



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 1 October 2013.** (Pages 1 - 8)
- 2 Apologies for absence.**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct (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 25a Belmore Road. Application ID. 120905 (Pages 9 - 12)

7 Coventry Court, 437 Seaside. Application ID. 120906 (Pages 13 - 16)

8 P R Autos, Downs Garage, 44-48 East Dean Road. Application ID. 130397 (Pages 17 - 28)

9 Unit C, Glennys Estate, 158 Latimer Road. Application ID. 130547 (Pages 29 - 34)

10 Land East Of Kings Drive, Kings Drive. Application ID. 130468 (Pages 35 - 46)

11 2 Priory Road. Application ID 130492 (Pages 47 - 56)

12 Summerdown Sports Field, Compton Drive. Application ID 130557 (PPP) (Pages 57 - 64)

13 South Downs National Park Authority Planning Applications.

Verbal report.

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
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Tuesday, 1 October 2013
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Ungar (Chairman) Councillors Coles (as substitute for Hearn) Jenkins, Miah, Murdoch (as substitute for Liddiard) Murray, Stanley (as substitute for Harris) and Taylor

(Apologies for absence were reported from Councillors Liddiard, Harris and Hearn)

32 Minutes of the meeting held on 3 September 2013. Previously circulated.

The minutes of the meeting held on 3 September 2013 were submitted and approved and the Chairman was authorised to sign them as a correct record.

33 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).

There were none.

34 34 Dillingburgh Road. Application ID 130500 (FP)

130500 (FP) - Land to the rear of 34 Dillingburgh Road - Erection of two-storey detached dwelling house with garage, crossover and dropped curb – **OLD TOWN**. Nine letters of objection had been received.

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

The observations of Specialist Advisor – Arboriculture, Senior Transport Development Control Officer at East Sussex County Council and the Senior Planning and Policy Officer at Eastbourne Borough Council were detailed within the report.

NB: Councillor Taylor was no longer present for this item.

RESOLVED: (By 6 votes with 1 abstention) That permission be refused on the grounds that (1) That the proposed dwelling would be out of keeping with the established building pattern and that of the surrounding area and would comprise an alien and intrusive form of development, in an area characterised by semi-detached dwelling houses with deep rear gardens. As such the proposal would conflict with policies B2, C4 and D10A of the Core Strategy Local Plan, Saved Policy UHT1 of the Eastbourne Borough Plan and The National Planning Policy Framework.

(2) That the proposal would adversely affect the amenities of the occupiers of adjacent properties by reason of loss of privacy and overlooking or rear gardens. The proposal would therefore be contrary to B2 of the Core Strategy Local Plan and Saved Policy HO20 of the Eastbourne Borough Plan.

35 42 Wannock Road. Application ID 130516 (PPP)

130516 (PPP), 42 Wannock Road, Proposed Conversion and Extension of an Existing Single Storey Storage Building into a 1 Bedroom, 2 Storey Dwellinghouse – **Devonshire**. Two objections had been received.

The observations of Southern Water, Fire Brigade, Seaboard Energy, Building Control Manager, Environment Agency, County Archaeologist, Local Highway Manager, South East Water and Southern Gas Networks were detailed within the report.

NB: Councillor Taylor was no longer present for this item.

RESOLVED: (By 6 votes to 1) That permission be granted subject to the satisfactory completion of a Unilateral Undertaking in relation to an affordable housing contribution and the following 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

36 72 Sancroft Road. Application ID 130404 (PPP)

130404 (PPP), 72 Sancroft Road - Erection of new dwelling adjacent to 72 - a replica version of 72 Sancroft Road with matching materials – **OLD TOWN**. 22 letters of objection had been received. Four further letters of objection had been received.

The Council's Arboriculturalist raised no objection subject to conditions requiring tree protection and landscaping.

Paul Honeyford, objector, addressed the committee stating that the proposals were contrary to Council Policy and would increase the driving dangers experienced on this road during the winter months.

Martin Catterick, objector, addressed the committee reiterating the previous speakers comments and stating that it would be an overdevelopment of the site with narrow parking entrance and no where for plant storage during any proposed build.

Riad Thomas, applicant, addressed the committee in response stating that the site was not a greenfield site, the building had been designed to be a copy of the surrounding properties and the removal of a parking space would increase the viewing aspects for drivers approaching the junction.

NB: Councillor Taylor was no longer present for this item.

RESOLVED: (Unanimous) That permission be refused on the grounds that 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. 5) It has not been demonstrated that the mandatory requirements of the Councils policy in respect of affordable housing cannot be met and therefore the proposal fails to comply with Policy D5 of the Eastbourne Core Strategy 2006-2027 and the Affordable Housing Implementation Technical Note 2013.

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

37 Fisherman's Quay, Atlantic Drive. Application ID 130442

130442 - Atlantic Drive, Site 3, Land rear of 29 The Waterfront -

Proposed Fishing Quay comprising of buildings with storage and chiller Space and office accommodation to upper floors and separate Visitor Centre – **SOVEREIGN**. One letter of objection, two letters of concern and five letter of support had been received

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

The observations of Southern Water and Sovereign Harbour Residents Association were detailed within the report.

Jan Weeks, Sovereign Harbour Residents Association, addressed the committee in support stating that the design was appropriate for the area and would provide security for the fishermen, extra employment and the purpose built structure would reduce the impact on residents.

Stephen Lloyd MP, addressed the committee in support of the application stating that the structure would improve the facilities for the fishing fleet in Eastbourne and would be a draw for residents and visitors alike.

RESOLVED: (Unanimous) 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 31) Opening hours of Visitor Centre 7.00am to 10.00pm.

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.

38 Gateway Christian Church, Frenchgate Road. Application ID 130515

130515 (PPP) - Gateway Christian Church, Frenchgate Road -

Demolition of existing buildings, removal of temporary buildings and sheds and the erection of a new church and community centre, including external works – **HAMPDEN PARK**. Seven letters of objection and 37 comments of support had been received.

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

The observations of Sussex Police were detailed within the report.

NB: Councillor Taylor was no longer present for this item.

Mr Goymer, objector, addressed the committee stating that the development would result in a loss of light and view to his neighbouring property, the proposed building edge would restrict views for vehicles turning into and out of neighbouring roads, there would not be enough

parking for patrons, and the development would be out of keeping with the surrounding area.

Mr Saville, Architect, addressed the committee in response stating that the development would be a significant investment in the area providing additional community facilities and a Police presence in the new building (as is currently provided). Mr Saville also felt that the building would be a landmark development giving a boost to the local area.

NB: Councillor Taylor was no longer present for this item.

RESOLVED: (By 5 votes with 2 abstentions) That permission be granted subject to the following 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.

39 Kings Drive. Application ID 130468 (RMT)

130468 (RMT) - Land East Of Kings Drive, Kings Drive - 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) – **RATTON.** 20 letters of objection had been received.

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

The observations of the Downland, Trees and Woodland Manager, Housing Services Manager, Local Highway Manager, County Archaeologist and Natural England were detailed within the report.

Paul Humpheys' Bespoke, addressed the committee in objection requesting that cycle parking be provided for houses as well as flats, and that the proposed cycle route connect with the existing route.

Stephen Lloyd MP, addressed the committee in objection endorsing Bespoke's comments and stating that the designs were inappropriate for the surrounding area, which would not assist in mitigating the impact of the development. Stephen Lloyd also highlighted his concerns regarding the loss of trees and potential damage to remaining landscaping.

Patrick Griffin, Agent, addressed the committee in response stating that the cycle route requested by Bespoke had been included, however they had no control over routes outside the development area.

The committee considered the proposals and agreed that the design was out of keeping with the surrounding areas. The committee also felt that the plans were not detailed enough, with the design not being 'inspiring' for the site in such a prominent location.

RESOLVED: (Unanimous) That permission be refused on the grounds that the proposal by reason of inappropriate design detailing fails to maintain the character and appearance of the site and surrounding area and as such is considered to result in material harm to the long and short range views into and out of the site. The proposal is therefore contrary to Saved Policy UHT1 of the Eastbourne Borough Plan (2001-2011).

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.

40 Marine Road CAC. Application ID 130316

130316 - 14 and 15 Marine Road And 1 Leaf Hall Road - 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 – **DEVONSHIRE**. One letter of support had been received.

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

The observations of Highways, Planning Policy and Conservation were detailed within the report.

NB: Councillor Taylor was no longer present for this item.

RESOLVED: (Unanimous) That permission be granted for Conservation Area Consent subject to the following conditions: 1) Time for commencement 2) Standard Demolition Condition.

41 Marine Road PP. Application ID 130216

130216 - 14 and 15 Marine Road And 1 Leaf Hall Road - 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 – **DEVONSHIRE**. One letter of support had been received.

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

The observations of Highways, Planning Policy and Conservation were detailed within the report.

NB: Councillor Taylor was no longer present for this item.

RESOLVED: (Unanimous) That permission be granted subject to the following 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

42 South Downs National Park Authority Planning Applications - verbal report.

There were none.

NOTED.

43 Motcombe Baths, Motcombe

Members considered the report of the Specialist Advisor Conservation Design proposing that the Motcombe Baths, in Motcombe Conservation Area be included 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.

Members noted that following consideration by 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 had 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 had been made available at 1 Grove Road, and at The Town Hall.

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

Members were asked to agree to consult on the inclusion of The Baths, Motcombe, as a Building of Local Interest.

RESOLVED: That the Planning committee agree to the consultation on the inclusion of The Baths, Motcombe, as a Building of Local Interest.

44 Eastbourne Town Centre Local Plan (formerly known as Eastbourne Town Centre Area Action Plan).

Members were advised that the Eastbourne Town Centre Local Plan (TCLP) had been shaped over the last 4 years by close consultation with the community and stakeholders. The Local Plan set out a strategy and proposals for the future development and regeneration of the Town Centre up to 2027.

The TCLP had 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 would 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.

The Examination in Public for the TCLP took place on Thursday 16th and Friday 17th May 2013.

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.

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.

In order to ensure that the plan was found sound, the Council requested that it wished the Inspector to recommend any further modifications to the TCLP that were necessary to make it sound or legally compliant and therefore capable of adoption.

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.

Members were asked for their views on the attached report which would be reported to Cabinet at their meeting on 23 October 2013

RESOLVED: That Planning committee support Cabinet's recommendation to Full Council that the Eastbourne Town Centre Local Plan be formally adopted.

The meeting closed at 9.00 pm

Councillor Ungar (Chairman)

App.No.: 120905 EB/2012/0319	Decision Due Date: 31/10/13	Ward: Devonshire
Officer: Katherine Quint	Site visit date: 08/10/2013	Type: Demolition
Site Notice(s) Expiry date: 31/05/12, 26/09/13 Neigh. Con Expiry: 31/05/12, --- Weekly list Expiry: 31/05/12, 26/09/13 Press Notice(s)-: N/A		
Over 8/13 week reason: Within date		
Location: 25a Belmore Road		
Proposal: Demolition of building		
Applicant: Eastbourne Homes Ltd		
Recommendation: Approve		

Planning Status:

Predominantly residential area
Flood zone 3

Relevant Planning Policies:

Eastbourne Plan: Core Strategy Policies:

B1: Spatial Development Strategy and Distribution
 B2: Creating Sustainable Neighbourhoods
 C3: Seaside Neighbourhood Policy
 D1: Sustainable Development
 D5: Housing
 D8: Sustainable Travel

Site Description:

25a Belmore Road is a large detached building, situated at the far end of Longstone Road, but is accessed only by an access route off Belmore Road between 25 and 27 Belmore Road. Residential properties surround on all sides of the site; along Belmore Road, New Road and Sydney Road. To the rear of the site are a series of light industrial buildings, cutting off a triangular section of the site. The scheme comprises 2 self-contained flats

and 4 bedsits across 2 floors. The surrounding neighbourhood is a mixture of residential, 2-storey, terrace properties built in brick.

Relevant Planning History: None

Proposed development:

The applicant seeks permission to demolish the sheltered housing scheme at 25a Belmore Road. The application is for demolition only, but sufficient evidence has been submitted to demonstrate that a replacement scheme is due in March 2014. The redevelopment of the site was agreed in principle by Cabinet on 06.02.13.

Applicant's Points:

- The Cabinet Papers for these planned projects were presented to Members on 6th February 2013, detailing the size of the planned schemes and the level of funding committed by the Council to support them.
- In terms of numbers of units on each site, Belmore Road is scheduled for 4 family houses, and is likely to have 3 storeys (including roof space).

Timescales in relation to demolition and submission of proposed scheme:

Application for Demolition Registered	-	5 th September 2013
Application for Demolition Submitted to Committee for Approval	-	26 th November 2013
Commencement of Demolition	-	January 2014
Full Planning Application Submitted	-	March 2014
Projected Start on Site	-	July 2014

Consultations:

Consultation was carried out by letter to 92 neighbouring residents and businesses, and site notices were displayed on the streets around the site. In addition representations were sought from Environmental Health and Highways. No representations were received.

Neighbour Representations

Following re-validation of the application on 05/09/2013, new site notices were posted close to the site. One general comment was received raising the following concerns following demolition:

- Details of proposed scheme not available with the demolition application
- Concern that asbestos will be present, and the implications for neighbouring properties at the point of removal

- Telephone lines of neighbouring properties attached to the building to be demolished, and how the telephone connections will be maintained.

Appraisal:

Principle of demolition of existing accommodation

The existing accommodation falls short of a quality standard of accommodation, and in being predominately studio flats with shared facilities, does not respond directly to the significant housing need in Eastbourne for family homes. On the basis that the application for demolition is accompanied by sufficient evidence demonstrating that a replacement scheme is due in March 2014, and that the redevelopment of the site is supported by Cabinet (as agreed on 06.02.13) demolition of the existing block is considered acceptable in principle and hence officers are recommending this for approval.

Vacant units

In assessing the justification for demolition without the accompanying proposed redevelopment scheme, consideration has been given to the risk of anti-social behaviour and associated security concerns on the site. In its current position the level of natural surveillance is relatively low from the street, but is visible from surrounding rear gardens. However, the site has attracted unwanted visitors, as well as littering and flytipping. As the period of vacancy extends, the risk is likely to increase in relation to the site and building. Consequently, this is an additional factor in clearing the site, given that a proposal is anticipated in Spring 2014.

Demolition method

25a Belmore Road is enclosed by residential properties backing onto the site, and access is limited to a driveway measuring 3.8m in width. Taking this into account, consideration should be given to the method of demolition, the removal of waste materials, and access to and from the site of large construction vehicles. A full demolition statement and transport plan will be required prior to commencement on-site.

In response to comments received from neighbours, the usual demolition time constraints will be added as a condition, restricting work to 9 until 6pm, Monday to Friday, and 9 until 1pm on Saturdays.

Human Rights and Equality and Diversity Implications:

None

Conclusion:

The building at 25a Belmore Road is not considered to be of historic or architectural significance. Evidence has been provided to demonstrate redevelopment of the site is imminent and a planning application for the scheme is due in Spring 2014. The loss of the existing accommodation, which falls short of a quality standard of accommodation, is considered acceptable. Subject to conditions managing the demolition process and access to and from the site during demolition, the proposal complies with the relevant borough plan policies: the Eastbourne Core Strategy (2013) and the National Planning Policy Framework (2012).

RECOMMEND: Permission be granted subject to the following conditions:

Conditions:

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

App.No.: 120906 EB/2012/0319	Decision Due Date: 31/10/13	Ward: Devonshire
Officer: Katherine Quint	Site visit date: 08/10/2013	Type: Demolition
Site Notice(s) Expiry date: 30/05/12, 26/09/13 Neigh. Con Expiry: 01/06/12, --- Weekly list Expiry: 01/06/12, 26/09/13 Press Notice(s)-: N/A		
Over 8/13 week reason: Within date		
Location: Coventry Court, 437 Seaside		
Proposal: Demolition of building		
Applicant: Eastbourne Homes Ltd		
Recommendation: Approve		

Planning Status:

Predominantly residential area
Flood zone 3

Relevant Planning Policies:

Eastbourne Plan: Core Strategy Policies:

B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C3: Seaside Neighbourhood Policy
D1: Sustainable Development
D5: Housing
D8: Sustainable Travel

Site Description:

Coventry Court is a 1970s, large sheltered scheme located on Seaside, between Allfrey Road and Vine Square. The block is on a predominantly level site, adjacent to Renfrew Court, and between the two sites is a parking area shared by both blocks. The scheme comprises 52 bedsits and 1 self-contained warden flat across 4 floors. The surrounding neighbourhood is a mixture of residential, retail and local services, as well as a pub and two

churches. The character of the area is general 2-storey, terrace properties built in brick.

Relevant Planning History: None

Proposed development:

The applicant seeks permission to demolish the sheltered housing scheme at 437 Seaside – Coventry Court. The application is for demolition only, but sufficient evidence has been submitted to demonstrate that a replacement scheme is due in March 2014. The redevelopment of the site was agreed in principle by Cabinet on 06.02.13.

Applicant's Points:

- The Cabinet Papers for these planned projects were presented to Members on 6th February 2013, detailing the size of the planned schemes and the level of funding committed by the Council to support them.
- In terms of numbers of units on each site, Coventry Court is scheduled for 16 family houses, and is likely to have 4 storeys (including roof space).

Timescales in relation to demolition and submission of proposed scheme:

Application for Demolition Registered	-	5 th September 2013
Application for Demolition Submitted to Committee for Approval	-	26 th November 2013
Commencement of Demolition	-	January 2014
Full Planning Application Submitted	-	March 2014
Projected Start on Site	-	July 2014

Consultations:

Consultation was carried out by letter to 139 neighbouring residents and businesses, and site notices were displayed on the streets around the site. In addition representations were sought from the Arboricultural Team, Environmental Health and Highways:

Arboricultural response (06.06.12):

There are two cherry trees on the site that do not provide any significant Landscape value and no objection could be made to the loss. The trees are managed by the Council on behalf of Eastbourne Homes.

Given the size of the building it would be necessary to protect the adjacent street trees with 2.4m wooden shuttering constructed around the trunk, if

the demolition is permitted. The protection prevents damage from vehicles and should be erected and checked by our team prior to the start of the work.

Health and Environment Team (09.05.12):
No issues raised.

Neighbour Representations

Two comments were received in support of the principle, but raising the following concerns following demolition:

- Demolition may go ahead before there is any clear proposal for what is to replace it
- Maintenance of the site once it is cleared
- Type of accommodation, eg. suitable, modern, elderly accommodation?
- Demolition work hours be limited to 9-6 Monday to Friday to allow some time for quiet enjoyment of own properties during evenings and at weekends.
- Agree in principle to the demolition of the outdated building, but concern over delivery access during construction (from Allfrey Road).

Following re-validation of the application on 05/09/2013, new site notices were posted close to the site. No further representations were received.

Appraisal:

Principle of demolition of existing accommodation

The existing accommodation falls short of a quality standard of accommodation, and in being predominately studio flats with shared facilities, does not respond directly to the significant housing need in Eastbourne for family homes. The building at 437 Seaside (Coventry Court) is not considered to be of historic or architectural significance.

On the basis that the application for demolition is accompanied by sufficient evidence demonstrating that a replacement scheme is due in March 2014., and that the redevelopment of the site is supported by Cabinet (as agreed on 06.02.13) demolition of the existing block is considered acceptable in principle and hence officers are recommending this for approval.

Vacant units

In assessing the justification for demolition without the accompanying proposed redevelopment scheme, consideration has been given to the risk of anti-social behaviour and associated security concerns on the site. In its current position the level of natural surveillance is relatively high and the site has not attracted unwanted attention. However, as the period of

vacancy extends, the risk is likely to increase, and is an additional factor in clearing the site, given that a proposal is anticipated in Spring 2014.

Demolition method

Coventry Court is located adjacent and in close proximity to Renfrew Court, and access to the surrounding residential area is via Vine Square (one-way street) and Allfrey road (two-way street). Seaside, which is busy throughout the day and is used for deliveries and parking for local services, runs in front of the building. Taking this into account, consideration should be given to the method of demolition, the removal of waste materials, and access to and from the site of large construction vehicles. A full demolition statement and transport plan will be required prior to commencement on-site.

In response to comments received from neighbours, the usual demolition time constraints will be added as a condition, restricting work to 9 until 6pm, Monday to Friday, and 9 until 1pm on Saturdays.

Human Rights and Equality and Diversity Implications:

None

Conclusion:

The building at 437 Seaside (Coventry Court) is not considered to be of historic or architectural significance. Evidence has been provided to demonstrate redevelopment of the site is imminent and a planning application for the scheme is due in Spring 2014. The loss of the existing accommodation, which falls short of a quality standard of accommodation, is considered acceptable. Subject to conditions managing the demolition process and access to and from the site during demolition, the proposal complies with the relevant borough plan policies: the Eastbourne Core Strategy (2013) and the National Planning Policy Framework (2012).

RECOMMEND: Permission be granted subject to the following conditions:

Conditions:

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

App.No: 130397 (OSR)	Decision Due Date: 23 August 2013	Ward: Old Town
Officer: Richard Elder	Site visit date: 4 October 2013	Type: Outline (some reserved)
Site Notice(s) Expiry date: 27 August 2013 Neigh. Con Expiry: 27 August 2013 Weekly list Expiry: Press Notice(s): n/a		
Over 8/13 week reason: To align with Planning Committee schedule		
Location: P R Autos, Downs Garage, 44-48 East Dean Road, Eastbourne		
Proposal: Proposed demolition of existing buildings and erection of a 3 storey 47 bedroomed home for the elderly.		
Applicant: Mr Bell, Hweitt, Evan and Warren		
Recommendation: Refuse		

Planning Status:

Business site, surrounded by predominantly residential

Eastbourne Core Strategy Policies

Relevant Planning Policies:

Eastbourne Core Strategy Local Plan 2006-2027:
 B1: Spatial Development Strategy and Distribution
 B2: Creating Sustainable Neighbourhoods
 C4: Old Town Neighbourhood Policy
 D1: Sustainable Development
 D5: Housing

Eastbourne Borough Plan 2001-2011

UHT1: Design of New Development
 UHT4: Visual Amenity
 HO2: Predominantly Residential Areas
 HO7: Redevelopment
 HO9: Conversions and Change of Use
 HO17: Supported and Special Needs Housing

HO20: Residential Amenity
NE14 Source Protection Zone
TR11: Car Parking
BI1: Retention of Class B1, B2 and B8 Sites and Premises
BI4: Retention of Employment Commitments

Site Description:

The application site is located on the north side of East Dean Road, close to the junction with Longland Road approximately 30 metres to the north east. The site is bounded by residential properties to the west, north and east and East Dean Road to the south. Access to the site is via a vehicular entrance from East Dean Road to the south east side of the site at the rear of no.42 East Dean Road. It is currently occupied a collection of single and two storey buildings in use as car repairs and body shop workshops and B8 warehouse storage incorporating an element of on site retail and deliveries from the site.

The site is an irregular shape and occupies approximately 0.34 hectares in area. The site is generally level but is located on a plateau where the levels slope steeply downwards from south west to north east. To the west, the land slopes steeply upwards to a height of 6 – 7 metres above the existing site levels to the side boundaries of nos.2 Downside Close and no.50 East Dean Road. To the north east of the site, the land slopes steeply downwards to the rear of the 2 storey houses along Longland Road where the existing ground level is approximately level with the eaves of these houses. The site is also set well below the level of East Dean Road and the houses to the south side of East Dean Road.

The existing boundary treatment around the site comprises a high flint and brick wall to the east side and a 1.5 metre high close boarded fence to the north east side where there is also a collection of 3 single storey storage buildings within an indented alcove to this boundary to the rear of nos. 5 and 7 Longland Road.

Relevant Planning History:

EB/2004/0804

Retrospective application under Section 73A, for the use of vacant land for parking of courtesy cars in connection with car body repair business.

Granted, subject to condition.

2004-12-10

EB/1999/0141

Erection of a single-storey extension at the rear of the property.

Granted (Five years).

1999-05-25

EB/1966/0651

Erection of a six-storey block, comprising 10 one-bed room flats, and a linked three-storey block, containing 18 bed-sittingroom flatlets, with garages under. Granted, subject to conditions.

1966-12-15

EB/1966/0598

Proposed re-development for a block of 42 residential flats (28 bed-sittingroom and 14 one-bedroom flats) partly three floors/partly five floors and partly seven floors, with 28 garages under.

Withdrawn - letter dd: 29/11/1966 refers.

EB/1966/0352

Erection of a car service station, a car showroom, a block of 15 flats, garages and parking space.

Refused, four reasons.

1966-09-08

Proposed development:

The proposal seeks outline planning permission for the demolition of the existing single and two storey commercial buildings to facilitate the erection of a 3 storey, 47 bedroom residential care home incorporating 2 storey and single storey sections to the east side of the site. All reserved matters except for landscaping are due for consideration.

The proposed building would incorporate a pitched tiled roof with a flat roof section to the central section of the building. Two dormer windows are proposed to the north and east roof slopes where the building steps down. South facing solar panels are proposed to be located on the flat roof section of the main building.

The proposed building would be centrally located within the site with 21 car parking bays located to the south and east side of the site and amenity garden area to the north side.

The likely number of staff that would be employed would amount to some 10 full time equivalents, at the normal ratio of staff in this sector at 1 per 5 bedrooms,

The majority of trees on site are to be retained with the exception of four trees which are to be removed in the interest of good arboricultural practice.

The existing access into and out of the site is to be retained and unaltered.

Consultations:

Planning Policy Manager –

National and Local Plan policies support the proposed change of use. There is a local need for C2 residential care facilities and thus demonstration of genuine redundancy is not required.

Cleansing – No objection. 2 x 1100 litre communal bins would be sufficient.

Highways Dept. –

No objection subject to conditions. The number of car parking spaces accords with the ESCC Parking Standards. The proposed use would result in fewer vehicle trips than the current use based on the TRICS database. There have been no reported incidents at this access in the last 10 years. Also the Manual for Streets has considered this issue and concluded that parking in visibility splays in built up area is common yet does not appear to create significant problems in practice.

Downland, Trees and Woodland Manager – No objection subject to conditions.

Economic Development –

Support. Proposal would upgrade an existing employment site in need of attention to provide 10 full time staff.

Environmental Health – No objection subject to conditions.

Estate Manager – No response

Southern Water – No response

South East Water – No response

Neighbour Representations:

15 objections have been received and cover the following points:

- Overdevelopment of the site, massively oversized and would tower over the houses along Longland Road.
- Too close to the boundary with Longland Road gardens.
- Not a suitable location for a care home and would be out of keeping with the surrounding area, operating 24 hours, 7 days a week.
- A 3 storey development is too high and would be overbearing. Would dwarf houses to the east due to them being at a much lower level and is out of scale with the rest of the neighbourhood.
- Overlooking and loss of privacy to rear habitable rooms of houses on Longland Road. Private rear gardens would also be completely overlooked.
- Loss of sunlight and overshadowing to the rear of Longland Road houses particularly in the winter months when the sun is low.

- Design is out of keeping with surrounding area and would be an eyesore.
- The majority of traffic movements would be visitors in the evenings and weekends resulting in loss of amenity through increased noise where the existing use operates during the week within normal working hours.
- Will create more traffic congestion on East Dean Road.
- The use of the existing access would compromise pedestrian safety.
- Parking is insufficient for staff and residents and will overspill onto the heavily parked surrounding residential roads.
- Stability of the high bank to the west is a concern.
- Inaccuracy in the drawings to the north west elevation where a window is missing on the elevation and roof profile would appear to be incorrect.
- Preparation of meals throughout the day could cause unacceptable odours from the kitchen.
- External lighting would have an adverse impact on night time environment.

Appraisal:

The main considerations in the determination of this application are the acceptability of the change of use from employment uses to residential care home, the impact of the height, scale and massing of the proposed building on surrounding residential amenity, its impact on the character and appearance of the area, highway safety considerations and the provision of sufficient car parking spaces for staff and residents.

Change of Use

Policies BI1 and BI4 of the Eastbourne Local plan aim to prevent the loss of land or buildings currently or last in class B1, B2 or B8 use for non-employment use will not be granted unless the site or premises is genuinely redundant and is unlikely to be re-used or redeveloped for industrial or commercial use.

However, paragraph 51 of the National Planning Policy Framework states that planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area should be approved provided that there are not strong economic reasons why such development would be inappropriate.

Paragraph 50 of the National Planning Policy Framework states that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes).

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.

Policy C4 of the Eastbourne Core Strategy sets out the vision for the Old Town neighbourhood will be promoted by delivering some housing through infill and redevelopment of commercial premises.

The proposal would provide C2 residential housing for the elderly. The Planning Policy manager has advised that this is in need locally and in line with paragraph 50 of the NPPF. As such, it is considered that evidence of genuine redundancy of the current business premises is not required as per paragraph 51 of the NPPF. The proposed change of use is therefore supported by National Planning Policy and Policy C4 of the Eastbourne Core Strategy.

Policy HO17 states that planning permission will be granted for residential care homes (rest and nursing homes), by both conversion and new build, subject to a location in close proximity to public transport, shops, open spaces, entertainment and community facilities and the suitability of the property and its design, in relation to the needs of occupants, for instance the adequacy of disabled access.

The proposal generally meets the prescribed criteria set out in Policy HO17 in that the site is located in a sustainable and accessible location near to public transport routes, and the scheme's design is functional to the needs of its occupants.

As such, it is considered that the proposed change of use accords with the requirements of the NPPF and Policies HO17 of the Eastbourne Local Plan and Policy C4 of the Eastbourne Core Strategy.

Layout, Siting and Design

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 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 current site is occupied by modest single storey and two storey buildings which sit comfortably into and around the site and are not highly visible from the public realm or from surrounding residential properties. The proposal involves the provision of a predominantly 3 storey building with pitched roof which extends over most of the width of the site. Due to the difference in ground levels of 2-3 storeys between the application site and the ground to the west occupied by nos. 50 East Dean Road and 2 Downside Close, it is considered that 3 storeys within

this part of the site is appropriate as the building would not be any higher than these adjoining houses. However, as the building extends to the north east side of the site, the north east corner of the building would be sited within 3 metres of the north east site boundary which is the rear garden boundary to no.9 Longland Road. At this point, the design of the roof is shown to step down by approximately 1.4 metres to address this issue and the north east elevation plan shows the relationship with no.7 Longland Road. However, the perspective on this elevation has not been shown correctly as the proposed building is set at a 45 degree angle and does not adequately demonstrate its siting or relationship with no.7 Longland Road. In any event, it is the rear of nos.9 and 11 Longland Road which are most affected by the proposal as they are closer to the north east corner of the building.

The plans show the ground level of the application site would be approximately level with the eaves of the rear of the 2 storey houses along Longland Road. The north east corner of the proposed building would be sited approximately 16.8 metres from the rear elevation of no.9 Longland Road. Given that the existing ground level is 2 storeys in height above the houses along the south west side of Longland Road and within a distance of 18 metres, the addition of a 2/3 storey building within 3 metres of the boundary with no.9 Longland Road would constitute a significantly overbearing and dominant structure when viewed from the rear garden and windows of this property and neighbouring houses either side.

The existing 2 storey building on site in this location is set back by approximately 7.4 metres from the north east boundary. As such, it is considered that the difference in mass and bulk between the existing and proposed situation created by the proposed development would be excessive to a point where it would have a significantly detrimental impact on outlook where uninterrupted views of the sky and early evening sun above the boundary fence currently exist.

As such, it is considered that the siting and scale of the proposed building towards the north east part of the site does not adequately address the difference in ground levels between the site and that of the houses at lower level on the south west side of Longland Road. The proposal would, therefore, constitute a visually dominant and unneighbourly form of development which would be significantly overbearing in scale when viewed from the rear gardens and windows of houses along Longland Road. The proposal would, therefore, be contrary to Policies UHT1 and UHT4 of the Eastbourne Local plan and Policy B2 of the Eastbourne Core Strategy.

It should be noted that there is an inaccuracy in the drawings to the south west elevation where a window is missing at second floor level on the elevation plan and roof profile does not appear to be high enough to accommodate head height within the stairwell shown on the second floor plan.

Residential Amenity Impact

Policies HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. Policy UHT4 states that proposals which have an unacceptable detrimental impact on visual amenity will be refused.

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

The residents most affected by the proposal are the occupiers of the houses along the south west side of Longland Road. The overly dominant and overbearing scale of the north east side of the building set out above would significantly impact on residential amenity with particular regard to visual amenity, overlooking and loss of privacy, loss of sunlight and overshadowing of rear gardens.

As already alluded to above, it is considered that the excessive height, bulk and mass and inappropriate siting of the north east side of the building would constitute unneighbourly development which would significantly affect the visual amenity at the rear of houses along the south west side of Longland Road. Views of the sky to the south west which currently exist would be unduly lost from the rear of these houses. In addition, combined with the siting of the building to the south west of Longland Road, within 3 metres of the boundary with no.9 Longland Road, it is considered that the building would result in loss of sunlight which would significantly overshadow the rear gardens of these houses, especially those of nos.9 and 11 Longland Road, during the early evening hours to sunset, particularly during the winter months when the sun is lower in the sky. It is considered that this would have a detrimental impact on the use of and enjoyment of the south west facing gardens of these houses and would be contrary to Policy HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

With regards overlooking from the proposed building, it is considered that there are a number of windows to the north east corner of the building at first and second floor level which would cause direct overlooking of the rear gardens and habitable windows of houses along Longland Road. Those houses particularly affected are nos.7 – 13 Longland Road being the closest houses to the proposed building.

Two windows to the first floor dining room directly overlook the rear gardens of nos.9 and 11 Longland Road and are shown on the plans to be 19.1 metres and 18.1 metres from the rear elevation of no.9 Longland Road. This separating distance is not considered sufficient to protect privacy where no overlooking currently exists. However, the direct overlooking of the private rear gardens is significantly more harmful where the building is within 3 metres of the boundary fence. Bedrooms 213, 214 and 215 at first floor level are at a slightly more obscure angle, however, they would still directly overlook the rear gardens of

nos.11 and 13 Longland Road. At second floor level, there are 2 dormer windows proposed to the north east corner roof slopes. These would serve 2 bedrooms of which bedroom 315 (facing north west) would be set approximately 21.6 metres from the rear elevation of no.9 Longland Road and bedroom 316 (facing north east) would be set approximately 23 metres from the rear of no.7 Longland Road. Although these windows are slightly further away than the first floor windows, being at a floor higher, they would have a significantly higher impact on looking down to these houses and over the rear gardens. The plans do not indicate that any of these windows would be obscure glazed and it is therefore assumed that they are proposed to be clear.

As such, it is considered that the positioning of the windows, which arises from the inappropriate scale and siting of the building, and their proximity to the rear windows and gardens of houses along the south west side of Longland would result in significant overlooking and loss of privacy which would adversely affect the amenities of the residential occupiers affected. In this respect, the proposal would be contrary to Policy H020 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Objections have been received from residents concerning potential noise and disturbance from cars entering and exiting the site on a 24 hour basis especially during the evening and early morning hours. It is not thought that there would be many journeys undertaken during the night for the proposed residential use, however, there may be comings and goings up until late night. There are 3 parking spaces (nos. 18, 19 and 20) located close to the north east boundary with nos. 5 and 7 Longland Road where 3 single storey storage buildings are currently located. Space no.20 is located approximately 8.3 metres from the rear elevation of no.7 Longland Road where there is likely to be rear first floor bedrooms which would benefit from a significantly lower background noise level at night away from the road. These parking spaces would be sited very close to the first floor rear windows of these properties but also at an elevated level which could potentially cause noise and disturbance from revving engines, doors closing, beaming headlights and noise emanating from drivers and passengers. As such, it is considered that these parking spaces are inappropriately located close to the rear of these residential houses at an elevated level and could potentially impact adversely on the occupiers of nos.5 and 7 Longland Road and neighbouring houses during the evening and early morning hours, contrary to Policy H020 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Access, Car Parking and 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.

The proposal involves the provision of 21 parking bays of which, 2 would be disabled spaces and 1 would be an ambulance space. The remaining spaces would be utilised by residents, visitors and staff. Provision of a cycle store for 6 bicycles is shown to be provided within a store to the east of the site.

Objections have been received concerning insufficient parking provided for such a large proposal and that overspill would be accommodated within the surrounding residential streets.

The applicants have provided a Transport Assessment which shows that the existing use of the site would involve some 163 movements a day and the proposed use would reduce this to 106 such trips based on the Trip Rate Information Computer System (TRICS) database.

The East Sussex County Council Highways Manager has been consulted and considers that the level of on site parking is in accordance with ESCC, Parking Guidelines and appropriate for the site being utilised as either a Care Home or Nursing home. The parking layout is acceptable and has been considered with regard to Manual for Streets. The cycle parking is also appropriate in terms of the number and facilities as they are to be both covered and secure and therefore suitable for long term use. The site is located close to a well served bus route linking the site to Eastbourne town centre as well as the coastal strip to Brighton. The site is therefore located in a reasonably sustainable area in transport terms.

The Highways Manager has undertaken their own analysis through the TRICS database limiting the analysis to sites in England, excluding Greater London, and the figures obtained are almost identical to those in the submitted transport assessment which concludes that the proposal would result in fewer vehicle trips than the current use and thus would be acceptable on transport grounds.

It has also been confirmed from Police accident records that there have been no reported incidents at this access in the last 10 years. As such, it is considered that the proposal would accord with Policy TR11 of the Eastbourne Borough Local Plan and East Sussex County Council parking standards SPG.

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 been accompanied by a BREEAM report which confirms that the proposed building would achieve a rating of 'very good'. As such, it is considered that the proposal would meet the aims of sustainable development and accord with Policy D1 of the Eastbourne Core Strategy.

Human Rights Implications:

None

Conclusion:

The proposed 3 storey residential care home to replace the existing commercial uses on the site is acceptable in principle and would meet a local need for residential care for the elderly in line with the aims of the NPPF, Policy H017 of the Eastbourne Local Plan and Policy C4 of the Eastbourne Core Strategy.

Access and car parking provision is also considered acceptable and would meet the standards set out in the ESCC, Parking Guidelines. The proposal would result in fewer trips to and from the site and would be located close to a well served bus route linking the site to Eastbourne town centre as well as the coastal strip to Brighton. As such, it is considered that the proposal would accord with Policy TR11 of the Eastbourne Borough Local Plan and East Sussex County Council parking standards SPG.

No objection is raised to the traditional design concept for the proposed building. However, it is considered that the proposed building would be inappropriately sited, visually dominant and overbearing in scale in relation to houses along the south west side of Longlands Road which are situated approximately 2 storeys lower than the application site ground level. The excessive mass and bulk combined with the inappropriate siting would result in loss of sunlight to the rear of houses on Longlands Road and overshadowing of the rear gardens after early evening hours and earlier in the winter months when the sun is lower in the sky. Windows at first floor level to the north west and north east elevations would directly overlook the rear of houses along Longlands Road with views towards rear habitable rooms and private gardens resulting in a significant loss of privacy to the residents of these houses.

As such, the proposal, with respect to scale and layout, would be contrary to Policies UHT1, UHT4, H020 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Recommendation: Refuse**Reasons For Refusal:**

1. The proposed development is considered unacceptable by virtue of its inappropriate siting, excessive footprint, height and massing which fails to adequately address the difference in ground levels and proximity between the application site and the rear of houses along the south west side of Longlands Road where it would result in a visually dominating and overbearing structure in relation to these houses. As such, it is considered that the proposal would be

contrary to Policies UHT1 and UHT4 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

2. By virtue of the inappropriate siting, excessive footprint, height and massing, it is considered that the proposed development would result in an unacceptable loss of sunlight in the early evening and overshadowing to rear windows and gardens of houses on the south west side of Longlands Road. As such, it is considered that the proposal would be contrary to Policy H020 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

3. The proposed development is considered unacceptable by virtue of its inappropriate positioning of windows at first and second floor level to the north east corner of the building which would directly overlook the rear gardens and habitable rooms of houses along the south west side of Longlands Road. As such, it is considered that the proposal would result in an unacceptable loss of privacy to these houses, adversely affecting the amenities of the residential occupiers, contrary to Policy H020 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

4. The positioning of parking spaces adjacent to the north east boundary to the rear of nos. 5 and 7 Longlands Road is considered to be unacceptable by virtue of their inappropriate location and close proximity to the rear elevations of these residential houses at an elevated level which could potentially cause noise and disturbance to the residential occupiers from revving engines, doors closing, beaming headlights and noise emanating from drivers and passengers. As such, it is considered that the proposal would adversely affect the amenities of adjacent residential occupiers, contrary to Policy H020 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Informatives

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.**

App.No: 130467 (PPP)	Decision Due Date: 24 October 2013	Ward: Devonshire
Officer: Richard Elder	Site visit date: 9 October 2013	Type: Planning Permission
Site Notice(s) Expiry date: 26 September 2013 Neigh. Con Expiry: 26 September 2013 Weekly list Expiry: n/a Press Notice(s): n/a		
Over 8/13 week reason: Planning Committee item		
Location: Unit C, Glennys Estate, 158 Latimer Road, Eastbourne		
Proposal: Change of use from B1 (Business) to D2 (Leisure).		
Applicant: Mr Chris Field		
Recommendation: Refuse		

Planning Status:

- Predominantly business and light industrial use
- Flood zone 3

Relevant Planning Policies:

Eastbourne Borough Plan 2001-2011

- UHT1 - Design of New Development
- BI1 - Retention of Class B1, B2 and B8 Sites and Premises
- BI4 - Retention of Employment Commitments
- HO20 - Residential Amenity
- TR11 - Car Parking
- US5 - Tidal Flood Risk

Eastbourne Core Strategy Local Plan 2006-2027

- B2 - Creating Sustainable Neighbourhoods
- D2 - Economy
- C3 - Seaside Neighbourhood Policy

Genuine Redundancy of Business Premises SPG

Site Description:

The application site is a B1 business unit situated within the Glennys Estate at 158-164 Latimer Road which is a purpose built business/industrial estate comprising 9 units in total. The estate lies within a residential block surrounded by the rear of residential properties on Eshton Road to the south west, Beach Road to the north east and Sidley Road to the south east. Access into the site is from Latimer Road to the north west side of the site. Unit C is an end unit within the centre of the site close to the rear garden boundaries of nos. 34-38 Beach Road.

Relevant Planning History:

EB/2001/0727

Demolition of lock-up stores and erection of four industrial starter units.

Approved

2002-02-21

EB/2004/0315

Temporary (5 years) change of use of 40% of unit to retail use restricted to Stoveshop Smith and Gibbs.

Withdrawn

EB/2009/0642

Use of units as B1 & B8 (Lawful Development Certificate)

EB/2012/0722

Variation of conditions 3 and 7 of permission EB/1991/0527 (front of site):

Approved conditionally

2012-12-06

Proposed development:

Application involves the change of use of the B1/B8 business unit to a D2 leisure use to provide a personal training facility comprising a toilet, kitchen area, office, weight training area and movement training area for classes.

No external alterations are proposed.

The opening hours requested are the same as those approved in 2012 for the B1/B8 use being 07.00 – 19.00 hours, Monday to Saturday and closed on Sundays.

Consultations:

Local Highway Manager – REFUSAL recommended due to inadequate parking facilities within the site which would increase demand for on-street parking and additional congestion on the public highway.

Planning Policy Manager – REFUSAL recommended due to lack of marketing information submitted to demonstrate redundancy.

Environmental Health – No response received.

Neighbour Representations:

7 objections have been received and cover the following points:

- Major parking issues caused by 20+ customers within the surrounding roads where parking is currently difficult due to car valeting unit, nursery and café.
- Noise and disturbance from unit in the evenings and from people, car movements and music.
- Impact on privacy and wellbeing.

Appraisal:

The main considerations in the determination of this application relate to the acceptability of the change of use resulting in a class B use, highway safety considerations and the provision of sufficient car parking spaces for staff and customers.

Change of Use

Policies BI1 and BI4 of the Eastbourne Local plan aim to prevent the loss of land or buildings currently or last in class B1, B2 or B8 use for non-employment use and will not be granted unless the site or premises is genuinely redundant and is unlikely to be re-used or redeveloped for industrial or commercial use.

Policy D2 of the Eastbourne Core Strategy aims to protect good quality employment space, and resisting change of use. Any proposal will be considered in a sequential process which gives priority to retention unless the site is unviable for employment use or is otherwise unsuitable.

Policy BI1 requires applications to demonstrate that land or premises are genuinely no longer needed under one or more of the following considerations:

- Inability of the site to accommodate acceptable business development.
- Lack of market interest.
- Business use of the site would not be financially viable.

The applicants have submitted a letter from the commercial estate agents which confirms that the unit has been vacant since December 2010 without success. It confirms there are few applicants seeking this size and type of unit and the landlord has reduced the rent dramatically. The applicants were referred to the Genuine Redundancy of Business Premises Supplementary Planning Guidance prior to validation of the application which provides guidance on what to submit

to demonstrate redundancy. The only justification submitted is the letter from Tingley and no evidence of a marketing strategy, marketing method, rental market price or rent reductions have been submitted.

In addition, it has not been demonstrated that the current business unit is unsuitable for its B1/B8 purpose given it has been in existence since 1984.

As insufficient evidence relating to the genuine redundancy of the site has been submitted, it has not been demonstrated that business use on the site is no longer viable and therefore genuine redundancy cannot be accepted and the proposal would be contrary to Policies BI1 and BI4 of the Eastbourne Local Plan and Policy D2 of the Eastbourne Core Strategy.

Residential Amenity Impact

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

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

The submitted planning statement indicates that the proposed use as a personal training facility would involve music for exercise classes which would be kept to a sensible volume with the use of a decibel meter. The unit is located within a predominantly residential area and backs onto rear gardens of houses along Beach Road. The north east elevation of this unit is only 10 metres from the rear elevations of nos.34-38 Beach Road and 6 metres to the rear garden boundary.

It is not known what sound proofing qualities the existing building possesses or what would be required to upgrade the sound proofing to protect surrounding residents from the music as concern would be raised over the sound proofing quality of the metal cladding to the upper half and roof of the building, the large roller shutter to the front and the fire exit door to the north side. Therefore, it is considered that the building within which the unit is located and the location of the unit so close to the rear of residential houses is inappropriate for a gym/training facility as it has not been demonstrated that the building is fit for purpose.

The proposed opening hours of 7.00 – 19.00 hours would match that of the existing permitted hours of the existing business unit granted permission in 2012. However, it is considered that an opening time of 07.00 hours is too early for this type of use in this area. A closing time of 19.00 is generally too early for a training facility which tends to attract younger professionals after normal working hours. As such, it is considered that the opening hours are not considered acceptable on amenity grounds or viable for a use such as this.

Therefore, as the application stands, it is considered that the proposed use, suitability of the building and its location and opening hours are not appropriate given the residential nature of the surrounding area and the potential noise disturbance from music and exercise classes to surrounding residents.

As such, it is considered that the proposal would adversely affect residential amenity, contrary to Policy H020 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Car Parking and 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.

The submitted planning statement indicates that proposed use as a personal training facility would potentially attract around 20 customers at any one time and would have 1 employee. The proposal has not provided any details of parking facilities for customers and staff. As such, it is assumed that parking would be provided in and around the surrounding streets which would add to increased on-street parking demand and congestion on the public highway, to the detriment of local residents, particularly in the early evening hours.

As such, it is considered that the proposal would be contrary to Policy TR11 of the Eastbourne Core Strategy and East Sussex County Council Parking Standards Guidance.

Human Rights Implications:

None.

Conclusion:

The proposed change of use to a D2 exercise training facility is considered unacceptable as it has not been sufficiently demonstrated that business use on the site is no longer viable or suitable and therefore genuine redundancy cannot be accepted.

The proposed use, suitability of the building and its location and opening hours are not appropriate given the residential nature of the surrounding area and the potential noise disturbance from music and exercise classes to surrounding residents.

The proposal has not provided any details of parking facilities for customers and staff which would add to increased on-street parking demand and congestion on the public highway, to the detriment of local residents. As such, the proposal would be contrary to Policies BI1, BI4, H020 and TR11 of the Eastbourne Local Plan and Policies B2 and D2 of the Eastbourne Core Strategy.

Recommendation: REFUSE

Reasons For Refusal:

1. The proposed change of use to a D2 exercise training facility is considered unacceptable by virtue of the failure to submit any sufficient marketing evidence to demonstrate that the existing B1/B8 business unit is no longer viable or suitable and, therefore, genuine redundancy cannot be accepted. As such, it is considered that the proposal is contrary to Policies BI1 and BI4 of the Eastbourne Local Plan, Policy D2 of the Eastbourne Core Strategy and the Genuine Redundancy of Business Premises SPG.
2. The proposed use, suitability of the building and its location and opening hours are not considered appropriate given the residential nature of the surrounding area and is likely to adversely affect surrounding residential amenity from noise and disturbance from music and exercise classes. As such, it is considered that the proposal is contrary to Policy H020 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.
3. The proposed change of use is considered to be unacceptable by virtue of the lack of sufficient on-site parking facilities for customers and staff which would significantly add to increased on-street parking demand and congestion on the public highway, to the detriment of local residents, particularly in the early evening hours. As such, it is considered that the proposal is contrary to Policies TR11 and H020 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Informatives

The application has been determined in accordance with the following submitted plans and documents:

Site location plan received 28 August 2013.

Block Plan received 28 August 2013.

Proposed layout floor plan received 10 September.

Planning Statement received 28 August 2013.

Estate Agent letter dated 13 August 2013 received 28 August 2013.

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.**

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; namely the appearance and scale of buildings, and landscaping of the site.

Following the resolution to refuse planning permission for the reserved matters at the previous planning committee the applicant immediately submitted a further scheme altering the design of the proposed dwellings, and the materials across the site. The amended design of the town houses and the simplified materials of the flats have been redesigned taking into account members comments in relation to the scheme previously presented.

We are presenting these amendments to the design of the scheme for comment; no public consultation has taken place as yet.

The design of the flats to the north of the site, in terms of being three storeys in height and with flat roofs, was agreed at the outline application stage. The amended design has a reduction in the use of weatherboarding to the flats in favour of a brick appearance the intention of which is to ensure the flats relate visually with the town houses central to the site.

The town houses have also been amended to simplify the roof design, and to incorporate balconies to the front elevations which will overlook the green fingers, giving a more active frontage and also with the intention to relate the properties in terms of appearance with the flats to the north.

The amended design is considered to alleviate concerns of the flats visual appearance and improving the overall design of the buildings across the site ensuring they relate well to each other and giving a sense of unity to the site as a whole.

The landscaping plans have been amended to give a more organic informal layout to the trees; and alterations to the cycle path show how a route through the site can link externally. It has also been confirmed that cycle parking will be provided with lockable cycle sheds within gardens or lockable stores below the flats over garages.

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.

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.: 130492	Decision Due Date: 08/10/2013	Ward: St Anthony's
Officer: Ray Deans	Site visit date: 18/09/2013	Type: Minor
Site Notice(s) Expiry date: 12/09/2013 Neigh. Con Expiry: 12/09/2013 Weekly list Expiry: N/A Press Notice(s)-: N/A		
Over 8/13 week reason: To align with Planning Committee schedule		
Location: 2 Priory Road		
Proposal: Conversion of existing bungalow and erection of two storey extension over the existing bungalow and single storey extension to the rear of the existing bungalow to create 2 one-bedroom flats and 2 two-bedroom flats		
Applicant: Mr and Mrs Benn		
Recommendation: Approve		

Planning Status:

Predominantly residential area
 Flood zone 2
 Archaeologically Sensitive Area

Relevant Planning Policies:

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

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

Eastbourne Plan: Core Strategy Policies:

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C8: Langney Neighbourhood Policy

D1: Sustainable Development

D5: Housing

Site Description:

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

Adjacent to the site on Priory Road is a fast food takeaway, separated from the

site boundary by a row of garages. To the north-east of the site, separated by

Great Cliffe Road, is the prominent 3-storey, flat-roofed residential block of Nicholson Court. North-west of the site is the 3-storey, pitched-roofed residential block of Williams Court, located 30m away on the opposite site of Priory Road.

In addition, there is a run of four dwellings in a 2-storey terrace, which faces onto Langney Rise; one of which backs onto the proposed parking area of the development. Immediately to south-east of the site is a bungalow, positioned 1.4m from the site boundary (adjacent to the proposed parking area).

Properties along Priory Road are characterised by a mix of residential buildings without regularity in design, and generally 2-3 storey in height. Great Cliffe Road (leading into the cul-de-sac of Priory Orchard) is characterised by 2-storey modern dwellings in a series of terraces.

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

Relevant Planning History:

Proposed demolition of the existing bungalow and detached garage, and erection of 3-storey block (plus 4th storey in the roof), together with 8 parking spaces

Refused 17/09/2012 (120599)

The reasons for refusal were: *"The proposal, by reason of the size, scale, appearance and layout would result in an unneighbourly and overbearing form of development with neighbouring residential properties, giving rise to a material loss of residential amenity and privacy.*

In March 2013, a planning appeal was made Ref: APP / T1410 / A /13 / 2190163.

The appeal was dismissed, the Inspector cited the principal reasons being:

"I acknowledge the separation distances and the angular relationships between the proposed building and the neighbouring properties. However, whilst these may be acceptable in other circumstances, I consider that in this particular case, the proposed building would have an unacceptably overbearing and oppressive impact on the outlook from neighbouring dwellings and their gardens. The building would occupy most of the width of the plot, and would have an over-dominant effect on neighbouring properties, due to its height, bulk and mass. This effect would be particularly pronounced on the garden areas of number 2 (despite the position of the existing shed which is adjacent to the boundary of the site) and numbers 3 and 4 Priory Terrace. "

Proposed development:

The planning application proposes an additional 2 storey extension of the existing bungalow incorporating a single storey rear extension and conversion of the existing bungalow to create 2 one bedroom flats and 2 two bedroom flats and 2 two bedroom flats.

The proposal consists of one element built on the footprint of the existing bungalow (flats 1, 3 and 4) over two floors and the roof space, and a smaller element (flat 2) which is a single storey element, located to the east of, and screened by, the garage building of the adjacent shop. The extended building will measure 8.1m to the ridge line (in comparison to the 12.8m of the previous scheme), and the single storey element will measure 4.7m, remaining at a distance of 11.5m from the neighbouring bungalow.

At ground floor level, the flats 1 and 2 will have separate entrances and their own bin storage areas. A communal waste and recycling storage area, and cycle storage area has been created on the north corner of the site for flats 3 and 4.

There are no proposed balconies on the rear and flank elevations; and the balcony over the porch on the front elevation (facing the front elevation of Williams Court across Priory Road) measures 0.75m in depth.

Five parking spaces have been provided; four accessed directly from Great Cliffe Road, one adjacent to the front entrance alongside Priory Road. The remaining area to the south of the site will be communal garden space. The proposal includes five planting areas with a combination of hardy / low maintenance shrubs.

Boundary treatment along Great Cliffe Road will be predominantly shrubs and low landscaping, other than the 1.8m fencing enclosing the storage area. The front elevation and access to flat 1 will be open plan, accessed via Priory Road, with the fencing around the storage area visible in the northern corner of the site.

This application is a resubmission of a previously refused scheme for 8 units (120599)

Applicant's Points:

- The new design aims to address the reasons for refusal of the previous planning application and the planning appeal by reducing the massing, lowering the roof line and reconfiguring the floor layouts to address overlooking concerns. It is of a far more modest scale, in terms of both number of dwellings (now 4 instead of the 8 of the previous application), and in height and overall scale.
- The scale of the proposed new building is now akin to that of a two storey house. The eaves and ridge heights are lower than those of the adjacent shop. The building is of a significantly smaller scale than that of Nicholson Court, and the mansard roof design was chosen in order to enable a building that is also lower than the adjacent Nicholson Court.
- As compared with the previous application, ref: EB/2012/0631 (FP). It is hoped that members of the Planning Committee will agree that the size, scale, appearance and layout of this new proposal addresses the previous issues of unneighbourliness and overbearing form of development with neighbouring residential properties.
- Flat 2, to the rear of the proposal is a single storey element, partly screened by the garages to the adjacent shop, in order to reduce the impact of mass on the neighbouring properties.
- At first and second floor levels, the interior layouts have been arranged so that the principal windows face the Priory Road elevation, and the balconies on the rear elevation have been removed.

- The design will harmonise with the surrounding building and measure 8.1m to the ridge.

Summary Information:

Site Area:	0.042 has
No. Existing units:	1 bungalow
No. Proposed units:	4 flats
Net gain/loss of residential units:	+3
No. bedrooms per unit:	2x 1-bed, 2 x 2-bed
Proposed parking spaces:	5 (2 existing, 2 new + 1 visitor)

Consultations:

Consultation was carried out by letter to 105 neighbouring properties and businesses, including residents at Nicholson Court, Williams Court, Priory Orchard Terrace (Langney Rise) and Great Cliffe Road. 2 site notices were also displayed close to the application site. Representation was sought from Highways, Planning Policy, Strategic Housing, Archaeological Services, Cleansing Contracts and the Arboricultural Officer (summarised below):

Archaeological Services (15.01.13):

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

The applicant has submitted an archaeological report carried out to the specified standard, which confirms that the site can be defined as of low archaeological potential. There will not be a requirement for archaeological mitigation through planning condition.

Strategic Housing (27.08.13):

This development provides additional homes in Eastbourne and therefore makes a positive contribution towards providing more choices for people wishing to live in the town. The planning application will however need to be considered in the context of the Council's planning policy with regard to any applicable contributions to be made towards the provision of affordable housing.

Planning Policy (14.10.13):

Affordable Housing requirement calculation:

Application:	extension and conversion of bungalow to create 4 flats
Neighbourhood:	8 – Langney [Low Value Market Area]

Net gain in dwellings: 3
Policy Requirement: 30% (therefore 0.9 units as a commuted sum)

It is therefore necessary to refer to the Council's Affordable Housing Implementation Technical Note to work out the financial contribution required in lieu of on-site delivery of affordable housing.

The application proposes 2 one bedroom flats and 2 two-bedroom flats which are zero rated on the commuted sum payment table for developments within the Low Value Market Area.

Therefore in this instance, as the affordable housing policy does not result in the requirement for a whole unit on site, a financial contribution is not required as the type of residential development proposed is zero rated.

Highways (22.08.13):

Following discussions with the agent concerning the additional car parking requirements for this development [5 spaces required; 4 + 1 visitor], I recommend that any consent shall include a condition relating to the position and construction of accesses, and an informative advising that the agent liaises with Highways on issues relating to s184 licence for the construction of the accesses and cycle parking in accordance with parking standards.

Neighbour Representations

6 letters of objection have been received and the following issues were raised:

- Insufficient parking spaces;
- Harm to distinctive character of area
- Impact on local residents
- Visual Impact
- Overdevelopment of the site
- Overshadowing
- Loss of Privacy
- Impact on Highway Safety
- Overspill parking onto Great Cliffe Road
- Overbearing impact on surrounding residential properties

Appraisal:

Policy considerations:

In light of the National Planning Policy Framework, the adopted Core

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

Height and urban grain

The block, which measures 8.1m to the ridge line and comprises accommodation over 2 floors (including an additional floor within the mansard roof), is significantly lower than the 12.75 proposed in the previous application, and is similar in height and massing to neighbouring residential units.

The distance of 11.5m, which is retained between the adjacent bungalow and proposed extension is considered appropriate to maintain a degree of separation between the buildings, and to ensure the revised scheme is not over-dominant in scale. On this basis, the height of the development in relation to surrounding buildings is not felt to be disruptive, or to impact detrimentally on the occupants of neighbouring properties.

Density

The proposal, being spaced over 2 floors and the roof level, is at a similar density to that of neighbouring development. The scheme provides for private amenity space to the units, and a sufficient level of outdoor communal space. In accordance with NPPF policies, the development maximises the residential potential of the site, and by virtue of the layout of the units ensures that a suitable amount of useable internal space is provided without compromising standard of living.

Affordable Housing

In line with Policy D5: Housing of the Eastbourne Core Strategy Local Plan (2013) all developments providing a net gain in residential dwellings are required to contribute towards affordable housing.

As such, a requirement for the provision 0.9 Affordable Units on the site has been calculated. However, as delivery on-site is not practical for a partial unit, and the commuted sum table identifies a zero-rated payment in a low value area, there is no requirement for a contribution.

Privacy

The elevations of the development do not extend beyond the existing footprint of the bungalow, other than the single storey rear extension. At ground floor level the development is separated from dwellings by fencing to the rear and side of the site, and Great Cliffe Road and Priory Road to the front and side, thereby mitigating loss of privacy. At first floor level, balconies have been removed from the rear elevation entirely (from the previous application), and the two-storey element has been located closest to the shop, away from properties along Langney Rise and the adjacent bungalow. Windows on the rear elevation are perpendicular to houses on Langney Rise, and are at a distance of 11.5m from the adjacent bungalow and its garden. In the roof accommodation, all openings are rooflights only, and there are no windows on the flank end of the mansard roof.

The small balcony facing Great Cliffe Road, positioned over the porch of the entrance to flats 3 and 4, will serve as an opening only, rather than a patio area, as it is only 0.75m deep. The balcony faces the flank elevation of Nicholson Court and is not considered to compromise the privacy of occupants.

The overall impact of the proposal on surrounding residential privacy is considered to be minimal and there are no outstanding privacy concerns.

Sunlight

A lighting assessment has been submitted with the application which indicates that shadow will move across Priory Road and into Great Cliffe Road, leaving existing dwellings unaffected by loss of light. By virtue of the distance with surrounding buildings, the application site will benefit from a south-east facing orientation.

It is unlikely that the surrounding properties will be affected by shadow.

Design

Priory Road has an eclectic mix of styles and designs - the proposed block reflects the brickwork of existing dwellings, while incorporating modern materials to distinguish it on the corner of Great Cliffe Road and Priory Road. The mansard roof will be finished in Redland mini stonewold roof tiles, the walls will be rendered in white and uPVC windows and doors will be installed.

The scheme has been revised from the previous application, responding to neighbour objections to the design and colour. It is considered that the new development would harmonise with the surrounding buildings and would not appear incongruous within the immediate area.

Highways

The parking area has been designed to be accessed directly off Great Cliffe Road and the development delivers 4 car and cycle spaces on-site. In addition, plans have been revised to incorporate an additional parking space, following advice from Highways, to the front of the building, which is to be accessed off Priory Road. The total of 5 spaces (4 resident spaces and 1 visitor space) accord with the ESCC Parking standards.

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

The development will lead to increased numbers of vehicle trips in the area, as the proposed parking will increase by two. However, the trips will generally be at the beginning and end of the day and movement on-site will be at low speed, at a distance from properties on Langney Rise. On this basis the increase in vehicle trips is not considered to be excessive and will not impact significantly on the occupants of neighbouring dwellings and could be accommodated within the existing highway network.

Human Rights, and Equality and Diversity Implications:

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

Conclusion:

The scale, location and visual impact of the proposals do not detract from the residential amenity of the surrounding area. The proposal, by virtue of the height of the block, provision of parking and cycle storage on-site, waste storage and amenity space, provides a suitable standard of living space and does not impact detrimentally on neighbouring occupants. The design and height of the development would not conflict with the streetscene and the boundary treatment is considered appropriate to integrate it with the surrounding area.

Subject to conditions, the proposal complies with the relevant borough plan policies: Eastbourne Borough Plan 2001-2011 (Saved policies, 2007), the Eastbourne Core Strategy (2013) and the National Planning Policy Framework (2012).

RECOMMEND: Permission be granted subject to the following conditions:

Conditions:

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

App.No: 130557 (PPP)	Decision Due Date: 5 November 2013	Ward: Old Town
Officer: Jane Sabin	Site visit date: 7 October 2013	Type: Planning Permission
Site Notice(s) Expiry date: 4 October 2013 Neigh. Con Expiry: 4 October 2013 Weekly list Expiry: 11 October 2013 Press Notice(s): N/A		
Over 8/13 week reason: N/A		
Location: Summerdown Sports Field, Compton Drive, Eastbourne		
Proposal: Erection of timber sports pavilion and dugout shelter. New sportscourts with perimeter fencing.		
Applicant: Eastbourne College		
Recommendation: Approve		

Planning Status:

Open space

Within the Built Up Area Boundary

Relevant Planning Policies:

Eastbourne Core Strategy Policies

C10 Summerdown & Saffrons Neighbourhood Policy

Borough Plan Policies

LCF2 Resisting loss of playing fields

UHT1 Design of development

UHT4 Visual amenity

NE28 Environmental amenity

HO20 Residential amenity

TR11 Car parking

Site Description:

The application site comprises a playing field located on the south side of Compton Drive, between the dwellings in Paradise Close and Fairway Close; Paradise Drive and the Royal Eastbourne Golf Course adjoin the field to the rear.

An all weather pitch exists at the western end of the site, with the remainder laid to grass.

Relevant Planning History:

EB/2006/0297

Replacement of existing all-weather pitch with new astroturf pitch measuring 62m by 102m and erection of perimeter fencing 3m in height rising to 4.5m behind each goal area for a length of 30m.

Approved – conditional 20 June 2006

Proposed development:

Permission is sought to provide four hard courts (in porous macadam) in the middle of the field, which would be adjacent to the Astroturf pitch, together with a timber pavilion adjacent to and parallel with Compton Drive.

The courts would cover an area 44.6m by 73.2m and would be enclosed by a green weld-mesh fence 3m in height (to match the fence around the adjacent Astroturf pitch).

The pavilion would measure 21.9m by 74.6m, with a 2m wide fenced verandah on three sides, 2.2m to the eaves and 3m to the ridge. It would be constructed of timber with a horizontal, stained timber boarding finish under a low pitched felt shingle roof.

A third element of the scheme is the provision of a blue, powder coated metal and polycarbonate viewing dugout on the top of the bank adjacent to the western boundary; this would be 6m wide, 1.3m deep and 2.2m high; this would provide shelter to people watching matches on the existing Astroturf pitch.

Applicants points:

- The College previously used the courts and field at the DPB site, but this facility has been lost as a result of the opening of the Gildredge House school
- To compensate for the loss of the courts, it is proposed to provide replacements at Summerdown sports field. Initially only two courts will be provided, and these will be marked out for netball (the predominant use) but also for tennis
- The pavilion will be used to provide shelter, bag storage and toilet facilities for pupils and any visiting teams; it will also provide space for spectators/parents to gather, and for refreshments
- Currently the site is used for school fixtures and practice. It is not anticipated that there would be any increase in activity on the site, and no additional traffic or parking requirements are expected
- The courts have been positioned centrally on the site to allow for grassed pitches to be retained. The dugout will provide shelter for spectators and good views of the all weather pitch from its raised position on the bank, and

has been sited to avoid causing damage to trees on neighbouring properties. The pavilion is positioned to minimise its impact on the landscape whilst utilising the location of existing services (electricity/drainage) in Compton Drive; it is positioned behind a hedge, but with sufficient space to maintain the hedge and the pavilion, and is of a traditional design

- No lighting is proposed for the site
- In view of the representations made, a meeting for residents was held on 2 October 2013 to discuss the scheme; 13 residents attended. It was explained that the netball season is short, with fixtures on Saturdays from January to March; there are only 8 fixtures planned against visiting schools next term, and normally only one or two mid-week pre-season fixtures in January, although there is occasionally a touring team hosted. The number of spectators for netball matches is not high, and based on other matches 10-12 might be expected. Therefore only a limited increase in traffic is envisaged. Visiting schools will be contacted to advise the coach drivers to park safely away from Compton Drive after dropping off. There is no intention of running a bar in the pavilion, only the setting up and serving of light refreshments for pupils and visitors during matches. A calendar of fixtures can be sent to residents if desired. There are no plans to promote external evening usage; the facility at Beresford is used for this type of hire and has lighting and off street parking.

Consultations:

The Arboricultural Officer notes that the tree report included in the application indicates that the proposed dugout is of sufficient distance away from the large Cupressus macrocarpa tree adjacent to the boundary, and that it will have little to no impact on the health of the tree. The applicant has not submitted details of foundations for the dugout and footpath, nor is any information submitted in respect of the root protection area, which makes an informed decision on the impact on the tree difficult to make. Locating the dugout underneath the canopy of a Cupressus macrocarpa is not recommended. This species of tree has been well documented for branch failure. Whilst at present this tree poses little risk due to the target area, a seating area underneath the tree increases the target risk significantly. The relocation of the dugout outside the canopy and root protection area of the neighbouring Cupressus macrocarpa is therefore recommended. Conditions to secure the future health of the tree are suggested.

At the time of writing this report, no formal response had been received from the Highway Authority; any comments will be reported verbally.

Neighbour Representations:

11 objections have been received from nearby residents, which cover the following points:

- The field should have been included in the National Park boundary; too late to change it now, but there is no need to over-develop and commercialise the site
- The College promised to be a "good neighbour" when the first pitch was developed, but residents have been seriously disappointed; the usage of the site has increased significantly, and the lack of consideration shown by users has been deplorable at times; the nuisance and danger that has arisen comes directly from the earlier approval
- The inconsiderate parking of cars and coaches is a real problem for residents, blocking drives, parking both sides of the road and parking on pavements, making the junction with Summerdown Road particularly hazardous; the addition of more courts will lead to more congestion, which would be a severe hindrance to emergency vehicles on match days
- No development should go ahead without the guarantee of lines being painted at the junction and across residents drives (at least 1m either side); double yellow lines should be painted on the north side of Compton Drive; the carriageway has insufficient width (7.3m) to allow parking on both sides of the road
- Residents should be provided with schedules of match times, to ensure that no cars are parked on the south side of the road; Eastbourne College should police parking by spectators/parents
- The size of the pavilion is out of all proportion to any building in the vicinity and is too large; it has too many changing rooms
- Concern that the pavilion may be used for social events involving alcohol or late night music; written confirmation is requested that no events will occur after sunset; how will the College prevent homeless people using the gap between the pavilion and the hedge? A timber structure is a fire risk
- The pavilion should be sited on the south side of the site, using the access from Paradise Drive, to reduce noise close to residents and so that the view of the field is not obscured, including enjoyment of watching the sports; the cost of providing a footpath and services across the field is not prohibitive as the field is being dug up anyway
- The hedge must be maintained to screen the pavilion, particularly the windows
- Concerns regarding drainage; when it rains waters pours off the all weather pitches, bringing soil which makes the pavement very slippery
- The large unsightly fencing has become a means to display large unsightly notices and advertising; all notices within sight of the road should be banned
- Will attract more trespassers; the opening up of the gate next to the substation surely suggests that a dramatic increase in the number of people using the site is predicted; there are already hard surfaces and changing facilities at Beresford sports field which could be used
- Concern about increased usage of the site; it serves the whole country not just Eastbourne; there are even teams from Europe. The College has

extensive sports facilities to pupils, but to extend them to others in a residential area is unacceptable and are beyond the college parochial needs

- Concern that the College will try to recoup the cost of the development through even more commercial activity, such as introducing lighting and hiring out the venue. Compton Drive is zoned as a residential area, and whilst youngsters should be encouraged to participate in sport, further development on the site is not appropriate
- Lighting/security/after hours use – possible future applications for floodlighting
- The development would be detrimental to the standard of living in an exclusive residential area (Compton Drive), warranting a reduction in rates
- The macadam finish should be green

Appraisal:

The main issues to take into consideration in determining this application are the impact on the visual amenities of the area, the impact on residential amenity and parking/highway safety.

Visual amenity

The provision of a hard surface would have little impact on visual amenity as the site is well screened by a hedge on the Summerdown Road frontage and the steep slope of the road from Paradise Drive through the golf course. The proposed weldmesh fence around the courts would be identical to that around the Astroturf pitch, but being on significantly lower ground – by approximately 1.8m – would appear much lower. The site would still retain its open nature, and therefore the visual impact of this part of the scheme is considered acceptable. The proposed pavilion has a traditional appearance which would sit well on a playing field; the precise location is considered appropriate, as it would occupy a relatively short section (26m) of the frontage to Compton Drive (170m), and would be largely screened by a mature hedge, so that the most visible part would be the roof. Whilst the suggestion by some residents to site it on the other side of the field would also be acceptable, as it would have the benefit of a substantial backdrop of a sizeable bank adjoining the golf course, it is acknowledged that it would be easier for connections to the utilities (though this is not an overriding factor), but it would also provide easy access from Summerdown Road without having to cross the playing field. Provided that the hedge is maintained at its current height (varying between 1.5 -1.8m), it is considered that the impact of the pavilion on the visual amenities of the area is acceptable. The dugout would be in a discreet location adjacent to the west boundary, and is of a modest size, therefore the impact is considered to negligible.

Residential amenity

The principle use of the site for the playing of sport will not change, although the provision of a hard surface may alter the type of noise generated; this is not considered to be a particular issue on such a large site, and indeed, this has not been raised by nearby residents. The main issue for residents appears to be a

potential increase in activity associated with the new courts, based on the problems raised in connection with the existing facilities. It is considered that the provision of four netball courts on the site is unlikely to lead to an unacceptable increase in activity that would give rise to an adverse impact on residential amenity. It is also considered that the proposed pavilion is unlikely to result in detriment to residential amenity.

Parking/highway safety

Parking appears to be the major issue for the objectors. The field is of insufficient size to accommodate on site parking spaces without the loss of playing space. Verbal representations have been made to the case officer that no development should take place without parking being provided, and similarly, some residents have sought assurances that there will be no parking on the field at all. The objectors have cited existing problems experienced on match days. No details of the frequency of the problems, or of any assistance sought from the Highway Authority to address the matter have been provided, however the college only operates for 34 weeks per year, and most matches occur on Saturday afternoons between 2pm and 4.30pm. The site is not hired out, however the LTA are allowed to use the Astroturf for one week in July. Whilst the inconsiderate parking by some spectators may be an annoyance for residents, it seems that it is not a major problem, as the Highway Authority has confirmed verbally that it is not aware of it. It is concluded that the provision of four netball courts is unlikely to make any significant difference to on-street parking, as it attracts only low levels of spectators, and, in any case, would be mostly used during the school day.

Other matters

The position of the dugout is considered acceptable in principle, however its precise location will need to be carefully controlled by condition to ensure that it is not directly underneath the neighbours tree, for the reasons given by the Council's Arboriculturist. The applicant is happy to accept such a condition.

Human Rights Implications:

It is considered that the impact of the proposed development would be within acceptable limits.

Conclusion:

The proposed development is considered to be acceptable in terms of its impact on visual and residential amenity, and highway safety.

Recommendation: Approve

Conditions:

- 1) Standard Time Condition
- 2) Development in accordance with approved plans
- 3) Retention of hedge fronting Compton Drive

- 4) Fence to be permanently coloured green
- 5) Submission of samples of finish of timber stain and felt shingles
- 6) Submission of details of position and foundations of dugout, and protection of root plate during construction

Informative

Submission of discharge of conditions application

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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