming and exercise, usually with changing cabins on the poolside
- Metropolitan baths tended to include more elaborate sports massage facilities and Turkish baths
- Facilities for the laundry of clothing, basic ceramic sinks, hot water, washboards and soap.
- A library

Not all baths had the facilities above, although excellent examples still exist. When many boroughs and councils build their baths in the 1930's, it was an opportunity to introduce a touch of the orient or the exotic to the bathing

process. For example Porchester Spa in Bayswater and the recently refurbished Ironmongers Row in Finsbury.

Both of these, despite their outward theatrical appearance, housed the basic functions of cleanliness. In Bayswater, as in Eastbourne, the external appearance reflected the scale, mass and material of the surrounding streetscape. However, the leading Bathhouse architect of the time Alfred Cross, set out his ideal model:

'a two or three-storey brick and stone structure that would screen "the obnoxious business"'

The washing of bodies and clothes was housed inside. When he later came to design Ironmonger Row (below – top picture), Cross concealed the 'obnoxious business' in the guise of an Italian palazzo, the building studiously avoids advertising the unseemly goings-on within'. The baths still comprise bathing and laundry.



PORCHESTER HALL, PORCHESTER ROAD, PADDINGTON.

Bathing & Washhouses in Eastbourne



Perhaps the first Baths in Eastbourne were the Devonshire Baths (above), constructed in 1874 by The Devonshire Park and Baths Company, established and financed by the 7th Duke of Devonshire as part of his development of Eastbourne. The Devonshire baths were at the time the largest heated salt water baths in the country but now only the outer perimeter walls remain, with the Manager's house and flagstaff tower.

These baths were part of the Duke of Devonshire's plan to construct a resort, with fashionable theatre, walks, carriage drives, roller balding, carriage drives and entertainments to attract fashionable tourism. Now sadly demolished, the baths comprised ladies and gentlemen's pools, and were more for the tourist classes, and less for the ablutions of the poor.

In 1901, the Corporation built a Baths & Library in Seaside. This was definitely a Mind & Body undertaking, and was constructed by Messer's Miller & Selmes at a cost of £4,256, demonstrating the need to provide facilities for the growing town.

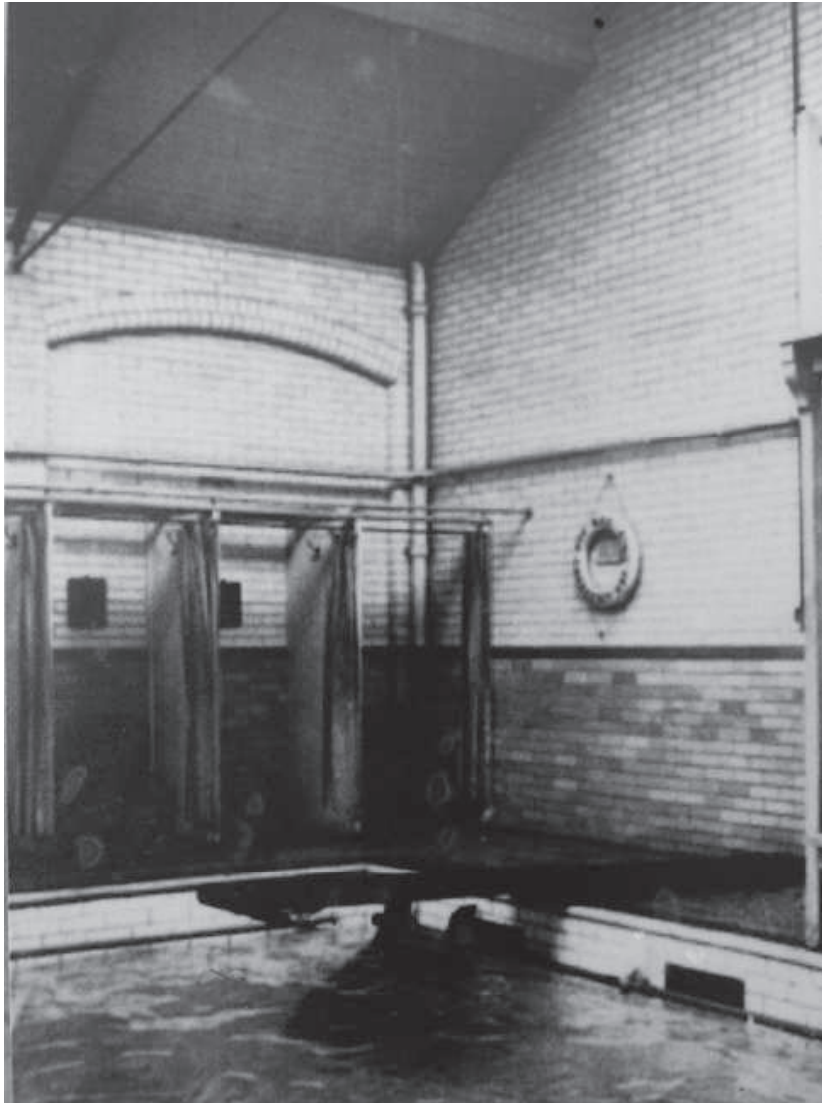
The Motcombe Slipper Baths and Pool

The land for the pool was purchased from the Compton Estate on 22nd April 1904, at a cost of £315, for the express purpose of 'providing a baths for public use'. Construction began, and once completed by Peerless Dennis & Sons, they were opened by The Mayor in January 1905. The report in the *Eastbourne Gazette* (4th January 1904), makes plain that the pool is expected to be self-financing, and to make substantial contribution to school and club exercise, the learning of swimming and lifesaving activities.

The pool comprised a Ladies and Men's slipper baths, and central pool with poolside changing in cabins with curtains. A caretaker's cottage was built adjoining the facilities.



The baths were fitted out with articles necessary for adequate bathing and swimming. Each changing cabin was fitted with a duck board, chair, mirror and towels were available.



Sanitary, Dec. 12, 1904. 261

(b) OLD TOWN BATHS—

Tender submitted by	Description of Articles.	Prices. £ s. d.
Plummer & Co. ...	Bath Towels per pair	0 2 1
S. Bindon ...	Chairs @	0 3 3
" ...	36 Curtains	12 3 0
" ...	36 Rails	2 14 0
" ...	4 Curtains (Linen)	1 2 0
A. W. Alderton...	51 Looking Glasses	5 2 0

Additional tenders for Huckaback towels for the Baths were ordered to be obtained.

The slipper baths provided bathing in rooms designed for convenience of the bather and the maintenance and cleanliness of the facility. Tiled walls and terrazzo flooring throughout ensured a hygienic finish. Built with curved corner, where no germs could lurk. The two slipper baths and main pool are lit by separate glazed atrium, ventilated by mechanically operated glazed louvres, and heated by coal fired boilers in the basement.



The pool was fed by a pump which tapped into underground spring water – the source of the River Bourne which also feeds the pond in Motcombe Gardens. The well head is pictured below, and is now part of the 1950s extension which was constructed to provide mechanical (electric) pumping system and a purification plant. These are still in use today.



Bathing & Swimming at The Baths

Once open, the baths charged between 4d and 6d for the swimming bath, however stating that;

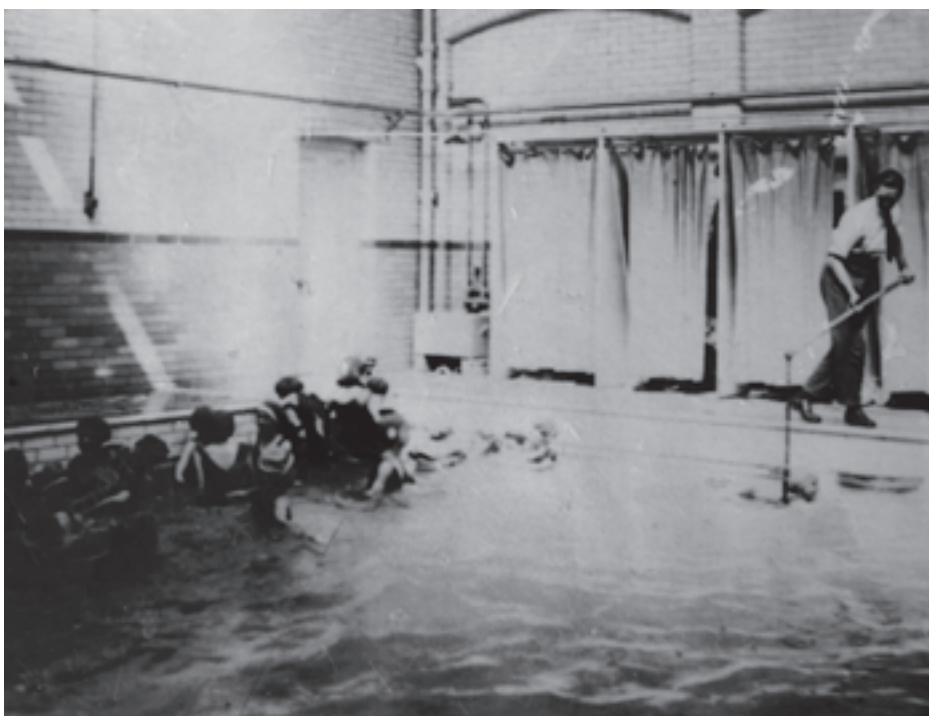
'persons of weak intellect, or those subject to fits, or suffering from an organic disease are not allowed into the swimming bath under any circumstances, and in the Private Baths only under medical advice and accompanied by an attendant'

The slippers baths provided half an hour per person to bathe. Even in 1905, when the streets around the baths were new, many would not have had indoor bathrooms. The terraced streets of what is popularly referred to now as Old Town would not have bathrooms until the 1970s, still reliant on a tin bath in front of the fire, the baths would have provided an economical and cheap way of keeping clean. The link between cleanliness and controlling the spread of infection was strong. Prevention was better than cure in an age before antibiotics.



Lessons were provided by the Caretaker of the Baths. Mr Larkin was appointed to the role in 1914, and remained in the post for the rest of his working life. The baths were routinely used for schools bathing, men's and ladies clubs, lifesaving classes and water polo.

Swimming instruction, seen below, was commenced at beginner level with the aide of a strap on a wooden pole, supporting the learner around the midriff.



The main pool was equipped with a diving board and springboard. Originally the pool was all one depth, to allow bathers to launch themselves in directly from the changing cabins, using the roped attached to the roof for the purpose.



The baths continued to thrive until the 1960's when the pools were threatened with closure after the 'unhygienic and old-fashioned conditions' were found to be the source of 'foot virus' although the Council disputed this to the only case of outbreaks, the pools future continued to be under threat from closure, with high maintenance, falling membership and antiquated design being the rationale for closure.

The slipper baths were still being used until at least the late 1950's when most of the pre-Edwardian homes in Old Town had no indoor bathing.

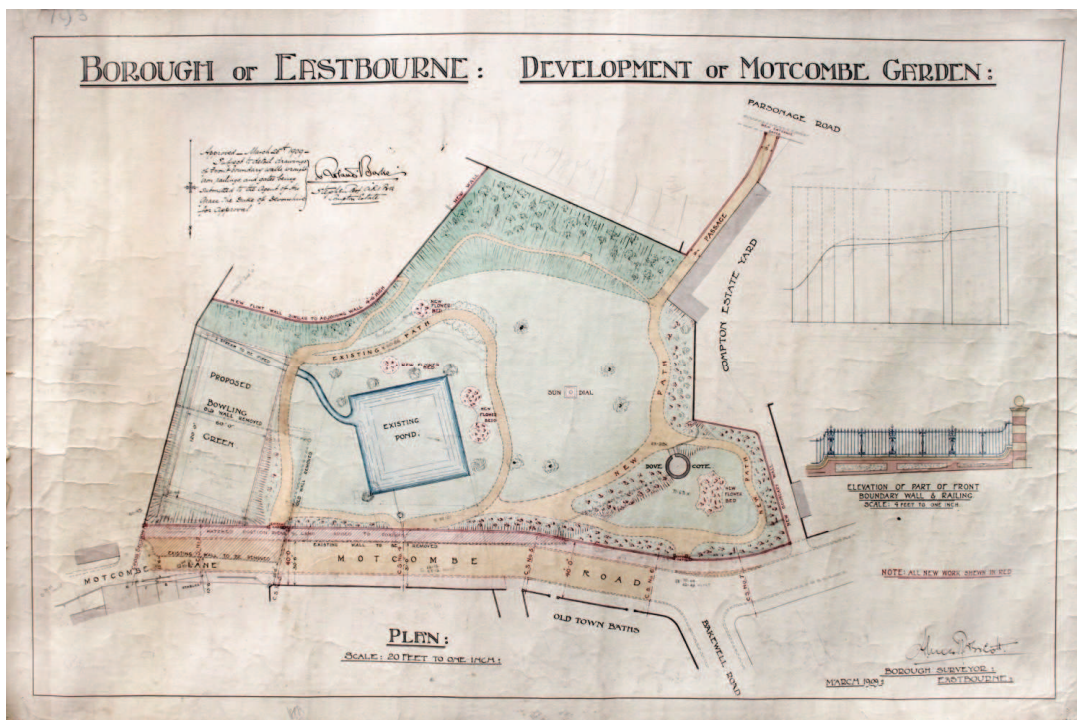
Bathing now thrives at Motcombe Pool. The slipper baths now changing rooms and much of the original tiling, windows, fittings, rope-hooks and original spring feed still exist.



Motcombe Gardens

In 1908, the Duke of Devonshire made a gift of gardens adjacent to the baths 'for the enjoyment of the public'. This garden, formerly part of the productive grounds of Motcombe Manor, housed a square pond, filled by the Bourne Stream, and its issue and a dovecote.

The Borough paid for iron railings to enclose the park, landscaping to provide shaded walks, a bowling green and a clubhouse, establishing Motcombe as a centre for health and enjoyment, away from the main town of Eastbourne and The Devonshire Baths or those in Seaside.



Acknowledgements:

With grateful thanks to Linda Lower, Motcombe Pool for her insights and for many of the photographs reproduced here.

Also to Mrs Maureen Bennett for her recollections of the pool and bathing in the 19050s, and others who provided information, maps and anecdotal recollections.

Clare Dales
Specialist Advisor – Conservation & Design
Eastbourne Borough Council
August 2013

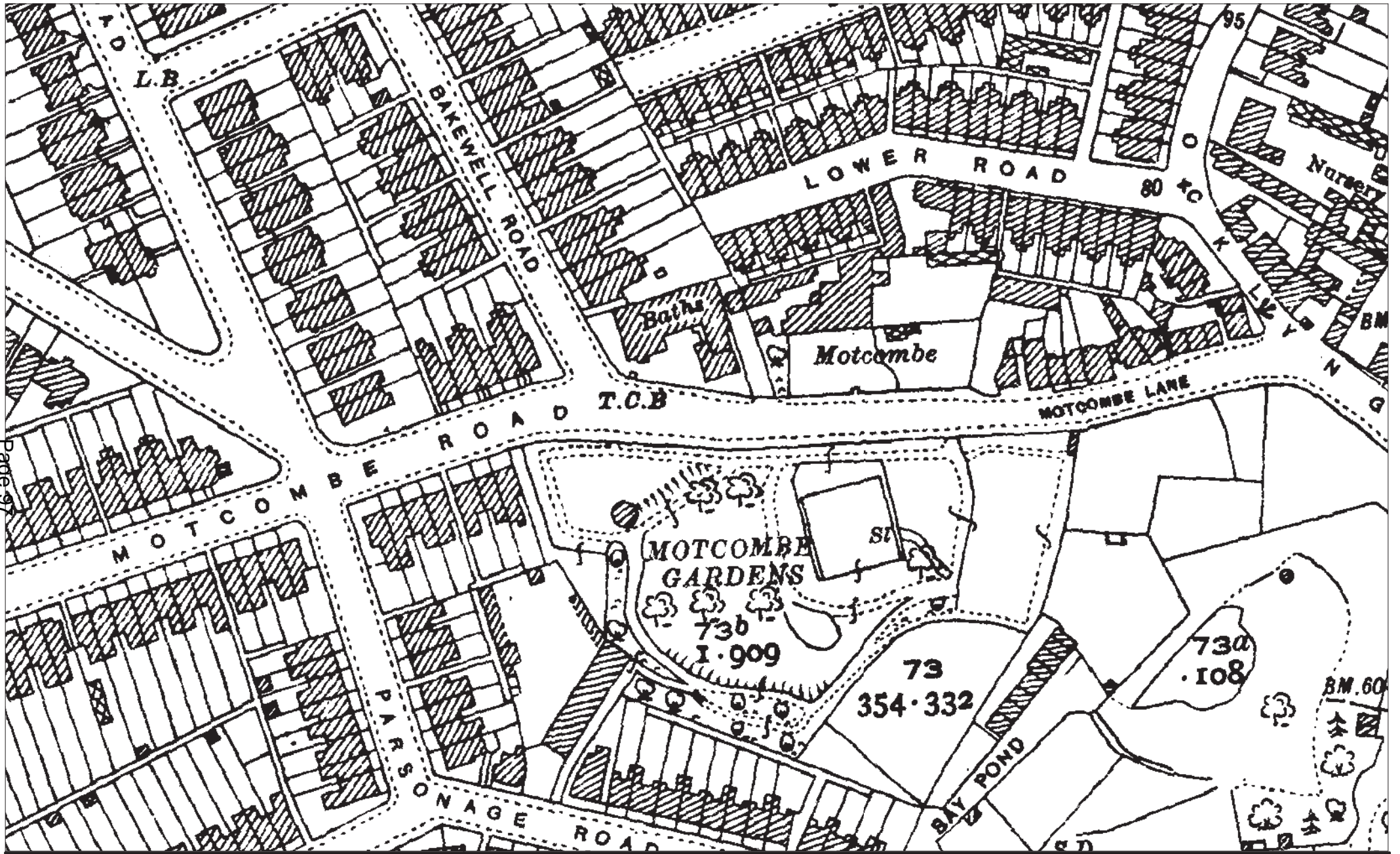
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COMMITTEE: PLANNING

DATE: 1 October 2013

SUBJECT: Eastbourne Town Centre Local Plan (formerly known as Eastbourne Town Centre Area Action Plan)

REPORT OF: Senior Head of Development

Ward(s): Devonshire, Meads & Upperton

Purpose: To seek Members' views on the report before being considered by Cabinet on 23 October 2013

Contact: Lisa Rawlinson, Senior Specialist Advisor,
1 Grove Road, Eastbourne
Tel no: (01323) 415250
E-mail: lisa.rawlinson@eastbourne.gov.uk

Recommendations: Members are asked for their views on the attached report which will be reported to Cabinet at their meeting on 23 October 2013

1.0 Introduction

- 1.1 This is a covering report to introduce the Cabinet report attached. The Cabinet Report is self explanatory and includes a discussion under the usual implication headings so will not be repeated here.
- 1.2 The Cabinet Report seeks approval of the Town Centre Local Plan for adoption by Full Council on 20 November 2013. Planning Committee Members are asked to consider the attached report and any comments will be considered and reported to Cabinet when they meet on 23 October 2013.

Jefferson Collard
Senior Head of Development

Background Papers:

The Background Papers used in compiling this report were:

Inspector's Report on the Eastbourne Town Centre Local Plan (September 2013)
Eastbourne Town Centre Local Plan Submission Version (January 2012)
Schedule of Proposed Modifications to the TCLP (June 2013)
Planning Committee Report 29 November 2011
Cabinet Report 14 December 2011
Planning Committee Report 5 February 2013
Cabinet Report 6 February 2013

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COMMITTEE	CABINET
DATE	23 October 2013
SUBJECT	Eastbourne Town Centre Local Plan (formerly known as the Eastbourne Town Centre Area Action Plan)
REPORT OF	Senior Head of Development

Ward(s)	Devonshire, Meads & Upperton
Purpose	To seek Members endorsement of the Eastbourne Town Centre Local Plan for adoption at Full Council on 20 th November 2013
Contact	Lisa Rawlinson, Senior Specialist Advisor, 1 Grove Road, Eastbourne Tel no: (01323) 415250 E-mail: lisa.rawlinson@eastbourne.gov.uk
Recommendations	That Members endorse the Eastbourne Town Centre Local Plan and recommend that at Full Council it is approved for adoption That any minor or technical adjustments found necessary in the Town Centre Local Plan are delegated to the Senior Head of Development in consultation with the Cabinet portfolio holder.

1.0 Introduction

- 1.1 The Eastbourne Town Centre Local Plan (TCLP) has been shaped over the last 4 years by close consultation with the community and stakeholders. The Local Plan sets out a strategy and proposals for the future development and regeneration of the Town Centre up to 2027.
- 1.2 The Town Centre is at the heart of Eastbourne and is home to the principal shopping, employment and tourist attractions. Proposals for key Development Opportunity Sites will maximise the economic potential of the Town Centre attracting more shoppers, businesses, workers and residents. The TCLP sets out the policies and proposals that will achieve this.
- 1.3 The TCLP has been prepared in accordance with the relevant government regulations and was submitted to the Government on 31st January 2012. Following some concerns the Inspector had with the content of the submitted Plan, the Council made changes to strengthen the policy base of the document, to ensure it

demonstrates how and when Town Centre proposals will be delivered. These modifications to the TCLP were approved by Cabinet on 6 February 2013 and consulted on between 22nd February and 5th April 2013.

- 1.4 The Examination in Public for the TCLP took place on Thursday 16th and Friday 17th May 2013.
- 1.5 The focus of the examination sessions included discussions on the following key issues:

Matter 4: Quantum and Type of Development
Matter 5: Development Opportunity Sites – General Matters
Matter 6: Development Opportunity Sites – Site Specific Matters
Matter 7: Public Realm Projects/Initiatives
- 1.6 During the hearing sessions, the Planning Inspector sought additional information and clarification from the Council on a number of matters. The Council was invited to put forward suggested amendments to address or clarify these issues.
- 1.7 The Council published a list of proposed Main Modifications to the TCLP and stakeholders and the local community were invited to make representations on the 'soundness' of these proposed Main Modifications between 14th June and 26th July 2013.
- 1.8 At a meeting of the Local Planning Steering Group on 30th July it was reported that seven representations had been received. Members acknowledged the representations received and endorsed the responses detailed in the briefing note that had been prepared for the meeting. Copies of the representations were forwarded to the Inspector to enable her to prepare a report into the Local Plan's soundness.
- 1.9 In order to ensure that the plan is found sound, the Council requested that it wished the Inspector to recommend any further modifications to the TCLP that are necessary to make it sound or legally compliant and therefore capable of adoption.
- 1.10 The Final Inspectors Report, together with the Inspector's Appendix of proposed Main Modifications (MMs) was formally received on 11 September 2013. This can be viewed along with the TCLP on the Eastbourne Borough Council website www.eastbourne.gov.uk/tclp. The documents can also be viewed in hard copy format at the Eastbourne Borough Council Offices, 1 Grove Road and local libraries.

2.0 Inspector's Report

- 2.1 The Inspector's report concluded that the TCLP provides an appropriate basis for the planning of the Town Centre over the next 15 years providing a number of modifications are made to the

Plan. Most of the modifications to address this were proposed by the Council, and the Inspector recommended their inclusion after full consideration of the representations from other parties on these issues.

2.2 The modifications can be summarised as follows:

- amend references to planning for housing and office space to ensure consistency with the Eastbourne Core Strategy Local Plan (adopted February 2013);
- make a range of changes to the development opportunity sites to clarify their status as site allocations, set out a clear programme and strategy for delivery and demonstrate that project planning has commenced;
- make changes to ensure that the public realm projects, including the arts trail, are positively planned and deliverable;
- clarify the methodology and timing for taking forward the potential areas of change;
- update development management policies to take account of recent developments and strategies, especially the cycling strategy;
- re-draft the building heights/ tall buildings policy to ensure that it is justified and coherent; and
- re-draft the implementation and monitoring section to ensure that it is effective and supports delivery of the Plan.

At a meeting of the Local Plan Steering Group on 19th February 2013, Members approved the modifications prior to consultation, as delegated by the Cabinet approval of 6th February. In addition at a meeting of the Steering Group on 29th August, Members were informed that we had received a 'fact check' report from the Planning Inspectorate (as a precursor to receipt of the Inspector's final report) and that the document had been found 'sound' subject to the modifications we had consulted on.

2.3 **Assessment of Duty to Co-operate**

The Council had submitted a Statement of Compliance (SC) to the Inspector which detailed how it had addressed the duty to co-operate. The SC set out the Eastbourne context and described the engagement and discussions it had undertaken with Wealden and East Sussex County Council. It detailed the projects, discussions and working groups in which the Council had participated in preparing both the Core Strategy Local Plan and the TCLP and listed the wide range of public bodies with which the Council had collaborated. In particular, the Plan had also been prepared in the context of presentations and interactive workshops with key stakeholders, such as the Disability Involvement Group, the Youth Forum, Eastbourne Strategic Partnership and the Town Centre Management Initiative.

2.4 The Inspector concluded that it was clear from the Statement of Compliance that the Council's approach to preparing the Plan had been underpinned by collaborative working, that it had co-operated with all the relevant bodies and had met the duty to co-operate.

2.5 **Assessment of Soundness**

The Inspector concluded that it was clear that a number of significant changes were required to the Plan to ensure that key housing and office development, as well as regeneration, is delivered through the Development Opportunity Sites. However, the Inspector considered that the changes proposed ensure that the Plan is positively prepared and are effective in relation to the overall deliverability of the Development Opportunity Sites.

2.6 In addition, the Inspector confirmed that subject to the proposed modifications, the Plan provides a sound basis for delivering and monitoring the Town Centre proposals and projects.

2.7 **Assessment of Legal Compliance**

In assessing the compliance of the Plan with the legal requirements, the Inspector has confirmed that the Plan meets them all.

2.8 **Overall Conclusion and Recommendation**

In conclusion, The Inspector has confirmed that with the recommended main modifications, TCLP satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

3.0 **Next Steps**

3.1 The TCLP can now be approved for adoption by Full Council on 20th November 2013. After adoption, the Local Plan policies will be material considerations in the determination of planning applications for development in the Town Centre, along with the Eastbourne Core Strategy Local Plan and the saved policies from the Eastbourne Borough Plan (2003).

3.2 The adoption of the TCLP provides new policies for the Town Centre and as such some of the saved policies of the Eastbourne Borough Plan will be deleted. These are listed in a new Appendix to the TCLP.

3.3 The TCLP will also be a guide for developers and the community to show where and how the Town Centre will grow and develop in the future. Its main vision is that by 2027, 'Eastbourne Town Centre will be a place that attracts more shoppers, workers, residents and visitors to spend more time enjoying a vibrant and varied offer

and mix of uses in a well connected series of attractive streets and public spaces. Increasing investment in the town will bring wide-ranging benefits and will allow Eastbourne to respond positively to climate change.'

4.0 Resource Implications

4.1 Financial Implications

There are no direct financial implications to the Council of this report. The cost of the publication and publicity for the formal adoption of the Eastbourne Town Centre Local Plan will be met from within the existing service budget.

4.2 Legal Implications

The Council is required to notify the public that there is a legal challenge period. Any person aggrieved by the Town Centre Local Plan may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 on the grounds that the document is not within the appropriate powers or that a procedural requirement has not been complied with. Any application must be made no later than six weeks after the date of adoption by the Council i.e. 1st January 2014.

4.3 Human Resource Implications

Officers will manage the publicity arrangements for the publication of the Eastbourne Town Centre Local Plan, which will include an Adoption Statement.

4.4 Equalities and Fairness Analysis

An equality and fairness analysis is ongoing, the results of which will be reported via the Council's agreed internal systems. Should this policy require amendment, delegated authority should be given to the Chief Officer in conjunction with the Cabinet portfolio holder to make such amendments. Where a material change is required the policy will be re-presented to Cabinet.

5.0 Conclusion

5.1 Cabinet are requested to recommend to Full Council that the Eastbourne Town Centre Local Plan is formally adopted.

Background Papers:

Inspector's Report on the Eastbourne Town Centre Local Plan (September 2013)

Eastbourne Town Centre Local Plan Submission Version (January 2012)

Schedule of Proposed Modifications to the TCLP (June 2013)

Planning Committee Report 5 February 2013

Planning Committee Report 29 November 2011

Cabinet Report 6 February 2013

Cabinet Report 14 December 2011

To inspect or obtain copies of the background paper, please refer to the contact officer listed above.
