



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 4 February 2014.** (Pages 1 - 4)
- 2 Apologies for absence.**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct (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 26 Summerdown Road. Application ID: 130776. (Pages 5 - 16)**7 44-48 East Dean Road. Application ID: 131015.** (Pages 17 - 32)**8 47 Upland Road. Application ID: 131078.** (Pages 33 - 38)**9 55 Friday Street. Application ID: 131026.** (Pages 39 - 42)**10 Serco Yard, Bedfordwell Road. Application ID: 130907.** (Pages 43 - 62)**11 De Walden Mews. Application ID: 140013.** (Pages 63 - 66)**12 Marlborough House, 3 Old Wish Road (Eastbourne College). Application ID: 130976.** (Pages 67 - 72)**13 Land within Site 6, Pacific Drive, Innovation Mall. Application ID: 130967.** (Pages 73 - 82)**14 Land East of Kings Drive, Kings Drive. Application ID: 130897.** (Pages 83 - 92)**15 Bolton House Local Listing Proposal.** (Pages 93 - 106)

Report of Specialist Advisor – Conservation and Design.

16 Article 4 Direction - The Park Close Conservation Area. (Pages 107 - 118)

Report of Specialist Advisor – Conservation and Design.

17 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 Text Relay: 18001 01323 410000, Fax: (01323) 410322
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Tuesday, 4 February 2014
at 6.00 pm



Planning Committee

Present:-

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

(An apology for absence was reported from Councillors Ungar)

73 Minutes of the meeting held on 7 January 2014.

The minutes of the meeting held on 7 January 2014 were submitted and approved and the Chairman was authorised to sign them as a correct record.

74 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.

None reported.

75 17 Rectory Close. Application ID: 130966 (HHH).

130966 - 17 Rectory Close - Proposed extensions at rear and side, together with new garage and internal alterations – **OLD TOWN**. Eight letters of objection had been received.

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

Mr Simmonds addressed the committee in objection stating that the proposal would have a high visual impact and that there would be overlooking and overshadowing to his property.

Mr Gumbrell addressed the committee in objection stating that the proposal would result in a loss of light, overshadowing and would be out of keeping with the surrounding area.

Mr Wells addressed the committee in objection stating that the proposal would be an invasion of privacy, would block access to a sewer, would be detrimental to the overall appearance of Rectory Close and would cause disruption during the construction.

Mr Pearce, Agent, addressed the committee reiterating the Officer's comments and stating that the size of the plot could accommodate the extensions.

RESOLVED: (By 6 votes to 1) That delegated authority be given to the senior specialist advisor (planning) to grant the application in accordance with the recommended conditions: 1) Time for commencement 2) In

accordance with approved drawings 3) Materials to be as stated 4) Obscure glazing to be installed and maintained to first floor window on northwestern elevation of extension and windows to be fixed shut; subject to his being able to agree with the applicant and document a further condition relating to the retention of the existing Mock-Tudor timber cladding and its replication on the proposed extension.

76 19 Sydney Road. Application ID: 131058 (HHH).

131058 - 19 Sydney Road - Retrospective application for the installation of decking and guardrails to flat roof at rear, with removal of bedroom window, to be replaced with access door to decking – **DEVONSHIRE**.

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

The Environment Agency and County Archaeologist made no comment on the applications.

The committee agreed that enforcement action should also be taken.

RESOLVED: (By 5 votes to 1 with 1 abstention) That permission be refused on the grounds that 1) the development consisting of the installation of decking and guard rails to the flat roof facilitating the use of the flat roof as a terrace increases overlooking and a sense of overlooking, resulting in a loss of privacy to surrounding residential properties, contrary to saved policy HO20 of the Borough Plan 2007 and policy B2 of the Core Strategy Local Plan 2013. 2) Officers were authorised to commence enforcement proceedings and investigation into other existing terraces opposite.

Appeal: should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the planning inspectorate, was considered to be written representations.

77 39 Silverdale Road. Application ID: 130928 (PPP).

130928 (PPP) - 39 Silverdale Road - Retrospective application under section 73a for the provision of a raised platform with fencing in rear garden – **MEADS**. Four objections had been received.

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

The Conservation Officer considered that as the works were not visible from the public realm, there were no conservation issues.

Mr Thornton addressed the committee in objection stating his concerns about the increase in noise and the potential for the area to be used by more children.

Mr Symmonds, Agent, addressed the committee in response stating that the platform had been located so as to minimise the noise disturbance for neighbours and that the proposed planting and fence should further mitigate any effects on the neighbouring properties.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time limit 2) In accordance with drawings 3) That the walls surrounding the platform/play area shall be rendered before the development is first brought into use, and permanently retained as such thereafter.

78 Eastbourne Community Infrastructure Levy (CIL) - Draft Charging Schedule.

The committee considered the report of the Senior Head of Development. The Community Infrastructure Levy (CIL) allowed local authorities in England and Wales to raise funds from developers undertaking new building projects. It effectively replaced much of the existing process of planning obligations commonly known as 'Section 106' agreements. The primary use of CIL was to gain financial contributions from certain types of viable development to help fund new or improved strategic infrastructure required to support the growth identified in a local authority's Core Strategy. CIL placed a charge per square metre on development. It would not be the sole funding source for all infrastructure delivered, but would supplement other public sector revenue streams.

Members noted that Cabinet had approved a preliminary charging schedule at their meeting on 10 July 2013 for the purposes of conducting a targeted consultation. A summary of the representations received and changes made were outlined in the Consultation and Cooperation Statement which was a background paper to the report. The revised charges were supported by further evidence on development viability.

The committee asked if it would be possible to revisit and amend the fees, and were advised that fee structure would be reviewed annually.

The committee raised no objections to the report and supported the recommendations to Cabinet.

RESOLVED: That Cabinet be advised that the committee supports the CIL draft charging schedule for representations to be made over a six week period.

The meeting closed at 7.18 pm

**Councillor Harris
Deputy Chairman in the Chair**

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Agenda Item 6

App.No: 130776 (PPP)	Decision Due Date: 18 December 2013	Ward: Old Town
Officer: Richard Elder	Site visit date: 4 February 2014	Type: Planning Permission
Site Notice(s) Expiry date: Neighbour Con Expiry: 14 January 2014 Weekly list Expiry: Press Notice(s):		
Over 8/13 week reason:		
Location: 26 Summerdown Road, Eastbourne		
Proposal: RE-CONSULTATION FOR: Erection of a two storey, two-bedroom single private dwelling, including off-street parking and formation of vehicular crossover to serve the existing house. REVISIONS INCLUDE: Change to the proposed property (new plans received), and changes to the site boundary (as shown on the revised Site Location Plan).		
Applicant: Mr & Mrs J. Washbourn		
Recommendation: Approved subject to conditions and unilateral undertaking.		

Executive Summary

This application is reported to planning committee following two rounds of consultation as a result of the initial scheme being redesigned.

The design, siting and layout of the proposed house are appropriate for the area on a site which is modest in size retaining a relatively large rear garden for the existing house. Separating distances of approximately 17.5 metres from the existing house retaining a sufficient gap at the corner maintaining views and outlook towards Pashley Road from no.28 Summerdown Road.

It is considered that subject to conditions, the proposed house would not result in any overlooking or loss of privacy to surrounding properties and due to its siting and orientation, would not result in any loss of sunlight or daylight to surrounding properties. As such, it is considered that the proposal would not adversely harm surrounding residential amenity.

Planning Status:

Predominantly residential area.

Constraints:**Convenants**

Trustees of The Chatsworth Settlement

Source Protection Zones

3

Relevant Planning PoliciesEastbourne Core Strategy Local Plan 2006-2027

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

D1: Sustainable Development

D5: Housing

C10: Summerdown & Saffrons Neighbourhood Policy

D5: Housing High Value Neighbourhoods

Affordable Housing Implementation Technical Note

Eastbourne Borough Plan 2001-2011

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

HO1: Residential Development Within the Existing Built-up Area

HO6: Infill Development

HO20: Residential Amenity

TR11: Car Parking

HO2: Predominantly Residential Areas

NE14: Source Protection Zone

Supplementary Planning Document

Sustainable Building Design SPD 2013

National Planning Policy

National Planning Policy Framework

Site Description:

The application site is located at the end of the rear garden of a 2 storey detached house located on the south west corner of Summerdown Road and south east corner of Pashley Road. A 2 storey house at 2a Pashley Road was built at the end of the original rear garden in the late 1960's. Access to the existing house is via a gate from Pashley Road and vehicular access to the end of the garden providing access to a garage. There are several trees within the rear garden and areas of shrubs and plants.

The area is characterised by mainly 2 storey detached houses with brick and flint walls to the boundaries and relatively large long gardens.

Relevant Planning History:

EB/1968/0335

DET HOUSE LINKED TO EXISTING GARAGE & ERECTION DBL GARAGE FOR NO.26
(WITHIN CURTILAGE 26 & 28 SUMMERDOWN ROAD)

Approved Conditional

1968-07-11

EB/1967/0527

DET HOUSE OUTLINE WITHIN CURTILAGE 26 & 28 SUMMERDOWN RD.

Approved Conditional

1967-11-16

Other Relevant History:

EB/2006/0658

Rear of 54 Summerdown Road

Erection of a detached house within the rear garden

Approved Conditional

2 December 2008

EB/2010/0026

Rear of 54 Summerdown Road

Erection of a detached house within the rear garden

Approved Conditional

19 March 2010

Proposed development:

The proposal seeks the demolition of the existing garage to the side of the existing house and erection of a 2 storey detached house with private rear garden and off street parking within the front garden area with manoeuvring space.

The proposal has since been revised to reduce the size of the proposed house from a 3 bedroom house to a 2 bedroom house by removing the ground floor side addition to the north east side facing the rear of no.26 Summerdown Road. The plot size has been reduced by approximately 4.5 metres in width accordingly. In addition, the vehicular access entrance to the proposed house has been moved approximately 2.7 metres to the east and a vehicular access and crossover to facilitate off street parking would be provided for the existing house. Gates would be provided between new brick piers to each vehicular entrance and the existing flint wall made good.

The proposed house would be of standard construction incorporating a pitched roof, hipped at each end with a floating central square bay section to the front serving the staircase incorporating a tall glazed window section.

The proposed house would be sited in line with the existing building line of the existing house and houses along the South side of Pashley Road. It would measure 10.2 metres wide, 6.75 metres deep, 4.95 metres to the eaves and 7.9 metres to the roof ridge. Casement windows are proposed to the front elevation and a timber front entrance door with narrow side lights. The rear elevation incorporates French doors to the ground floor rear and obscure glazed casement windows to the first floor rear.

Two off street parking spaces would be provided for the new house via a new vehicular crossover and a pair of gates to the entrance and 1 off street parking space would be provided for the existing house via a new vehicular crossover and a pair of gates to the entrance.

Consultations:

Internal:

Lee Michael – No objection to the revised layout subject to conditions.

Planning Policy Manager – No objection subject to unilateral undertaking requiring an affordable housing contribution of £15372.04.

Housing Services Manager – No objection subject to payment of commuted affordable housing payment.

External:

Highways Dept. – No objection to the revised layout subject to conditions.

Environment Agency – No response.

Neighbour Representations:

11 objections from 4 addresses were received during the first consultation. The reconsultation exercise on the revised proposal has generated 8 objections from 5 addresses and all representations cover the following points:

- Beach tree at 2a Pashley Road will need to be pruned or cut down.
- Overlooking and loss of privacy to neighbours. Will windows at rear be openable?
- Additional parking caused by visitors and highway safety concerns of cars pulling out onto the road due to lack of visibility. Loss of 2 on street parking spaces due to 2 new crossovers.
- Additional parking on road would add to congestion, additional parking and parking on the corner which would be dangerous.
- Removal of trees will affect neighbouring privacy and visual amenity.
- A house has already been built in the garden of no.26 Summerdown Road and another will be detrimental to amenity in every way. Overdevelopment of the site and overcrowding resulting in loss of good green garden space.
- Loss of view of the Downs.
- Existing house will lose its parking and garage.
- Affordable housing contribution to the Council could influence approval.
- Increase air pollution through increased traffic.
- Site is higher than houses and gardens to the south.
- House disproportionately large for the size of the plot when compared with neighbouring houses in the surrounding area.
- Revised plans insufficient to address concerns. They create more potential hazards with regard to highway safety than the initial plans.
- Turning space for off street parking is insufficient. Two cars parked would need to reverse out which would be dangerous.

Appraisal:

Principle of Development

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

The application site is a residential garden and is considered a greenfield site as such. The NPPF seeks to resist development such as this unless it would not cause harm to the local area. A similar proposal for a detached house was approved in 2010 within the rear garden of no.54 Summerdown Road on a corner site with similar characteristics as the current application. Therefore, it is considered that the principle of the proposal has been established and is appropriate in this location. As such, it is considered that the main considerations in the determination of this proposal relate to whether the development is sympathetic to the character and appearance of the surrounding residential area, its impact on residential amenity and its acceptability on highway grounds with regard to sufficient provision of off street parking spaces and additional crossover serving the existing house.

Design, Siting and Layout

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

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

Policy B1 of the Eastbourne Core Strategy states that spatial development strategy will deliver at least 5,022 dwellings by 2027 within the built up area boundary, in accordance with the principles of sustainable development. It will give priority to previously developed sites with a minimum of 70% of Eastbourne's housing provision to be provided on brownfield land. Policy B2 of the Eastbourne Core Strategy seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character.

The revised proposal involves the construction of a modestly sized 2 bedroom house on a modestly sized plot. The proposed house and plot size have been reduced to leave a relatively large garden for the existing house measuring approximately 16.35 metres long and 20.8 metres deep resulting in an area of approximately 340 square metres which is considered sufficient for the size of house and not totally out of keeping with the surrounding area. This area does not include the side and front garden area which also remain albeit a section of the side garden for off street parking and associated turning space. The distance between the south west side of the existing house and north east side of the proposed house is approximately 17.5 metres which is appropriate in this

instance and also leaves a sufficient gap at the corner maintaining views and outlook towards Pashley Road from no.28 Summerdown Road.

The rear garden for the proposed house would be relatively small but of sufficient size for a 2 bedroom house measuring approximately 58 square metres in area. The shallow rear garden enables the building line to the front to be maintained in line with the existing house and no.2a Pashley Road. A further section of garden is also shown at the front next to the boundary with no.2a Pashley Road. As such, it is considered that the garden and plot size is acceptable and would adequately serve the proposed house and would not be detrimental to the pattern of development.

The design of the house is a simple traditional style incorporating a pitched tiled roof hipped at each end with casement windows and would be constructed of materials in keeping with the character and appearance of the surrounding area and the existing house and would be conditioned as such. The floating bay with large glazed window to the front serving the internal staircase adds a modern feature to the design and added interest to the front elevation. The flint boundary wall would remain in place albeit the provision of vehicular access to both sites with gates to the entrance, details of which would be required by condition. As such, it is considered that the layout, siting and design is acceptable and would not cause harm to the local area, surrounding pattern of development in accordance with Policies UHT1 of the Eastbourne Local Plan and B2 of the Eastbourne Core Strategy.

Residential Amenity

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.

Several objections from local residents have been received concerning overlooking and loss of privacy from the proposed house and the removal of trees within the rear garden which provide privacy and screening. With regard to the removal of the trees, the Council's arboricultural officer considers that the trees to be removed to facilitate the construction of the proposed house do not provide any significant landscape value and have limited conservation or cultural benefits. As the site is not located in a conservation area and do not benefit from a Tree Preservation Order, the trees could be removed without planning consent in any event. However, a **condition** is recommended that a scheme of replacement trees be submitted to the Council for approval prior to the occupation of the development to offset the loss of the existing trees.

With regards the proposed house, the front windows at first floor level serving the bedrooms face out towards the street over the front garden. Objection has been received concerning overlooking and loss of privacy across the street and into the rear garden of no.1 Pashley Road. As the proposed house is located on the other side of the street to this property and set back from the road, in line with the existing building line, this siting would not constitute overlooking or loss of privacy to surrounding houses on the opposite side of a public road as this is a normal housing street pattern layout.

With regards overlooking and loss of privacy to the rear of houses along Summerdown Road and rear gardens thereof, the first floor rear windows, which serve a bathroom and en-suite, would be obscure glazed. A condition is recommended that these windows be obscure glazed and non-openable to prevent any overlooking to these houses. Ground floor windows and doors facing neighbouring properties do not usually result in overlooking due to their low level and usually screened by fences, trees or hedges. As such, a condition is recommended that details of boundary treatment be submitted to the Council for prior approval.

Due to the siting of the proposed house on the south east side of the street, it is considered that the proposed house would not cause any loss of sunlight or daylight to surrounding houses throughout the year due to the orientation of the site north of the Summerdown Road rear gardens and in line with the nos. 26 Summerdown Road and no.2a Pashley Road.

As such, it is considered that subject to conditions, the proposal would not significantly impact adversely on surrounding residential amenity in accordance with Policies HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Access, Car Parking and Highway Considerations

Policy TR1 states that major development proposals should be located on sites within the town centre or edge of town centre and accessible by a variety of means of transport.

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 revised proposal involves the provision of 2 off street parking spaces for the proposed house and 2 off street spaces for the existing house via new vehicular crossovers on Pashley Road. The crossover to the existing house has been moved to the east to avoid the root area of the tree to the boundary of no.2a Pashley Road in order that any excavation work would not undermine the root system of this tree. The driveway and turning space allow cars to drive out in a forward gear and it is considered that the proposed vehicular accesses would not adversely affect highway safety.

Objections have been received from residents concerning the current on-street parking stress in the area and the proposal will exacerbate this situation with the loss of a further on street space with the introduction of a new crossover to the existing house and highway safety issues relating to cars pulling out onto the street close to a corner.

East Sussex Highways have been consulted on the revised proposal and raise no objections to the proposal subject to conditions. A condition is recommended that the vehicular crossovers and parking areas for each house is provided prior to occupation of the proposed house. Therefore, it is considered that the proposal accords with Policy TR11 of the Eastbourne Local Plan and Policy C6 of the Eastbourne Core Strategy.

Sustainable Development

Policy D1 requires all new development to be sustainable and be well designed and constructed and demonstrate that it has taken account of the principles of sustainable

development. All new residential developments should demonstrate that they meet the minimum requirement of Code Level 4 for all new homes from April 2013.

The design and access statement confirms that the proposed house would meet Code Level 4 of the Code for Sustainable Homes. As such, it is considered the proposal would accord with Policy D1 of the Eastbourne Core Strategy and the Sustainable Building Design Supplementary Planning Document.

Affordable Housing

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

The proposal would involve a net gain of 1 residential unit within a high value neighbourhood which would trigger a requirement of a commuted financial contribution towards affordable housing of £15,372.04. The applicants have agreed to the payment of this and will be secured via a unilateral undertaking. As such, the proposal would meet the requirements of Policy D5 of the Eastbourne Core Strategy and associated Affordable Housing Implementation Technical Note.

Human Rights Implications:

It is considered that the proposal would not have any adverse impact on the amenities of nearby residents, nor have any negative impact on human rights, equality and diversity.

Conclusion:

It is considered that the principle of the proposal has been accepted by a grant of planning application for a similar house in the rear garden of no.54 Summerdown Road in 2010. The design, siting and layout of the proposed house are appropriate for the area on a site which is modest in size retaining a relatively large rear garden for the existing house. Separating distances of approximately 17.5 metres from the existing house retaining a sufficient gap at the corner maintaining views and outlook towards Pashley Road from no.28 Summerdown Road.

It is considered that subject to conditions, the proposed house would not result in any overlooking or loss of privacy to surrounding properties and due to its siting and orientation, would not result in any loss of sunlight or daylight to surrounding properties. As such, it is considered that the proposal would not adversely harm surrounding residential amenity.

The applicants have confirmed that the proposed houses would meet code level 4 and have submitted an affordable housing statement agreeing to pay an affordable housing contribution. East Sussex Highways raise no objections to the proposal on Highway grounds subject to conditions.

As such, it is considered that subject to conditions, the proposed development would not cause harm to the local area and would accord with local and national planning policy.

Recommendation: Approved subject to conditions and unilateral undertaking relating to affordable housing commuted sum.

Conditions:

1. Time limit - BAA

2. The proposed development shall be carried out in strict accordance with the following plans and documents:

220900-01 rev b – Site location plan and block plan.

220900-02 rev a – Existing plans and elevations.

220900-03 rev f – Proposed site layout and street elevations.

220900-04 rev b – Proposed plans and elevations.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence until samples or precise manufacturers details of all the materials to be used on the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

Reason: To secure a satisfactory standard of development.

4. No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme as submitted shall be in accordance with British Standard 5837 (2005) The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

5. No development shall commence until details of the design of building foundations, positions, dimensions and levels of service trenches, ditches, drains and other excavations on site, insofar as they may affect trees and hedgerows on or adjoining the site, shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.

6. Notwithstanding the approved details, the development shall not be occupied until full details of both hard and soft landscape works have been submitted to and approved by the Local Planning Authority. These shall include details and locations of replacement trees and planting plans, species specification and samples of hard landscaping materials.

Reason: In the interests of visual appearance and integrating the development into its surroundings.

7. The development shall not be occupied until the parking spaces and turning areas for each house have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

8. The finished surface to the driveways, hardstandings and paths shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the cartilage of the property. No loose surface material shall be used within 2 metres of the edge of the public highway.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development.

9. Prior to occupation of the proposed house hereby permitted, the first floor rear windows to the rear elevation serving the bathroom and en-suite shall be obscure glazed and non-opening and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining properties.

10. Prior to occupation of the development, full details of the boundary treatment including the brick piers and gates to the front of each vehicular entrance shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details.

Reason: In the interests of visual appearance and integrating the development into its surroundings.

11. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site to prevent contamination and damage to the adjacent roads.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large

12. Prior to the occupation of the development the applicant shall reinstate the redundant vehicle crossover back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.

Reason: In the interests of highway safety.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), gate, fence, walls or any other means of enclosure than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties, and the character of the area and for this reason would wish to control any future development.

16. No material shall be deposited at the site other than clean, uncontaminated naturally occurring excavated material, brick and concrete rubble.

Reason: To prevent pollution of the water environment.

17. No bonfires or burning of waste materials shall take place anywhere on the site at any time.

Reason: In the interest of maintaining the character and amenity of the area.

18. That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority.

Reason In the interest of maintaining the amenities of nearby residents/occupiers and also in the interest of maintaining the character of the wider area.

Informative

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

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Agenda Item 7

App.No: 131015 (OSR)	Decision Due Date: 5 February 2014	Ward: Old Town
Officer: Richard Elder	Site visit date: 21 January 2014	Type: Outline (some reserved)
Site Notice(s) Expiry date: Neighbour Con Expiry: Weekly list Expiry: Press Notice(s): n/a		
Over 8/13 week reason: Submitted proposal revised and reported to Planning Committee		
Location: P R Autos, Downs Garage, 44-48 East Dean Road, Eastbourne		
Proposal: Outline Application with all matters save for landscaping to be determined now PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A 3 STOREY 47 BEDROOMED HOME FOR THE ELDERLY.		
Applicant: Mr BELL, HEWITT, EVAN AND WARREN		
Recommendation: Approve subject to conditions and submission of reserved matters (Landscaping).		

Executive summary

This application is a resubmission of a similar scheme reported to Planning Committee in October 2013. At committee Members did not object to the principle of the scheme but raised concerns over detailed elements; the application was refused on the 30th October 2013 for issues relating to :-

- Size and scale
- Loss of Sunlight
- Overlooking – loss of privacy
- Noise impacts from inappropriately sited car parking

It is considered that the revisions to the scheme as highlighted by this application have overcome the previous concerns and is recommended for approval.

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:

130397

Proposed demolition of existing buildings and erection of a 3 storey 47 bed roomed home for the elderly.

Refused 30 October 2013 for the following reasons:

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.

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 proposal is a resubmission seeking to address the previous reasons for refusal.

The majority of the proposed building would be sited to the south east quarter of the site with 19 car parking bays and 1 ambulance space located to the south and east side of the site and amenity garden area to the north side. The existing access into and out of the site is to be retained and unaltered.

The proposed building would incorporate a pitched tiled roof with a flat roof section to the central section of the building. South facing solar panels are proposed to be located on the flat roof section of the main building behind the roof ridges. It would be mainly 3 storeys in height reducing to a single storey with accommodation within the roof above towards the north east section of the site.

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.

A cycle store, bin store and garden store would be located to the east of the site linked by a covered walkway to the main building.

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 proposal was revised to remove the second floor windows to the south west elevation adjacent to no.2 Downside Close and replaced with high level roof lights within the main roof to overcome overlooking of the rear garden of no.2 Downside Close.

Consultations:

Internal:

Planning Policy Manager – No response – Response to previous application: 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.

Highways Dept. – No objection subject to conditions.

This application in highway terms is almost identical to the previous application which was acceptable in highway terms. The number of car parking spaces on site has reduced by 1 to 19 including 2 disabled spaces, but this is still within the range recommended by the ESCC, Parking Guidelines and is therefore acceptable.

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

Economic Development – No response – Response to previous application:
Support. Proposal would upgrade an existing employment site in need of attention to provide 10 full time staff.

Cleansing – No response – Response to previous application:
No objection. 2 x 1100 litre communal bins would be sufficient.

Environmental Health – No response – Response to previous application:
No objection subject to conditions.

Estate Manager – No response

External:

Southern Water – No response

South East Water – No response

Neighbour Representations:

16 objections from 13 separate addresses have been received and cover the following points:

- Proposal has not addressed the reasons for refusal of the previous application and has not changed much if at all.
- Bulk of the building has been transferred from the north east corner to the north west corner.
- Overdevelopment of the site, massively oversized and would tower over the houses along Longland Road.
- Too close to the boundary with Downside Close and 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 of houses on Longland Road. Private rear gardens would also be overlooked.
- Loss of sunlight, daylight and overshadowing to the rear of Longland Road houses and Downside Close 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 H017 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 buildings with a mix of flat and pitched roofs. A two storey building with pitched roof used for storage and office is located to the south of nos 5, 7 and 9 Longland Road. 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 the adjoining houses of no.50 East Dean Road and 2 Downside Close. The amended layout has extended a section of the building approximately 6 metres to the north adjacent to no.2 Downside Close. The proposed section C-C drawing based on the topographical survey of the site indicates that the roof ridge of the proposed 3 storey building would be not be significantly higher than that of no.2 Downside Close and the eaves would be lower than that of no.2 Downside Close.

The north east section of the proposed building has been set back by approximately 3 metres from the boundary with Longland Road houses and has been reduced in height by a full storey, dormer window within the northern roof slope removed and roof bulk reduced to closely match the level of the existing 2 storey building on the site opposite the rear of nos 5-9 Longland Road. The closes point of the 3 storey element of the proposed building would be set approximately 25 metres from the rear of nos. 9 and 11 Longland Road. The 3 storey element from this closest point tapers away from the rear of nos. 11-19 where the most northern section of the building would be 33 metres from the rear of no.19 Longland Road. It is considered that these separating distances would be acceptable in siting terms and given the difference in levels of the site, the view of the western end of the rear elevation building would diminish towards its north western corner.

As such, it is considered that the amended siting and reduced height, scale and bulk of the proposed building towards the north east part of the site would address the first reason for refusal of the previous application and would accord

With Policies UHT1 and UHT4 of the Eastbourne Local plan and Policy B2 of the Eastbourne Core Strategy.

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 main consideration with regard to amenity is whether the amended proposal addresses the potential impact on residential amenity with particular regard to visual amenity, overlooking and loss of privacy, loss of sunlight and overshadowing of rear gardens. The residents most affected by the proposal are the occupiers of the houses along the south west side of Longland Road, no.2 Downside Close and no.50 East Dean Road.

The reduced height, bulk and scale to the north east corner of the building would significantly reduce the visual impact of the building from the rear of houses along Longland Road. The revised proposal has taken into consideration the height and siting of the existing 2 storey building facing the rear of nos. 5-9 Longland Road and amended the proposal accordingly to retain a similar height to this building where the visual impact would not be significantly worse than the existing. It is considered that views of the sky and levels of daylight and sunlight reaching the rear of these houses would not be significantly affected.

With regard to nos.50 East Dean Road and no.2 Downside Close, the building is moving approximately 1 metre closer to the west boundary of these houses and the bulk and size of the building is increasing to the north west corner adjacent to no.2 Downside Close. The topographical survey shows that the highest part of the roof to the front of the building would be 2.58 metres higher than the top of the flint boundary wall immediately adjacent to no.50 East Dean Road. The roof of the proposed building then steps down by 2 metres towards the rear and would be approximately 5 metres higher than the boundary wall adjacent to no.2 Downside Close but is set approximately 9 metres away from this wall. The closest eaves point would be 5 metres away from the boundary wall but this would be 2.08 metres above the boundary wall. It is therefore, considered that the proposal would have no significant impact on no.50 East Dean Road due to the corresponding heights of the building and boundary wall and presence of mature trees along the bank adjacent to the wall providing additional screening. The proposal would result in some loss of sunlight to the rear of no.2 Downside Close in the early morning and some loss of outlook from ground floor to the south east but it is considered that it would not be significantly harmful to justify refusal of permission in this instance given the steep slope and high boundary wall. As such, it is considered that the proposal has mostly addressed reason for refusal 2.

With regards overlooking from the proposed building, the houses particularly affected by the previous proposal were nos.7-13 Longland Road being the closest houses to the proposed building where windows at first floor level and dormer windows within the roof

slope directly overlooked these houses and the rear gardens. The current amended proposal has removed the first floor storey of the north east corner and removed the dormer windows at second floor level as well as setting the elevation back by 3 metres. High level rooflights are proposed at first floor level within the roof slope which do not afford any views outwards. Windows at second floor level to bedrooms 312 to 315 are 12 – 18 metres from the boundary fence and any views from these windows are at an obscure angle and screened by the retained trees to the rear of nos 11-15 Longland Road.

The proposal has since been revised removing windows to the second floor south west elevation directly overlooking the rear garden of no.2 Downside Close. These have been replaced with high level rooflights to these bedrooms to overcome this issue. The top of windows at first floor level below would be at the same level with the top of the boundary wall and below and thus no overlooking would be afforded from these windows. Views from windows 305 – 307 on the south west elevation at second floor level would be at an obscure angle and screened by trees opposite and the sloping boundary wall. As such I do not consider that these windows would result in any unacceptable overlooking or loss of privacy to the rear of no.2 Downside Close. As such, it is considered that the proposal has addressed reason for refusal 3.

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 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. As such, 3 parking spaces (nos. 18, 19 and 20) located close to the north east boundary with nos. 5 and 7 Longland Road shown on the previous refused plans, were considered to be inappropriately located close to the rear of these residential houses at an elevated level. The current proposal shows these have been removed and integrated into a reconfigured parking layout located around the front of the site adjacent to East Dean Road. This would overcome any potential noise and disturbance from revving engines, doors closing, beaming headlights and noise emanating from drivers and passengers. This space is now shown to be additional green amenity space for residents which is considerably more appropriate in this area backing onto Longland Road rear gardens. As such, it is considered that the proposal has sufficiently addressed reason for refusal 4 and the proposal would accord with 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 20 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.

The application has been accompanied by a BREEAM report which confirms that the proposed building would achieve a rating of 'very good' and solar panels are proposed to be located on the roof. 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.

Biodiversity

Policy NE23 of the Eastbourne Local Plan states that planning permission will be refused for developments which would have a significant adverse effect, either directly or indirectly, on a habitat and/or species of flora and fauna of demonstrable nature conservation importance.

Paragraph 118 of the National Planning Policy Framework states that opportunities to incorporate biodiversity in and around developments should be encouraged.

A phase 1 habitat survey and internal/external bat survey has been submitted and concludes that the site offers low to insignificant ecological value. The report recommends some biodiversity enhancements to the development including the provision of bird boxes, wildflower gardens and habitat shrubs. These details can be included within a comprehensive landscape scheme for the site through the submission of the

reserved matters application. As such, the proposal would meet the requirements of Policy NE23 of the Eastbourne Local Plan and the National Planning Policy Framework 2012.

Human Rights Implications:

It is considered that the proposal would not have any adverse impact on the amenities of nearby residents, nor have any negative impact on human rights, equality and diversity.

Conclusion:

The proposal generally meets the prescribed criteria set out in Policy H017 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. 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.

It is considered that the amended siting and reduced height, scale and bulk of the proposed building towards the north east part of the site would address the first reason for refusal of the previous application by reducing the buildings visual impact from Longland Road. It follows that the proposal has addressed any undue overlooking to the rear of houses along Longland Road and the reduced height and bulk to the north east corner would minimise any loss of sunlight or daylight and maintain existing views of the sky. It is considered that the proposal would have no significant impact on no.50 East Dean Road adjacent to the west due to the corresponding heights of the building and boundary wall and presence of mature trees along the bank adjacent to the wall providing additional screening. The proposal would result in some loss of sunlight to the rear of no.2 Downside Close in the early morning and some outlook from ground floor to the south east but it is considered that it would not be significantly harmful to justify refusal of permission in this instance and would address refusal reasons 2 and 3.

The removal of 3 parking spaces to the rear of nos.5 and 7 Longland Road and replacement with green amenity space would overcome any potential noise and disturbance from revving engines, doors closing, beaming headlights and noise emanating from drivers and passengers and would address reason for refusal 4.

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 parking layout, access and numbers of vehicle trips generated from the use are considered acceptable by Highways who raise no objection to the proposal.

Overall, it is considered that the proposed redevelopment of the site is acceptable and accords with national and local planning policy.

Recommendation: Approve conditionally

Conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 3 below, whichever is the later.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 92 of the Town and Country Planning Act 1990.

2. The proposed development shall be carried out in strict accordance with the following plans and documents:

- Phase 1 Habitat Survey, Internal/External Bat Survey dated May 2013.
- Arboricultural Impact Assessment PJC/3164/13 dated 28/03/13.
- Transport Assessment (revised) 5 December 2013.
- Land Contamination Assessment dated 6 November 2012.
- 203500 01b – Site location and block plan
- 203500 11 – Existing site layout plan
- 203500 12e – Proposed site plan
- 203500 13c – Proposed ground floor plan
- 203500 14c – Proposed first floor plan
- 203500 15c – Proposed second floor plan
- 203500 16d – Proposed elevation plans
- 203500 17d – Proposed elevations
- 203500 18c – Proposed sections

Reason: For the avoidance of doubt and in the interests of proper planning.

3 a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

i. landscaping.

b) These shall include full details and samples of hard and soft landscaping materials, tree and planting plans, species specification, plant size including girth of trees, planting density of all proposed trees and shrubs and biodiversity enhancement of the site as recommended in the Phase 1 Habitat Survey dated May 2013.

c) The reserved matters shall be carried out as approved.

d) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

Prior to Commencement

4. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. It shall include, but shall not be limited to, the following:

(i) the proposed methods of demolition, piling, recycling activities and dust suppression and all other construction methods associated with the development;

(ii) noise and vibration monitoring arrangements – to be self monitoring by the applicants – for the key demolition and construction phases;

(iii) measures, methods of working and the means of screening the site that will be employed to minimise disturbance to neighbouring properties during all demolition and construction work.

(iv) details of the location of the site office, access routes and material storage areas.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure effective management of the site for the duration of the construction period and in the interests of residential amenity.

5. Prior to commencement of development, full details and samples of the materials to be used in the external surfaces of the development, hereby permitted, shall be

submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To secure that the development is in harmony with the surrounding area.

6. No development shall commence until details of a Phase II Soil Investigation (as recommended in the submitted Environmental Phase 1 Assessment report) is submitted to and approved in writing by the Local Planning Authority. If contamination is found to be present, then details of a remediation strategy detailing how this unsuspected contamination shall be dealt with shall be submitted to and approved by the Local Planning Authority prior to the commencement of excavation work.

Reason: To minimise the risks to human health, controlled waters or buildings by ensuring that the development is suitable for the proposed use.

7. No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The scheme as submitted shall be in accordance with British Standard 5837 (2005) The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area.

8. Prior to commencement of development, details of any changes to the existing site ground levels or finished floor levels shall be submitted to and approved by the Local Planning Authority.

Reason: For the avoidance of doubt and to secure a satisfactory standard of development.

9. No development shall commence until full details of a lighting strategy is submitted to and approved by the Local Planning Authority and thereafter implemented in accordance with the approved details. The submitted scheme shall include details of times of illumination of all lights, road lighting, floodlighting, security lighting, signage and any variations in brightness. Thereafter the lighting shall continue to be operated only in accordance with the approved details, and no additional lighting shall be installed unless first approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the area and also in the interest of crime prevention and ecology.

Prior to Occupation

10. The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

11. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large.

12. The development shall not be occupied until cycle parking area have been provided in accordance with the approved and the area shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development.

13. Prior to demolition works commencing on site a Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation. (Given the restrictions of the approach road the hours of delivery/ collection should avoid peak traffic flow times)

Reason: In the interests of highway safety and for the benefit and convenience of the public at large.

14. Prior to occupation of the development, full details of the boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details.++

Reason: In the interests of visual appearance and integrating the development into its surroundings.

In Perpetuity

15. Prior to installation of any external plant or equipment to be erected on or within the building, (including any telecommunications apparatus) full details of them shall be submitted to and approved by the Local Planning Authority. The plant and equipment shall not be visible from street level and the rating noise level of the noise emitted from any equipment, as determined in accordance with BS 4142:1997, shall be at least 3dB(A) below the background LA 90 during any period of operation, measured or calculated at 1 metre from the nearest façade at the closest affected premises.

Reason: To secure a satisfactory standard of development and to protect the amenities of occupiers of adjacent properties.

16. a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

Reason: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

17. Details of all works to or affecting trees on or adjoining the site shall be submitted to and approved by the Local Planning Authority, and shall be carried out in accordance with the relevant recommendations of 5837 (2005).

Reason: In the interest of maintaining the health and vitality of the retained trees and hedgerows which add to the character and amenity of the site and surrounding area.

18. No bonfires or burning of waste materials shall take place anywhere on the site at any time.

Reason: In the interest of maintaining the character and amenity of the area.

19. That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority.

Reason In the interest of maintaining the amenities of nearby residents/occupiers and also in the interest of maintaining the character of the wider area.

20. No material shall be deposited at the site other than clean, uncontaminated naturally occurring excavated material, brick and concrete rubble.

Reason: To prevent pollution of the water environment.

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Agenda Item 8

App.No: 131078	Decision Due Date: 19 February 2014	Ward: Old Town
Officer: Anna Clare	Site visit date: 30 January 2014	Type: Householder
Site Notice(s) Expiry date: N/A		
Neighbour Con Expiry: 21 February 2014		
Weekly list Expiry: 31 January 2014		
Press Notice(s): N/A		
Over 8/13 week reason: Negotiations over design.		
Location: 47 Upland Road, Eastbourne		
Proposal: Demolition of existing single storey garage and utility extensions, construction of new utility within footprint of existing, new side extension in location of garage, new terrace to the rear with pergola roof structure above. Formation of new front and rear roof dormers. Rendering of all existing brick walls and replacement of existing clay tile roof with slates. Widening of existing vehicle crossover to allow for additional off street car parking space.		
Applicant: Mr Neil Farrin		
Recommendation: Approve planning permission subject to conditions		

Executive Summary

The proposed development consists of extensive alterations to an existing dwellinghouse. In principle there is no objection to modernising a property in a residential area; careful consideration has been given to the impacts on the amenity of surrounding residential properties given the elevated position of the application site. On balance the works are considered acceptable given the context of the site and therefore it is recommended that planning permission be granted.

Relevant Planning Policies:

National Planning Policy Framework 2012

7. Requiring good design

Eastbourne Core Strategy Local Plan Policies 2013

B2 Creating Sustainable Neighbourhoods

C10 Summerdown & Saffrons Neighbourhood Policy

D10A Design

Saved Borough Plan Policies 2007

HO2 Predominantly Residential Areas

HO20 Residential Amenity
UHT1 Design of New Development
UHT4 Visual Amenity

Site Description:

The site relates to a two storey detached single family dwellinghouse at the junction of Upland Road and Pashley Road.

To the front of the property (north) the site looks onto the grassed area between upland road and East Dean Road.

The property is situated at the top of a hill and so is elevated above the properties to the rear (south) on Pashley Road with views across to the Royal Eastbourne Golf Club and the Downs.

Relevant Planning History:

Planning permission was granted 11 September 2009 for the erection of a balcony at rear (EB/2009/0486).

Proposed development:

The proposed development consists of several elements;

- Demolition of existing single storey garage and utility extensions, construction of new utility within footprint of existing and new side extension in location of garage.
- New terrace to the rear with pergola roof structure above.
- Formation of new front and rear roof dormers.
- Rendering of all existing brick walls and replacement of existing clay tile roof with slates.
- Widening of existing vehicle crossover to allow for additional off street car parking space.

Consultations:

County Archaeologist

Although this application is situated within an Archaeological Notification Area, I do not believe that any significant archaeological remains are likely to be affected by these proposals.

Neighbour Representations:

Objections have been received from 4 neighbouring properties to the rear;

63 Pashley Road
65 Pashley Road
67 Pashley Road
69 Pashley Road

Raising the following objections;

- Loss of privacy from overlooking

- Design is out of keeping
- Extensive glazing is overbearing
- Unsympathetic design
- No.47 is at the apex of uplands road and alteration would be prominent
- Glazing is intrusive
- Design would be a blot on the landscape
- Roof window is ugly

Appraisal:

Principle of development:

There is no objection in principle to alterations and extensions to this residential property, providing there is no significant detrimental impact on surrounding residential properties in terms of amenity and the works respect the character and appearance of the dwelling and the surrounding area.

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

The majority of properties on Upland Road have some form of terrace at ground level as given the difference in ground levels, these are elevated from the garden area. Planning permission was previously granted for a similar sized terrace at the application site in 2009. The ground floor level of the existing dwelling is approximately 3m higher than the existing garden level. The proposed terrace projects 3m to the eastern boundary and 2.5m to the western boundary. A timber pergola is proposed to cover the terrace which also provides a vertical timber privacy screen at either end. The timber screen would measure the depth of the terrace to the eastern edge of the terrace, and 1.5m of the depth of the terrace to the western boundary this helps to reduce overlooking towards either adjacent residential properties.

The property, which is on a hill, is considerably higher than the properties to the rear on Pashley Road as such there is considerable existing overlooking from the application site to the neighbouring properties.

It is considered that the terrace, given there are existing windows in the rear elevation at this level, will not result in significant additional impact of overlooking on properties to the rear to warrant the refusal of the application.

The application has received 4 objections which refer specifically to the proposed roof extension and the impacts on the privacy of the properties to the rear this creates. Whilst the roof extension is considered large and dominant on the existing dwelling it should be noted that an extension to the roof such as this can constitute permitted development. The design of the extension has been altered to reduce the amount of glazing from 8 panels to 4 by obscuringly glazing 4 of the panels and introducing louvered panels to reduce the sense of overlooking from the proposed extension.

There will undoubtedly be an impact on the properties to the rear given the elevated position of the application site. However it is not considered, given that the size of the roof extension could be considered permitted development, and given the amendments to include obscuringly glazed and louvered panels, that a reason for refusal on the grounds of overlooking could be substantiated.

Both the single storey side extension to the western boundary and the existing garage to the eastern boundary of the site are to be demolished and rebuilt on the existing footprints, with the garage extended 1.7m to the front elevation. It is considered these extensions will have limited impact on adjacent properties given the existing extensions.

Design issues:

The proposals include significant alterations to the buildings appearance, including rendering of all brickwork, and alterations to the windows to the front elevation with a zinc clad porch at ground floor, and a dormer window to the front roof slope. The alterations are designed to modernise the appearance of the building, with the dormer extension to the front roof slope facilitating the access to roof level. The site is not situated within a conservation area, and given the distinctly different characters of the dwellings in this location the alterations to the appearance are considered acceptable and will not result in detrimental impacts on the visual appearance of the surrounding area.

The rear roof extension is large and dominant visually on the property; given the existing hipped roof, the extension will be visible when viewing the property to the front. However the dormer is proposed to be clad in zinc; the zinc cladding will mean the dormer is read as a modern addition to the roof and given the context of the site there will be limit impact on the character of the area.

There are a variety of materials evident in the surrounding properties with some retaining facing brick and others being fully or partly rendered. The surrounding properties also have a variety of roof designs, some with facing gable end to the front elevation with one adjoining property having a number of large rooflights to the front roof slope. The dormer proposed to the front roof slope is modest in size and sited centrally to the roof slope minimising the appearance.

Given the mix of character and materials in the area the alterations/extensions are considered acceptable in bulk and scale and the choice of materials will respect the character of the surrounding area.

Impacts on trees:

A tree is proposed to be removed from the front garden area to facilitate the enlargement of the vehicular access. The tree is not subject to any preservation orders and therefore no objection is raised to its removal.

Impacts on highway network or access:

The application proposes the enlargement of the car parking area to the front garden and access to allow off street parking for two cars, this will be finished in gravel. It is not considered this would result in any detrimental impacts on the visual appearance of the property or surrounding area and will allow for surface water to permeate through to the subsoil.

Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in

balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conclusion on planning issues:

Whilst it is acknowledged that the roof extension is large and dominant visually on the building, a dormer extension such as this can be considered permitted development. The obscure glazing and timber louvered panels reduce both actual overlooking from the extension and the perception of overlooking on properties to the rear therefore on balance the proposal is considered acceptable. The construction of a terrace to the rear of the property is considered acceptable given the context of the site.

The works include substantial alterations to the external appearance of the building with alterations to windows and doors on the front elevation and rendering of external walls, given the difference in character of the surrounding buildings it is considered the proposals will not result in significant detrimental impacts on the visual appearance of the property or wider area and therefore on balance the proposals are considered acceptable.

Recommendation: grant planning permission subject to conditions.

Conditions:

1. Time limit for commencement
2. In accordance with drawings
3. Materials to be as stated on drawings/application form
4. Privacy screening to be installed and maintained.
5. Obscure glazing to windows of roof extension in accordance with drawing to remain as such.
6. Flat roof of rear bay shall not be used as a terrace.

Informative:

Applicant advised to contact East Sussex County Council in relation to the extension of the drop curb.

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Agenda Item 9

App.No: 131026 (HHH)	Decision Due Date: 5 March 2014	Ward: Langney
Officer: Katherine Gardner	Site visit date: 21 January 2014	Type: Householder
Site Notice(s) Expiry date: 28 January 2014 Neighbour Con Expiry: 27 January 2014 Weekly list Expiry: Press Notice(s): N/A		
Over 8/13 week reason: This application has been referred to Committee from Delegated.		
Location: 55 Friday Street, Eastbourne		
Proposal: Construction of hard-standing for two car parking spaces and new private access.		
Applicant: Mr Steve Reeves		
Recommendation: Approved conditionally		

Constraints:

Willingdon Levels Catchment Area

Eastbourne Core Strategy Local Plan 2006-2027

C9 Shinewater & North Langney Neighbourhood Policy

Eastbourne Borough Plan 2001-2011

HO2 Predominantly Residential Areas

US4 Flood Protection and Surface Water

Relevant Planning Policies:

UHT1: Design of New Development

HO20: Residential Amenity

US4: Flood Protection and Surface Water Disposal

C9: Shinewater & North Langney Neighbourhood Policy

Site Description:

The site is a modern detached bungalow with rear dormer and natural screening from Friday Street and pedestrian access only from this road. It is on the South Western side of Friday Street and the site is opposite a bus stop. Vehicular access is currently via the rear from Shinewater Lane. The site is between the turnings for Shinewater Lane and Helvellyn Drive on the opposite side of the road. It is a 40mph road and other residential premises have vehicle crossovers and driveway access from this road. There is also a pedestrian island near the site to aid crossing Friday Street on foot.

Relevant Planning History:

None relevant.

Proposed development:

The applicant proposes the installation of hardstanding at the front of the property to house 2 car parking spaces and provision for a new private access off Friday Street.

The applicant proposes a 3m wide access from the road, with the approved installation of a vehicle crossover over the existing pavement, in consultation with ESCC.

The driveway extends 11.9m to the front of the house and is 9m wide at its widest point, joining the existing footpath which leads to the front door, with the installation of steps to the top of the footpath to aid access.

This creates an L-shaped hardstanding to the right hand side of the garden and the remaining garden is the same.

On advice from ESCC Highways, the driveway access is situated no less than 1.5m from the existing telegraph post at the front of property.

The addition of the parking area is to replace lost space at the rear due to a remodelling of the rear garden.

The materials used are to be tarmac and concrete kerbing as approved by ESCC Highways for the vehicle crossover and surfacing material for the main driveway is hot rolled asphalt to BS 594:2003.

Consultations:Internal:

Planning Policy Manager – In an area where a flood storage contribution is required, however given the sum is below £1,000 it is considered not viable to secure this contribution.

External:

Highways Dept. – consent subject to conditions and highways licence.

Pre-application advice was sought from East Sussex Highways. Despite the historic resistance of accesses installed in this area due to substandard visibility. This individual case is also hindered by the traffic island nearby. Despite this, when measured, the splay to the South was just over the minimum requirement set out in national guidance, and the road width is sufficient even with the inclusion of the pedestrian island. Stopping distances were also analysed due to the gradient of the road but the gradient is minimal and caused almost no difference. Accident records for this road were also analysed with the result being that there were no grounds for refusal that could have been defended, as there have been no incidents in the last 3 years.

Neighbour Representations:

Objections have been received and cover the following points:

- Road safety/visibility.
- Difficulty in pulling out into Friday Street.

- Close to pedestrian crossing.
- Safer access is already in existence.
- Loss of trees at front.
- Residents likely to back out of driveway due to lack of turning space.
- Drainage and stability of garden at 57 Friday Street.
- Setting a precedent for further development.

Appraisal:

The development has a neutral effect on residential amenity and road safety of neighbouring properties and other road users has been considered.

There is no highways objection to the proposal on highway safety terms and given the character of the site and wider area there is no objection to the proposal in street scene/townscape terms.

The driveway is a sufficient distance from the pedestrian island not to cause obstruction or awkward access when entering/exiting the driveway and although the bus stop is almost directly opposite, the straight road means that visibility in turning in or out of the driveway is not hindered. This view is supported by East Sussex Highways Department.

There is no loss or gain of parking space as the development is to replace parking space that is already in use at the rear of the property, accessible from Shinewater Lane, therefore provision for parking is maintained.

The design is appropriate in terms of materials, scale and layout and does not detract from the surrounding area.

Human Rights Implications:

N/A

Conclusion:

The proposal is deemed acceptable subject to conditions by virtue that highway access from residential properties is prevalent along Friday Street and there are no concerns from ESCC in regard to highway safety of this proposal in particular.

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

Recommendation: Approved conditionally

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)

2. The new access shall be in the position shown on the submitted plan and laid out and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority within 3 months of commencement of development.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

3. The development hereby permitted shall be carried out in accordance with the approved drawings no. SGR-FRI-120913 Rev B submitted on 11 January 2014.

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

Informative

The applicants attention is drawn to the need for a S184 Licence for the construction of the access. The applicant should contact ESCC on 01273 335443 prior to commencement of development to complete the agreement and pay the necessary fee.

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

Agenda Item 10

App.No: 130907 (PPP)	Decision Due Date: 11 February 2014	Ward: Upperton
Officer: Leigh Palmer	Site visit date: 6 January 2014	Type: Planning Permission
Site Notice(s) Expiry date: 18 December 2013 Neighbour Con Expiry: 18 December 2013 Weekly list Expiry: 26 November 2013 Press Notice(s): 3 December 2013		
Over 8/13 week reason: Previous officer left the Council.		
Location: Serco Ltd, Serco Yard, Bedfordwell Road, Eastbourne		
Proposal: Residential development of 102 dwellings (flats and houses), including the conversion of the existing Pump House into flats, together with access roads and parking spaces.		
Applicant: Orbit Housing Ltd		
Recommendation: Grant planning permission subject to conditions and a satisfactory Legal Agreement. If a satisfactory Legal Agreement cannot be reached within 9 months from the date of this application then the application be refused.		

Executive Summary

This scheme proposes the redevelopment of a previously developed land and given the previous permission for residential development in 2011, the site being an identified housing site, the efficient use of the site for an identified housing need, it is considered that the redevelopment of the site to provide 102 houses and flats is acceptable in principle subject to conditions and an agreed Section 106 legal agreement to secure affordable housing and other infrastructure requirements as outlined by this report.

Planning Status:

Vacant commercial site.

Constraints:

Building of Local Interest

Pump House
Henry Currey
1881

TPO Trees

108

Bedfordwell Road Depot, Bedfordwell Road.

Public Sewer**Archaeological Notification Area****Aquifer****Flood Zone 3a****Source Protection Zones**

1

Willingdon Levels Catchment Area**Relevant Planning Policies:**Eastbourne Core Strategy Local Plan 2006-2027

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C2: Upperton Neighbourhood Policy

D1: Sustainable Development

D5: Housing

D8: Sustainable Travel

D9: Natural Environment

D10: Historic Environment

D10A: Design

D11: Eastbourne Park

Eastbourne Borough Plan 2001-2011

UHT1: Design of New Development

UHT4: Visual Amenity

UHT6: Tree Planting

UHT7: Landscaping

HO1: Residential Development Within the Existing Built-up Area

HO6: Infill Development

HO7: Redevelopment

HO9: Conversions and Change of Use

HO20: Residential Amenity

TR1: Locations for Major Development Proposals

TR2: Travel Demands

TR5: Contributions to the Cycle Network

TR8: Contributions to the Pedestrian Network

TR11: Car Parking

BI1: Retention of Class B1, B2 and B8 Sites and Premises

BI4: Retention of Employment Commitments

NE4: Sustainable Drainage Systems

NE23: Nature Conservation of Other Sites

LCF4: Outdoor Playing Space Contributions

Sustainable Building Design SPD
Trees and Development SPG
Eastbourne Townscape Guide SPG

National Planning Policy Framework 2012

Site Description:

The application site is located to the north of Bedfordwell Road, where the road splits with Whitley Road going east and Upper Avenue, opposite to the South. Access into the site is from Bedfordwell Road.

The surrounding area is predominately residential of 2 and 3 storeys among various adjoining land uses such as industrial area (to the south), allotment gardens (to the north) with the railway line into Eastbourne that runs adjacent to the site (east).

The site contains the 1881 Pumping Station building that is identified as a Building of Local Interest. The Pump House is built of yellow brick, with red brick detailing. The strong, clean lines are accented by deep cornice with machicolations. A slate roof with lantern to the main and subsidiary space Cast iron windows, with fixed glass accentuate the verticality of the building. Rainwater goods are run internally, maintaining the visual purity of elevations. The main and subsidiary spaces are top lit from lanterns. Internal flooring where it still exists is a mix of red and blue brick, with cast and wrought iron stairs with original wooden block treads. To basement level, massive cast iron members and junctions are visible, which presumably had a function of supporting the floor to which the pumps themselves were housed, or the building generally. Each floor level of the building is single space, with the original metal ties and trusses of the roofspace exposed. The Pump House was originally one space, with the boiler house as a subsidiary part to the main building. an internal floor has been introduced since the pumping machinery was removed.

The application site has been used for various uses over time, the most recent being the Serco depot and storage of van and lorry fleets. Since the previous application, the single storey buildings on the site have been demolished and the site cleared. There are marked changes in levels (approximately 6.5m between Bedfordwell Road entrance and the lower site level to 4.5 m around the Pump House.

To the east of the application site is the mainline railway that forms the eastern curved site boundary. The western boundary to the site abuts land that is occupied mostly by allotment gardens and a former nursery while the southern part of the western boundary adjacent to the access road is occupied by residential properties. A man made open drainage ditch also runs along the edge of the south western boundary adjacent to the allotments. This triangular section of the site to the north west corner is located within the Eastbourne Park Flood Storage area. To the south of the site are the residential properties that run along Bedfordwell Road and to the western boundary with properties in Mayfield Place and Bedfordwell Court.

The site contains seventeen trees which are subject to Tree Preservation Order 108.

Relevant Planning History:

EB/2003/0476

Part change of use and conversion from Class B1 (Business) to form twelve loft apartments. including insertion of two new floors in the upper part of the existing building.

Granted subject to conditions.

2003-10-06

EB/2008/0609

Residential development to provide 154 new homes, including 47 units of affordable housing, a change of use of part of the existing pump house building (from B1,B2,B8) to Class C3 residential use with ancillary car parking, landscaping with new vehicle and pedestrian access from Bedfordwell Road.

Granted subject to conditions.

2011-03-11

Proposed development:

The application involves the construction of 83 new build dwellings and conversion of the existing pump house building to provide 19 flats. The new build dwellings would comprise:

- 17 x 1 bedroom flats
- 26 x 2 bedroom houses
- 38 x 3 bedroom houses
- 2 x 4 bedroom houses.

The conversion of the pump house building would create:

- 2 x 1 bedroom flats
- 13 x 2 bedroom flats
- 2 x 2 bedroom maisonettes
- 2 x 3 bed maisonettes.

The current scheme does not include a link road adjacent to the railway line (included in earlier draft of the previous scheme, but not included in final approved version) thus bringing the development closer to the railway line but proposing a reduced density of housing. Most of the new development is located to the north of the site, north of the pump house building reached via an extension of the existing access road. Adjacent to the entrance to the site opposite the existing block of flats fronting Bedfordwell Road would be 4 x 3 bedroom, 2 storey houses. Surrounding the pump house would be a block of part 2 storey, part single storey flats to the south west, 3 x 2.5 storey 2 bedroom houses to the west and 8 x 2.5 storey 3 bedroom houses to the north with associated off street parking areas.

Into the site is a row of 9 x 2.5 and 3 storey houses to the south west side of the site with private rear gardens backing onto the rear of houses along Waterworks Road. Opposite these houses are a terrace of 4 x 2.5 storey houses facing the entrance road and partly facing onto an open landscaped area. To the east corner of the site is a terrace of 4 x 2 storey houses and 2 x 3 storey semi-detached houses with private

gardens backing onto the rear of houses along Whitley Road. Opposite these houses to the north west is a terrace of 2.5 storey terrace houses centrally located close to the north east boundary of the site.

The proposed houses and flats are of a simple design and standard construction incorporating pitched tiled roofs and gable end frontages. A total of 142 car parking spaces would be provided mostly situated within the front gardens of the houses and in allocated areas for the flats.

The application will lead to the loss of forty two trees from the site of which two are subject to Tree Preservation Order 108. The scheme indicates retention of thirty trees on and adjacent to the site of which seventeen are subject to Tree Preservation Order 108. One of the TPO trees is an Elm which is in such a condition that removal is the only option available. The other tree is a Sycamore which requires removal to facilitate development. Their replacement would be included in a comprehensive landscape scheme.

An affordable housing statement has been submitted stating that 29% of the new development units would be affordable which equates to 24 units made up of 6 x 1 bedroom flats, 7 x 2 bedroom houses and 11 x 3 bedroom houses. The 19 units contained within the pump house have been excluded from the affordable housing calculation on the grounds of viability due to the increased cost of converting this historic building. The proposed tenure split is 16 rented units and 8 shared ownership.

A viability statement has been submitted in support of the proposal to justify the reduced affordable housing provision. The statement sets out that the cost of refurbishing/converting the pump house would be expensive and would not result in receivable revenue which would be negated by cost. The works would include a new roof, removal of structural concrete floors, treatment of the underground water course beneath the building, clean and repair external brickwork, replacement windows, structural repairs, improvements, thermal improvements, provision of lifts and communal heating system. The development of the remaining site would also involve remediation of site contamination, abnormal drainage, piling and treatment of levels across the site. This viability statement has been referred to the District Valuation Service (South East) for an independent appraisal of the sites residual valuation and recommendation of the amount of affordable housing provision based on costs of developing the site including S106 contributions, infrastructure and highway improvements. .

Consultations:

Internal:

Planning Policy Manager - Supported in principle subject to the signing of a S106 agreement to secure the appropriate level of affordable housing on-site and other developer contributions.

Historic Buildings Advisor – No objection in principle subject to amendments to external alterations to the pump house, additional plans and conditions.

Head of Environmental Health – An updated noise impact assessment is required due to the site layout changing from the previous approved scheme.

Housing Services Manager - The Viability Statement does not provide the information required to assess viability of developing the scheme in accordance with planning policy requirements. If the results of the District Valuation Office viability assessment show that the full contribution for affordable housing is not viable, then a negotiated provision of affordable housing will be secured via a Section 106 Legal Agreement.

Local Highway Manager – No objection subject to a revised plan showing a higher level of on-site parking, a contribution of £24,000 towards Real Time Information Signs at the two closest bus stops in Firle Road & Cavendish Avenue, a bus shelter at the Firle Road bus stop, a financial contribution of £88,750 to local transport initiatives, a travel plan, travel plan audit fee of £6000 and conditions.

Arboricultural Officer – No objection subject to conditions.

Parks and Gardens Manager – No objection subject to a financial contribution towards off-site play areas, playing fields and open space provision of £607,633.62 based on 367 bed spaces.

External:

Police Crime Prevention Officer – No objection subject to a good lighting scheme.

Environment Agency – No objection subject to conditions and recommendations set out in the submitted Flood Risk Assessment.

County Archaeologist – No objection subject to conditions. The site is located within an area of archaeological interest being within an area adjacent to the Willingdon Levels that was recognised for its Bronze Age period to the current day. In light of the potential archaeological significance of this site and the scale of the proposed development, the County Archaeologist is of the opinion that the area should be subject of a programme of archaeological works and a condition be imposed with the grant of planning permission until the implementation of a programme of archaeological work that is a written scheme of investigation including a timetable for the investigation to be submitted by the applicant and approved in writing by the local planning authority.

County Ecologist - No objection subject to habitat mitigation strategies secured by conditions.

ESCC Development Control Manager – No objection subject to an agreed Section 106 legal agreement to secure contributions towards the provision of additional County Council infrastructure relating to early years, primary and secondary education, libraries and household waste and recycling amounting to a total of £242,272.

Conservation Area Advisory Group - The Group supported the proposed retention and reuse of the Pump House. They support concerns raised by the Specialist Advisor (Conservation and Design) about the impact the proposal would have on the exterior of the building, due to a lack of detail on the plans.

Southern Water - No objection subject to conditions and informatives.

Network Rail Southern – No response.

Southdowns Badger Protection Group – No response.

Seeboard – No response.

South East Water – No response.

Southern Gas Networks – No response.

Neighbour Representations:

13 objections and 1 support have been received and cover the following points:

- No details of sustainability initiatives or green technologies.
- Too much housing and not enough parking proposed, should be 2 spaces per dwelling. Residents will park in surrounding streets which local business staff do already. Parking is a nightmare in Mayfield Place and Gorrington Road at present and it is almost impossible to park near our homes.
- No public transport close to site and lack of bus services to town centre.
- Trees in south west corner and adjacent to Mayfield Place need to be pruned or removed for safety reasons.
- Increased, noise, pollution and vibration from construction traffic. Screening or fencing should be erected to minimise these.
- Increased noise and traffic from over 200 new residents.
- Will cause more congestion at the already congested junction of Bedfordwell Road, Whitley Road and Upper Avenue will adversely affect highway safety.
- Proposal will have significant impact on local facilities and schools.
- No community centre, halls, or social activities proposed to bind the new community together.
- Overlooking to surrounding houses and private gardens from the flats within the pump house.
- Concerns about flooding impact from the development on the allotments and adequate fencing between the allotments and the development.
- The development is welcomed and will enhance this underused site.

Appraisal:

The main considerations in the determination of this application are the acceptability of the change of use from employment uses to residential, the acceptability of the layout, siting and design and external alterations to the pump house, the quality of the residential accommodation, the impact of the proposal on surrounding residential amenity, its impact on the character and appearance of the area, the provision of sufficient car parking spaces for residents and visitors, impact on the surrounding road networks and highway safety.

Principle of Development

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, the principle of residential development of the site has been established by the grant of planning permission (EB/2008/0609) in March 2011. In addition, the site is identified for residential development within the Eastbourne Core Strategy Local Plan (2013) and is included in the Council's 5 Year Housing Land supply. Bringing forward development on this site is therefore of critical importance to the Council's spatial development strategy (Policy B2), in order to meet local housing need and housing targets. The development conforms to the Neighbourhood policy (Policy C2: Upperton) in that it 'delivers new housing through redevelopment and increases the provision of affordable housing'. The proposed development conforms to the National Planning Policy Framework (NPPF) through bringing back into use a redundant employment site for residential use and is considered in principle as sustainable development.

The site was identified in the Strategic Housing Land Availability Assessment (SHLAA) and the accompanying schedule of development sites for the Eastbourne Core Strategy Local Plan as having the potential to accommodate 121 net dwellings (based on previous pre-application discussions). Although the application proposes 19 dwellings less than this target, the proposal provides a mixture in sizes and types of housing units (ranging from 1 bed flats to 4 bed houses) some with private gardens. This is beneficial for local housing need, and is in character with the immediate surrounding residential area. Opportunities to create a range in size of family housing units are supported in the Council's Strategic Housing Market Assessment and the quantum of housing development is therefore supported in principle.

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 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.

Bringing forward development on this site is therefore of critical importance to the Council's spatial development strategy (Policy B2), in order to meet local housing need and housing targets. The development conforms with the Neighbourhood Policy (Policy C2: Upperton) in that it 'delivers additional housing through making more efficient use of land'.

As such, it is considered that given the previous permission for residential development in 2011, the site being an identified housing site, the efficient use of the site for an identified housing need, it is considered that the redevelopment of the site for housing is acceptable in principle in accordance with Policies C2 and B2 of the Eastbourne Core Strategy and the aims of National Planning Policy Framework 2012.

Layout, Siting and Design

Policy D10A of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Local Plan require development proposals 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 proposal would provide 52 less dwellings than the previous permission resulting in a significantly less dense site layout and reduced scale. The proposed housing and blocks of flats are simple in design and of standard, traditional construction. The majority of the new development beyond the pump house would not be visible from the public arena except from trains on the adjacent line and from surrounding houses and businesses. The reduced scale of the current proposed development allows the 4 storey pump house to become the main focal feature of the site being a significant local landmark of historic importance.

The number and layout of the houses within the site appears to be well structured around the site with reasonably good sized rear gardens with parking areas to the rear of buildings as well as the front which would avoid a cumulative visual impact of vehicles visible within the street scene. The houses have been grouped into terraces of mainly 3, 4 and 5 houses which would break up the expanse of development into more aesthetically pleasing sections and provide relief and views through the buildings. There are several small areas of landscaped communal open space provided centrally within the main housing area and around the pump house building to provide amenity areas for residents and welcome relief from the monotonous provision of off-street parking spaces to the fronts.

Details of tree planting and hard and soft landscaping indicated on the submitted layout plans would be secured by condition requiring the submission of a comprehensive landscape scheme.

As such, it is considered that the layout, siting and design of the development are acceptable and constitutes an efficient use of the space in accordance with the aims of the National Planning Policy Framework and Policy UHT1 of the Eastbourne Local Plan and Policies C2 and B2 of the Eastbourne Core Strategy.

Conversion of Pump House

Policy D10 of the Eastbourne Core Strategy states that all significant heritage assets will be protected and enhanced and where practicable there is a presumption in favour of protection of all heritage assets from inappropriate change including Buildings of Local Interest.

The Pump House is registered as a Building of Local Interest. The Council's Eastbourne Townscape Guide Supplementary Planning Guidance states that buildings of local interest be retained and ideally enhanced. Proposals which would adversely affect the character or appearance of buildings of local interest will not be permitted.

In principle, the conversion of the pump house to flats is welcomed as it would involve the reuse of a vacant and derelict historic asset where the original use is no longer relevant. The proposed 19 flats within the Pump House appear to be well laid out within

the building and would provide well proportioned accommodation and an acceptable mix of flat sizes. The communal lobbies to the main part of the building are proposed to be naturally lit by the roof lantern and light dispersed below through glass block floors. However, the 3 x 2 bedroom flats within the third floor roof void of the building do not contain any windows and would be lit only by high level roof lights approximately 3.5 metres above floor level. This would provide sub-standard accommodation with no outlook or view out from habitable rooms (especially the living area) or easy access to natural ventilation which would be contrary to Policy H5 of the Eastbourne Core Strategy which requires all new housing to be built in accordance with Lifetime Homes Standards. Revised plans have been requested from the applicants to address this issue but the plans have not been forthcoming. As such, a condition is recommended that prior to commencement of development, a revised plan is submitted showing either insertion of windows to the living areas or a reconfigured layout of the second and third floors to provide maisonettes where the main living areas would have access to the large windows on the second floor and the bedrooms on the third floor served by the high level rooflights.

With regard to external alterations, the submitted documents refer to 'restoration and renewal' of such items as the roof, lanterns and other items. This is welcomed and it is recommended that such works be like for like, and where more whole sale replacement is required, that this be subject to condition. Exterior alterations involving the removal of a window to allow a door is acceptable in principle subject to a condition requiring details of the material, profile, finish and door furniture.

The applicant has not provided a section of the site, so it is not possible to ascertain floor levels, or how these will be treated at window junctions. A condition is, therefore, recommended that full details be submitted showing the impact of the floor structures on the windows and position of glazing bars. Additionally, full details of alterations to the windows and glazing to facilitate opening casements for ventilation will be required by condition.

The submitted plans do not show any ventilation to bathroom, kitchen or living spaces. Nor are any services (water/gas/electricity), means of removal of foul water, soil stacks shown on the plans. It is recommended that these be run internally to avoid any detrimental clutter on the exterior facades and a condition is recommended to secure this aspect.

As recommended within the Townscape Guide SPG, as there are a number of significant external alterations to the windows, roof and roof lantern, a condition is also recommended that the building be fully inspected and recorded prior to work commencing on the pump house building alone.

Living Conditions

Policy NE18 of the Eastbourne Local Plan relating to noise states that where planning permission is sought for developments in the vicinity of a noise/vibration source appropriate insulation measures will be required.

As the site is located next to a railway line, the applicants have submitted a noise impact assessment dated February 2010 which is identical to that submitted for the previous scheme and does not address the amended site layout and scale of the current proposal.

The current scheme has omitted the link road next to the railway line, as it is no longer required, and shifted the housing over to the boundary approximately 12 to 16 metres closer to the railway. The report sets out analysis of the previous proposal without the link road where the area that would be occupied as the link road remained as open space or green corridor. The report concludes that neither of the development scenarios previously would breach international standards and thereby would provide an acceptable living environment (internal and external) for the occupiers of the new and converted properties. They also concluded that acceptable living conditions could be achieved with the use of double glazing to the buildings and the erection of a close boarded fence to act as an acoustic barrier for the link road.

As such, it is considered that on balance, it is unlikely that the impact of noise from trains on living conditions within buildings in the current layout would have any significant difference to that of the previous scheme given the sound levels taken at the site boundary next to the railway were within acceptable levels where average noise levels were below 55dBA LAeq16hr. However, as trains can be intermittent resulting in single short lived high noise levels above 55dba, several times per hour, it is considered that a condition is necessary for the report to be updated and recommendations made with specific regard to this issue, especially during the night and in the summer months when windows would be opened for purposes of ventilation. It is considered that an updated report should also address the impact of increased vibration from the railway on the housing closest to the boundary which is significantly closer to the railway line than the previous scheme and mitigation recommendations made accordingly.

In any event it is considered that an acoustic fence is necessary to be erected on the boundary with the railway to protect outdoor gardens and amenity areas, details of which would be required by condition, similar to that of the previous permission.

Affordable Housing Provision

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

As the development proposes a net gain in residential dwellings, consideration should be given to Policy D5: Housing of the Eastbourne Core Strategy Local Plan. As a starting point it is expected that 40% of the development should be affordable housing, which equates to 40 units on site and 0.8 units through a commuted sum payment. The applicant has provided a financial viability statement stating that due to excessive costs, they are unable to provide the full quantum of affordable housing units on-site. However, the viability statement is not supported by evidence of a comprehensive viability assessment setting out costs, values and margins to justify the reduced provision. The Council's Housing Strategy team have been consulted and consider that the Viability Statement does not provide the information required to assess viability of developing the scheme to meet planning policy requirements.

The proposed scheme to provide 24 affordable units (16 affordable rent and 8 Low Cost Home Ownership) falls under the policy requirement and results in a total percentage of 23.5%. Policy compliance for this site would require 40% of the total housing to be

affordable (30% of which can be LCHO and 70% Affordable Rent, let on secure tenancies) amounting to 31 units of affordable housing. It is not possible for this to be varied without supporting evidence validated by the District Valuation Office. The applicants state in their affordable housing statement that the pump house has been excluded from their calculation due to the excessive costs of refurbishing the building for which no details have been submitted for scrutiny. Therefore, they are proposing to provide 24 units out of 83 units of the main new build housing which amounts to 29%.

As such, the Council have commissioned the District Valuation Service (DVS) to provide an independent viability assessment of the scheme to validate the applicant's claims. As it may not be possible for this to be resolved before the Planning Committee meeting, it is recommended that the affordable housing provision be negotiated via a Section 106 legal agreement (if planning permission for the scheme is approved) based on the recommendation from the District Valuation Service.

The affordable housing statement states that the affordable housing units would be spread evenly around the site. It is recommended that once an acceptable level of affordable housing is agreed, a layout plan would be required by condition showing the exact locations of the units on the site.

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.

It is considered that the redevelopment of the site to provide new housing would significantly improve the visual appearance of the site and local area when viewed from surrounding residential properties. The proposed development would not impact on levels of sunlight or daylight reaching surrounding residential properties due to the modest scale of the proposed buildings, sensitive siting of development and the location of the site itself next to the train line to the east and allotments to the south west. A bank of mature trees screens the site from residential properties along Mayfield Place.

Objection has been received concerning overlooking from the flats within the pump house to surrounding houses and gardens and the flats at Bedfordwell Court. It is considered that as the pump house is located on the other side of the access road to Mayfield Place and Bedfordwell Court, and set back from the road, the siting would not constitute overlooking or loss of privacy to surrounding houses on the opposite side of a public road as this is a normal housing street pattern layout. In addition, the nearest section of the pump house to Bedfordwell Court would be approximately 37 metres and approximately 33 metres from the side of no.1 Mayfield Place. This is considered to be a more than adequate separating distance to avoid direct overlooking of windows or private gardens.

With regards refuse provision, due to the provision of housing units only, it is assumed that each house would have use of individual wheelie bins and recycling facilities which

would be stored at the front or rear of each house. Details of refuse provision and locations for the flats would be required by condition. The internal road network has been designed to accommodate a refuse truck and hammerhead turning areas have been provided within the centre of the site and at the end of the access road to facilitate turning.

Several representations have been received concerning the control of construction traffic, pollution and associated vibration from construction vehicles. It is considered that due to the scale of this proposal, a Construction Environmental Management Plan is required to be submitted to address the potentially intrusive impacts of the construction phase/s on local residents and the surrounding road network and secured by condition.

As such, it is considered that subject to conditions, the proposal would not significantly impact adversely on surrounding residential amenity in accordance with Policies HO20 of the Eastbourne Local Plan and Policy B2 of the Eastbourne Core Strategy.

Access, Car Parking and Highway Considerations

Policy TR1 states that major development proposals should be located on sites within the town centre or edge of town centre and accessible by a variety of means of transport.

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

Policy D8 of the Eastbourne Core Strategy states that new development that generates significant demand for travel should be provided in locations that are well served by a variety of transport methods and supported by travel Plans.

New development should provide for the needs of pedestrians and cyclists, and contribute towards sustainable travel schemes wherever possible.

The applicants have provided a Transport Assessment in accordance with Policy TR2 of the Eastbourne Local Plan to support the proposed scheme including a justification of the proposed parking provision, internal road layout, trip generation and parking surveys of surrounding streets. East Sussex Highways have been consulted and consider the Transport Assessment has demonstrated that reduced traffic levels would be produced by this development when compared to the previous scheme as well as the previous use. It should be noted that the site has not been used significantly for several years and therefore although as a technical exercise the level would be lower the highway network would have adjusted to take into account this change.

Highways consider that the traffic generated by this development is acceptable as it has been demonstrated that the highway network locally can accommodate the increase. The access to the site will be in a similar position to the existing which is acceptable. Any works on the public highway will need to be controlled by legal agreement/licence between the applicant and East Sussex County Council.

The previous permitted scheme proposed 140 spaces for 154 units of housing and was granted planning permission on this basis. The current scheme proposes 142 spaces for 102 units of housing. East Sussex Highways recommend that more parking spaces are provided on site due to its location outside the Town Centre and to prevent overspill

parking onto surrounding streets. However, it is considered that the proposed parking provision is a significant improvement on the extant permission. It is also considered that the site location is fairly central, close to the town centre and public transport where Eastbourne train station is approximately a 5 minute walk away. The site is fairly well served by bus services with bus stops located under 400m from the site. In order to make bus travel more attractive, East Sussex Highways consider that Real Time Information Signs should be provided by the developer at the two closest stops in Firle Road & Cavendish Avenue. A contribution of £24,000 (2 real time signs at a cost of £12,000 each) is requested to install these facilities. A bus shelter is also required at the Firle Road stop which should be installed by the applicant at their expense to further enhance bus facilities in the area and secured by a Section 106 Legal Agreement.

The Transport Assessment confirms that provision of cycle parking would be in gardens or sheds of the proposed houses or garages and storage areas. It is considered that the proposed houses would accommodate their own storage of bicycles within their own curtilage without the need for any further requirement. However, full details of secure cycle storage for all flats should be submitted for approval prior to occupation of the development and this would be secured by condition.

A draft Travel Plan is included as part of the Transport Assessment which is acceptable for this stage of the process and includes reference to areas that need to be considered such as car share, cycling, walking as well as setting up a Car Club. A full Travel Plan will need to be secured by Section 106 legal agreement to include the following:

- The agreement of a "measures" approach which; a) specifies targets / outcomes; and, b) identifies both specific measures designed to achieve the agreed targets / outcomes and the remedies and/or sanctions that shall be applied if the targets / outcomes are not achieved.
- The appointment of a Travel Plan Coordinator to coordinate implementation of the TP and take responsibility for achieving targets including handover arrangements from the developer to a management or residents' group.
- Appropriate monitoring reports, including multi-modal travel surveys to be carried out annually for five years following occupation/operation of the Development based on the standard survey requirement in East Sussex, i.e. a Level 2 TRICS survey (known in this context as SAM: Standard Assessment Methodology).
- A Travel Plan Audit fee of £6000 (Six thousand pounds).

With regard to off-site highway improvements, it is considered that works should be undertaken to provide improved pedestrian facilities at the A2021/Firle Road traffic signals. This will provide a safe, convenient walking route to the Town Centre facilities and a broader area including schools, etc as well as the bus stops previously mentioned. This will again help the development to achieve the aims of the Travel Plan. Without this change there is no formal crossing point on the A2021 in the vicinity of the site which could create a barrier to potential pedestrian and bus use. This work would be secured within a Section 106 legal agreement.

Being a strategic site allocation within the Eastbourne Core Strategy, a financial contribution would be sought towards the strategic road network junctions and bus service improvements within Eastbourne and South Wealden areas. Highways consider the two closest initiatives relevant to this site are the proposed bus lanes along both the A2270 & A259, with the aim of reducing congestion along these corridors which are two of the main routes into and out of Eastbourne. As such, it is considered that a contribution of £88,750 will be required to part fund these schemes secured by a Section 106 legal agreement.

It is considered, therefore, that the site is located in a sustainable location. Given this and also to support the drive to reduce the number of trips by the private car, the car parking density is below the maximum adopted thresholds and would be supported by a green travel plan which would be secured via a Section 106 legal agreement. As such, it is considered that the proposed development is unlikely to give rise to any adverse impacts upon highway capacity or be likely to give rise to a material increase in indiscriminate on street parking that would give rise to highway and or pedestrian safety issues and thus would accord with Policy TR11 of the Eastbourne Local Plan and Policies C2 and D8 of the Eastbourne Core Strategy.

Outdoor Playing Space

Policy LCF4 of the Eastbourne Local Plan states that all residential developments for 15 or more dwellings will be required to make provision for outdoor playing space at a level to satisfy adopted standards, in order to meet the needs generated by the new development. In assessing the level of provision, regard will be made to the viability of the proposed development, including the economics of provision and other planning objectives for the site.

The proposed development offers some small pockets of amenity space around the site, however, it does not appear that any children's playgrounds or playing fields would be provided on the site. Therefore, in line with the requirement for an off-site contribution for the previous scheme, the Parks and Gardens Manager recommends a financial contribution of £607,333.62 towards off site playing areas, playing fields and open space provision for the current proposal based on a maximum of 367 new residents at the site and would be secured within a Section 106 legal agreement.

As the applicants are claiming financial viability circumstances, this matter will be taken into consideration by the District Valuation Office in their independent assessment of the scheme as set out in Policy LCF4 and resolved within a Section 106 legal agreement.

Biodiversity

Policy NE23 of the Eastbourne Local Plan states that planning permission will be refused for developments which would have a significant adverse effect, either directly or indirectly, on a habitat and/or species of flora and fauna of demonstrable nature conservation importance.

Policy D9 of the Eastbourne Core Strategy seeks to protect and support a diverse and multi-functional network of green space and promote effective conservation and enhancement of Eastbourne's wildlife.

Paragraph 118 of the National Planning Policy Framework states that opportunities to incorporate biodiversity in and around developments should be encouraged.

Biodiversity surveys and a Great Crested Newt Habitat Suitability Index assessment have been submitted in support of the application. The East Sussex County Council Ecologist has been consulted and has commented as follows:

The nearest designated site is Horsey Sewer Site of Nature Conservation Importance (SNCI) which lies approximately 160m to the east. There are no other sites designated for their nature conservation importance within 1km of the site. Given the location, scale and nature of the proposed development, there are unlikely to be any significant impacts on protected habitats or sites designated for their nature conservation importance.

Habitat of greatest value present on the site are the hedgerows, mature trees and ditches. The former allotments at the north west of the site have developed into an area of scrubby grassland which is a haven for wildlife. The hedgerows provide foraging and commuting habitat for bats, nesting habitat for birds, refugia for amphibians and reptiles and connectivity to the surrounding area. The proposed development will lead to the direct loss of the scrubland at the north west of the site. To compensate for the loss of habitats, especially mature trees, a landscaping scheme should incorporate areas of semi-natural habitat of value to wildlife and should include features that provide connectivity throughout the site and with the surrounding area, and should incorporate native species of known value to wildlife and would be secured by condition.

The Reptile Survey Report (September 2013) reported that the site currently supports a good population of slow worms and low populations of common lizards and grass snakes. This shows a decline from previous surveys carried out in 2007 which found an exceptional population of slow worms, a good population of common lizard and a low population of grass snake. The Reptile Mitigation Strategy, however, is not sufficient to ensure no net loss of reptile populations. In particular, further information is required about the proposed receptor site and further surveys are required to assess usage of the site by badgers which would be secured by condition.

National guidance (English Nature, 2004) states that planning must incorporate two aims where reptiles are present: a) to protect reptiles from any harm that might arise during the development work; and b) to ensure that sufficient quality, quantity and connectivity of habitat is provided to accommodate the reptile population, either on-site or at an alternative site, with no net loss of local reptile conservation status. The Reptile Mitigation Strategy is not sufficient to achieve those aims. The proposed Mitigation Strategy states that 100 refugia will be installed. However, best practice guidelines (HGBI, 1998. Evaluating local mitigation/translocation programmes: maintaining best practice and lawful standards) recommend a minimum of 100 refugia per hectare for medium populations of slow worms. Given that the whole development site is 2.3 ha of which 1.47 ha has been assessed as suitable reptile habitat, this proposed density is too low. A condition is, therefore, recommended that 230 refugia will be installed in total prior to first occupation of the development and monitored by a suitably qualified Ecologist.

National Guidance (EN, 2004) states that generally, reptiles should only be released at suitable sites that currently do not support the species, but where habitat enhancements can be made to accommodate them (to ensure no net loss of reptile populations). Where

only small numbers are involved, reptiles may be added to an existing population so long as some improvements are made to the habitat. Furthermore, the site should be made capable of supporting reptiles before they are relocated. The Reptile Mitigation Strategy proposes that reptiles will be relocated to the allotments north of the development site. No information has been provided as to the current status of the proposed receptor site for reptiles. It is therefore not possible to assess whether the site is suitable. Therefore, a condition is recommended requiring full details of the suitability of the proposed receptor site to the allotments north of the site to be submitted to the LPA for approval prior to commencement of development.

Drawing C115345-01-02 showing the 'exclusion fencing layout' is missing from the mitigation strategy and would be required to be submitted by condition prior to commencement of the development.

The Great Crested Newts Habitat Suitability Index Assessment indicates that the proposed development is unlikely to impact on this species and therefore no further action is required. A condition is recommended that if great crested newts are encountered during building works then works should cease and advice should be sought from a qualified Ecologist on a suitable mitigation/relocation strategy to be submitted to and approved by the Local Planning Authority prior to works continuing.

In addition, if works do not start within two years of the current surveys, the surveys should be updated to ensure that appropriate mitigation and/or compensation is provided for all protected species known or likely to use the site, and this shall be secured by condition.

Trees and Landscaping

Policy UHT6 requires new trees to be of a species that retains the distinctive character of Eastbourne and be of a size to make a significant visual impact to the locality.

Policy UHT7 requires development proposals to make improvements to the physical environment through site layout and landscaping and conditions will be imposed requiring landscape proposals to be approved before development commences.

The proposal involves the removal of 42 trees in total, 2 of which are TPO trees to facilitate the development in its submitted layout. An arboricultural report has been submitted which indicates one of the TPO trees (T3 Sycamore) is a healthy category B tree and is to be removed to facilitate development. TPO tree T4, which is an Elm, has been categorized as U and is also indicated as removed due to its condition and negligible amenity value. The remaining trees to be removed around the site to facilitate the development are categorised as C and U which are considered to have no significant amenity value or are in poor condition.

The Council's Arboricultural officer has been consulted and raises no objections to the removal of the existing trees on site subject to a condition requiring the submission of a comprehensive landscaping scheme incorporating suitable replacement trees, planting species and their locations.

As such, the proposal would accord with Policies UHT6 and UHT7 of the Eastbourne Local Plan.

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 design and access statement confirms that the development would be constructed to an enhanced Code Level 3 of 68 points due to financial viability, which is a lower level than that required by 'Policy D1: Sustainable Development' of the Eastbourne Core Strategy Local Plan. The standards proposed through the application align with current Building Regulations, however their Viability Statement does not fully justify why the departure from local policy (Code Level 4) is acceptable based on viability. This matter will be taken into consideration by the District Valuation Office in their independent assessment of the scheme and will be resolved within a Section 106 legal agreement.

Flood Risk

Policy US4 of the Eastbourne Borough Local Plan requires all development to make adequate provision for floodplain protection and surface water drainage.

Policy D11 of the Eastbourne Core Strategy states that Eastbourne Park is an essential flood storage area, which helps mitigate the effects of flooding on the surrounding built development. Any future proposals for the Park should ensure that they do not compromise its vital role as an area for flood storage and mitigation.

The site is located within the Tidal Flood Zone 3a, and although this area is protected by coastal flood defences, consideration should be given to minimising flood risk. The applicant confirms that finished floor levels will be above 2.9 metres AOD, finished floor levels 150mm above ground level, car parks and roads set at a minimum of 2.75 metres AOD and proposed SUDS measures (such as water harvesting, swales and permeable paving) will alleviate surface water flooding and drainage issues and secured by conditions.

The north western triangular section of the site adjacent to the allotments to the west is located within the Eastbourne Park flood storage area. As the proposal would result in the loss of land used for flood storage, a fluvial flood compensation is required resulting in a one off contribution based on the flood compensation required of £62,731.

The Environment Agency have been consulted and raise no objection to the proposal subject to conditions and the mitigation measures recommended by the submitted Flood Risk Assessment are included in the final development.

Southern Water has been consulted and advise that at present there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. If permission is granted conditions should be attached preventing the commencement and occupation respectively, of the development until details of the proposed means of foul sewerage disposal have been agreed and the necessary infrastructure capacity is available to adequately serve the development.

The scheme proposes that the surface water disposal will be via the existing drainage network. It is planned that there will be on site attenuation of the surface water via open ditches and swales. This attenuation would mean that the rate of surface water run off from the site would be significantly reduced from the existing situation. This reduction in surface water run off would limit the likelihood of localised flooding.

As such, subject to conditions to secure the submission of surface water drainage details, details of foul sewage disposal and any amendments to finished floor levels during the course of the development, the development would accord with Policy US4 of the Eastbourne Local Plan and Policy D11 of the Eastbourne Core Strategy.

Human Rights Implications:

It is considered that the proposal would not have any adverse impact on the amenities of nearby residents, nor have any negative impact on human rights, equality and diversity.

Conclusion:

Given the previous permission for residential development in 2011, the site being an identified housing site, the efficient use of the site for an identified housing need, it is considered that the redevelopment of the site to provide 102 houses and flats is acceptable in principle subject to conditions and an agreed Section 106 legal agreement.

Recommendation: Approve subject to conditions and an agreed Section 106 legal agreement.

Conditions:

1. Time limit.
2. Drawing numbers.

Prior to Commencement

3. Materials and samples.
4. Construction Environmental Management Plan.
5. Construction Traffic Management Scheme.
6. Updated phase 2 soil investigation and remediation.
7. Details of SUDS (Southern Water).
8. Foul sewage disposal details (Southern Water).
9. Changes to ground levels and finished floor levels.
10. Lighting Strategy.
11. Details of windows or reconfigured layout to 3rd floor of Pump House.
12. Details of new external doors (Pump House).
13. Full details of windows, glazing, ventilation and section showing floor levels.
14. Standing building survey recording.
15. Updated noise and vibration report.
16. Details of refuse facilities and recycling.
17. Details of reptiles receptor site, badgers,
18. Submission of drawing C115345-01-02 (exclusion fencing layout).
19. Programme of archaeological work.
20. Road construction details.

Prior to Occupation

21. Boundary treatment.
22. Turning spaces.
23. Details of cycle parking provision.
24. Parking spaces provided.
25. Comprehensive landscape plan and biodiversity enhancement.
26. Details of acoustic fence to railway boundary.
27. Locations of affordable housing units on site.
28. Details of secure cycle storage for flats.
29. Installation of 230 fugia and monitored by Ecologist.
30. Archaeological site investigation and post investigation assessment.

In Perpetuity

31. Restoration and renewal alterations like for like (Pump House).
32. Works cease if Great Crested Newts discovered.
33. If work not started in 2 years, all surveys updated and submitted.
34. New roads in accordance with Highway standards.
35. Development implemented in accordance with the FRA.
36. Utility pipes, soil stacks to be run internally (Pump House).
37. Contamination not identified
38. Wheel washing facilities.
39. Retained trees.
40. Details of work to trees.
41. No bonfires.
42. Working hours.
43. No contaminated material deposited.

Informative

Agenda Item 11

App.No: 140013 (PPP)	Decision Due Date: 11 March 2014	Ward: Meads
Officer: Hayley Cornford	Site visit date: 30 January 2014 & 17 February 2014	Type: Planning Permission
Site Notice(s) Expiry date: 17 February 2014 Neighbour Con Expiry: 14 February 2014 Weekly list Expiry: 4 February 2014 Press Notice(s): 11 February 2014		
Over 8/13 week reason: Decided within statutory timeframe.		
Location: Street Record, De Walden Mews, Eastbourne		
Proposal: Installation of steel pedestrian gate within existing opening, adjacent to existing gates at Meads Street entrance to De Walden Mews.		
Applicant: Ross & Co.		
Recommendation: Approve conditionally.		

Constraints:Conservation Area

Meads Conservation Area

Convenants

Trustees of The Chatsworth Settlement

Relevant Planning Policies:National Planning Policy FrameworkEastbourne Core Strategy Local Plan Policies 2013

C11 Meads Neighbourhood Policy

D10 Historic Environment Archaeological Notification Area

D10 Historic Environment Conservation Area

D10A: Design

Saved Borough Plan Policies 2007

UHT1: Design of New Development

UHT4: Visual Amenity

UHT5: Protecting Walls/Landscape Features

UHT15: Protection of Conservation Areas

HO20: Residential Amenity

Site Description:

The application site relates to a private street which adjoins Meads Street to the south-west and Meads Road to the north-west. The site current accommodates a number of residential properties and garages with an open vehicular access onto Meads Road and a vehicular gated access onto Meads Street.

Relevant Planning History:

01256

Provision of entrance piers to Meads Road and entrance piers with gates to Meads Street.
Planning Permission
Approved conditionally

010639

Erection of two two-storey dwellings following demolition of nine out of thirteen existing garages.
Planning Permission
Approved conditionally
19/12/2001

970636

Conversion of flats and garages to form 11 town houses and erection of five new build town houses following demolition of workshop.
Planning Permission
Approved conditionally
14/07/1999

Proposed development:

The applicant proposes to erect a steel pedestrian gate within the existing opening, adjacent to the existing vehicle gates at the Meads Street entrance. The gate would match the existing and would open by key fob.

The proposed gate would measure 0.98m wide (1.11m with frame) and 1.58m high and would be hinged from a steel post fixed adjacent to the existing flint wall.

Consultations:Internal:

Historic Buildings Advisor – no objections.

External:

Conservation Area Advisory Group – no objections.

Neighbour Representations:

30 no. consultation letters were sent to neighbouring properties and site notices were displayed at either end of De Walden Mews.

11 no. objections have been received and cover the following points:

- Removal of access rights for residents of The Moorings, St Johns Road through De Walden Mews to their rear garage/bin area and
- Access to the Meads Street Shops/Facilities would be more difficult given the increase in travel distances.

2 no. letters of support have been received in respect of the proposed gate and cover the following points:

- It would give privacy to the residents in the private street from passers by walking through and peering into their premises or walking onto their front gardens.
- Residents feel it would reduce the likelihood of any vandalism to their properties and possessions (ie: vehicles)
- To prevent accidents to the public caused by someone walking in the carriageway of De Walden Mews, as there is no pavement area within the street.

No requests to speak at committee have been received.

Appraisal:

Principle of development:

There is no objection in principle to installing an additional gate in this residential area provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on the visual amenity of the site in particular or the character of a conservation area in general.

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

The proposed gate would match the existing in terms of its detailing and would have little impact on visual amenity from the junction with Meads Street. However, it is acknowledged that it will restrict pedestrian access to non residents of De Walden Mews.

Design issues:

The gate is proposed to be constructed of steel to match the existing gates. The gate would be hinged from a steel post which would be sited adjacent to the existing flint wall. The bulk and scale and the choice of materials are considered appropriate.

Impact on character and setting of the conservation area:

The application site is not listed, however it is situated within the Meads conservation area. The proposed design and materials used are considered to be appropriate for its setting.

Impacts on trees:

None.

Impacts on highway network or access:

No impact on highway network. However, the proposal will restrict access, from the entrance adjoining Meads Street, to only those living within De Walden Mews. East Sussex County Council have confirmed by email that De Walden Mews is a private street, therefore it is not an adopted highway and is not maintained by ESCC.

A number of local residents have made representations to this application with regard to the loss of direct access to the Meads Street shopping area. Whilst acknowledging their concerns De Walden Mews is a private road without any public right of ways and as such it is considered that little weight can be given to this as it is not a material planning consideration. Any right of access across the land remains a civil matter between the parties involved.

As outlined in previous sections on planning grounds the scheme is acceptable.

Other matters:

None.

Human Rights Implications:

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

Conclusion:

It is considered that the proposed gate is acceptable on design grounds and would not harm the character or appearance of the existing area. It would have no detrimental impacts on the visual amenity of the neighbouring properties and as such is considered to be in accordance with Policies UHT1, UHT4, UHT5, UHT15 and HO20 of the Eastbourne Local Plan and Policies C11, D10 and D10a of the Eastbourne Core Strategy.

Recommendation:

Approve conditionally

Conditions:

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)

2) The development hereby permitted shall be carried out in accordance with the following approved drawings submitted on 10 January 2014:

- B050.02 – proposed elevations (from Meads Street and De Walden Mews), including site and block plan.

Reason: For the avoidance of doubt and in the interests of proper planning.

Informative:

None.

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

Agenda Item 12

App.No: 130976 (ADV)	Decision Due Date: 21 March 2014	Ward: Meads
Officer: Hayley Cornford	Site visit date: 17 January 2014 & 17 February 2014	Type: Advertisement
Site Notice(s) Expiry date: 25 February 2014		
Neighbour Con Expiry: 25 February 2014		
Weekly list Expiry: 4 February 2014		
Press Notice(s): 11 February 2014		
Over 8/13 week reason: Decided within statutory timeframe.		
Location: Marlborough House, 3 Old Wish Road, Eastbourne.		
<p>Proposal:</p> <p>Display of Freestanding Totem signs, Post and Panel signs and Digital Display. To be located at:</p> <p>Site 1) junction of Blackwater Road and Grange Road – Totem A, Site 2) junction of Grange Road and Carlisle Road – Totem B, Site 3) College Road entrance – Post and Panel Tray Sign, Site 4) junction of Blackwater Road and College Road – Panel A, Site 5) junction of Carlisle Road and Old Wish Road – Panel B, Site 6) Birley Centre, Carlisle Road</p>		
Applicant: Mr David Steward		
Recommendation: Site 1 – 6 Approve conditionally		

Constraints:

There are a range of buildings within the site, some are on the local list and others are Grade II listed buildings. The entire site is within the College Conservation Area

Relevant Planning Policies

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

C11 Meads Neighbourhood Policy

D10 Historic Environment Listed Building/Building of Local Interest/Conservation Area

D10A: Design

Saved Borough Plan Policies 2007

UHT1: Design of New Development

UHT4: Visual Amenity

UHT5: Protecting Walls/Landscape Features
UHT7: Landscaping
UHT12: Advertisements
UHT15 Conservation Area
UHT16: Protection of Areas of High Townscape Value
UHT17 Protection of listed Buildings
UHT18 Buildings of Local Interest
UHT19: Retention of Historic Buildings
HO20: Residential Amenity

Site Description:

The application site comprises college buildings and a playing field. The site is bordered by Blackwater Road to the north, College Road to the east, Carlisle Road to the south and Grange Road to the west. In key locations around the perimeter of the existing Campus there are existing display/notice boards.

The majority of properties surrounding the site are owned and used by the college.

Relevant Planning History:

There is an extensive planning history of the site with the existing signs being granted consent as follows:

940427

Display of signboard at corner of College Road and Blackwater Road.
Standard advert approval
Decided - 22/09/1994

940428

Display of signboard at corner of Grange Road and Blackwater Road.
Standard advert approval
Decided - 22/09/1994

No trace can be found of applications in respect of the other signage, but they have been in situ for some years.

Proposed development:

The applicant seeks to replace existing signage (in their existing locations) around the perimeter of the site with new/refreshed corporate branding. All of the signs are to share the common features of logo and text.

There are six locations and are described individually below:-

Site 1) junction of Blackwater Road and Grange Road – Totem A

It is proposed to erect a powder-coated aluminium finish sign with vinyl letters, and cut logo (logo only being internally illuminated) and set to a concrete base. The dimensions proposed are 3200mm high, 1600mm wide and 200mm in depth. The concrete base and first 1400mm of the sign would be below the height of the existing perimeter wall, leaving 1800mm visible above the perimeter wall. There are no changes proposed to the existing boundary wall or tree within the vicinity of the site.

A condition is recommended to control the construction of the base in order to protect the tree root area.

Site 2) junction of Grange Road and Old Wish Road – Totem B

It is proposed to erect a powder-coated aluminium finish sign with vinyl letters, and cut logo (logo only being internally illuminated) and set to a concrete base. This sign hosts one of the college notice 'pin-boards' which will be internally illuminated. The dimensions proposed (of the complete unit) are 3600mm high, 1600mm wide and 200mm in depth. The concrete base and first 1800mm of the sign would be below the height of the existing perimeter wall, leaving 1800mm visible above the perimeter wall.

Site 3) College Road entrance – Post and Panel Tray Sign

It is proposed to erect a powder-coated aluminium sign with vinyl letters, logo only internally illuminated set to concrete base. Dimensions proposed are 750mm high, 1600mm wide and 50mm in depth. The sign would be raised on brushed stainless steel posts measuring 1900mm high (to the base of the sign).

Site 4) junction of Blackwater Road and College Road – Panel A

It is proposed to apply an aluminium composite panel to the existing wooden sign with cut vinyl letters and logo. Dimensions proposed are 800mm high, 1300mm wide and 3mm in depth. The sign would be raised on the existing posts.

Site 5) junction of Carlisle Road and Old Wish Road – Panel B

It is proposed to apply an aluminium composite panel to the existing wooden sign with cut vinyl letters and logo. Dimensions proposed are 800mm high, 1300mm wide and 3mm in depth. The sign would be raised on the existing posts.

Site 6) Birley Centre, Carlisle Road

It is proposed to fit a wall mounted 42" digital display unit with a powder-coated aluminium finish. The proposed dimensions are 1110mm high, 700mm wide and 130mm in depth. The sign would be fitted to the wall to the right of the Birley Centre entrance in Carlisle Road.

The sign would display static information of current or upcoming events being held. The information will be controlled by the College and updated as events pass and new ones are to be advertised, but is not proposed to change constantly throughout the course of the day. No third parties are proposed to be using this display.

Consultations:

Internal:

Specialist Advisor (Historic Buildings & Conservation)

• Sites 1, 2 & 3:

Objection. It is considered the scale, material and method of lighting are inappropriate for the setting of the conservation area, would be overly dominating and at odds with the character and nature of the conservation area.

• Sites 4 & 5:

Recommend amendment to painted wood in a moulded frame. It is considered that the material inappropriate for the setting of the conservation area, and that the design lacks suitable detail and is at odds with the character and nature of the conservation area.

- Site 6:
No objection.

Specialist Advisor (Arboriculture)

- Site 1
Raises concerns regarding the method of construction of the concrete base and the likely impact on the tree root area.

External:

Conservation Area Advisory Group

- Pre application scheme was reported to its meeting on the 7th January 2014, they raised no objections to the proposed signage at the Birley Centre. However, they raised objections to the scale, design, materials and method of lighting of all the other signs. The Group also considered that the application provided very poor details in terms of the precise siting of the signs and lack of scaled elevation plans showing the signage in context.
- At its meeting of 18 February 2014, they reaffirmed their comments that were made at pre-application stage. They had no objections to the signs at the Birley Centre (subject to the quality of the materials to be used), but were disappointed that their previous concerns have not been addressed, and the additional information submitted served to reinforce the objections to the scale, design, materials and method of lighting of the other signs.

Neighbour Representations:

No responses have been received.

Appraisal:

Principle of development:

It is accepted that commercial enterprises will seek to maximise opportunities to advertise their businesses wherever possible.

It is evident by the signage that currently exist around the perimeter of the site that the principle of advertisement materially has previously been accepted. Given this there is also a common understanding that at times corporae signage will need to be updated; this is the nature of this proposal.

It is noted that strong concerns have been raised by the Specialist Advisor (Historic Buildings & Conservation) and CAAG, however these views are not wholly supported by the Case Officer and advert applications can only be resisted on visual amenity and highway safety grounds.

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

Sites 1 and 2:

The advertising signs are proposed to be constructed of aluminium with a powder-coated finish and are of modern design with illuminated logo and text.

The size and bulk of these signs is mitigated by their location behind existing boundary walls and as such their impact upon the wider street scene is considered to be appropriate. Similarly given their location and distance to campus buildings it is considered that when viewed public realm towards the backdrop of these important/significant buildings that the signage will not have a detrimental visual impact upon the character and setting of the site and surrounding area.

The proposed materials and method of illumination are deemed to be appropriate.

It is recommended that a condition attached to the approval will control the method of construction to safeguard the tree root area.

Sites 3, 4 and 5:

The proposed signage replaces existing wooden boards with aluminium composite applied to the existing signage, with one possessing an illuminated logo, as such it would have little or no impact upon the visual amenity or character of the site and surrounding area.

Site 6:

The digital display signage is considered to have little or no impact in terms of amenity on occupiers of the surrounding area.

Impacts on trees:

All of the signs are to be sited in pre-existing locations and are not considered to have any adverse impact upon existing trees.

It is recommended that a condition attached to the approval will control the method of construction to safeguard tree root areas.

Impacts on highway network or access:

No response has been received however it is considered that given the size and degree of illumination (logos only) that it is unlikely that the signs will result in any highway safety issues.

Human Rights Implications:

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

Conclusion:

It is considered that the signs propose a modern and fresh design approach to corporate branding for Eastbourne College. The location, materials and degree of illumination would not impact upon the character and setting of the conservation area and are considered to make a positive contribution the setting of the important buildings within the campus.

Recommendation:

Sites 1-6 – Approve conditionally.

Conditions:

Sites 1, 2, 3, 4, 5 and 6:

Standard Advertisement conditions

Site 1 - additional condition

Notwithstanding the detail shown on the plans hereby approved, foundation detail/method of support for the totem signage shall be submitted to and approved in writing by the Local Planning Authority. The details as submitted shall have regard to the foundation design in relation to its proximity to mature trees that exist in the area. The details as approved shall be implemented at the site and retained as such thereafter.

Reason: to safeguard the long term health and vitality of the trees adjacent to the site.

Informative

None.

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

Agenda Item 13

App.No: 130967	Decision Due Date: 25 February 2014	Ward: Sovereign Harbour
Officer: Anna Clare	Site visit date: 24 January 2014	Type: Planning Permission
Site Notice(s) Expiry date: 10 January 2014 Neighbour Con Expiry: 10 January 2014 Weekly list Expiry: 29 January 2014 Press Notice(s): 4 February 2014		
Over 8/13 week reason: To align with committee schedule.		
Location: Land within Site 6, adjacent to Pevensey Bay Road, Pacific Drive, Eastbourne.		
Proposal: Harbour Innovation Mall - Construction of new building consisting of three storeys totalling 2,323m ² net internal area for use within use classes B1(a) (b) and (c), occupying a site of 0.64ha and incorporating 130 car parking spaces.		
Applicant: Seachange Sussex		
Recommendation: Approve planning permission subject to conditions.		

Executive Summary:

The application proposed the construction of a three storey building providing Use Class B1 business floor space with associated car parking and landscaping. The delivery of employment space within Sovereign Harbour has been a corporate priority for a number of years. The design of the building is modern whilst respecting the surrounding area and will provide a landmark building in this prominent gateway site.

Planning Status:

Constraints:

Bank of TPO trees on the site (TPO 77 Land on the south east side of Pevensey Bay Road).
Former waste disposal site/landfill

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
7. Requiring good design

Eastbourne Core Strategy Local Plan Policies 2013

B1 Spatial Development Strategy and Distribution
B2 Sustainable Centre
C14 Sovereign Harbour Neighbourhood Policy
D1 Sustainable Development
D2 Economy
D8 Sustainable Travel
D10A Design

Sovereign Harbour Supplementary Planning Document 2013

Saved Borough Plan Policies 2007

BI4 Retention of employment commitments
HO20 Residential Amenity
NE16 Dev within 250m of former landfill site
NE17 Contaminated Land
UHT1 Design of New Development
UHT 4 Visual amenity
UHT8 Protection of Amenity Space
US5 Tidal Flood Risk
TR11 Car Parking

Site Description:

The site is situated at the corner of Pacific Drive and Pevensey Bay Road opposite the existing Harbour Medical Centre, and forms part of what is known as 'Site 6'. The Martello Roundabout to the north of the site gives access from Pevensey Bay Road onto Pacific Drive and onwards to Harbour Quay. Historic landfilling activities have previously been carried out on land adjacent to Site 6 which is currently used for boat storage.

Relevant Planning History for site 6:

An application for planning permission for the development of the whole of site 6 with the erection of a retail unit with garden centre and builders yard was refused on 20 June 2002 (Ref: 010587). The application was refused as the proposed development involved the unjustified and unacceptable loss of a large, strategically important site in a location identified by the Structure Plan for high quality business development and specifically allocated in both the adopted and revised deposit draft Eastbourne Borough Plan for B1 business purposes.

An application for planning permission for the development of the land for a mixed use development comprising office (class B1) and non-food retail (Class A1) floorspace with associated re-profiling of existing shingle mound, access servicing and car parking. This was refused on 8 November 2005 for among others the above same reason.

Proposed development:

The application proposes the construction of a new building consisting of three storey's totalling 2323m² net internal area for use within use classes B1 (a) (b) and (c), with 130 car parking spaces.

The scheme is designed so the building can be potentially subdivided into spaces from 30m² up to the entire building being let to a single tenant. Shared space is provided to allow integration between tenants and flexibility in that each tenant would not have to provide meeting rooms or breakout areas.

Ground floor spaces are likely to be occupied by start up businesses, and as such they need to be nearer to business support and spaces that allow interaction. Larger spaces are available on upper floors for businesses which are more established or that have outgrown the smaller ground floor units.

Consultations:

Internal Consultees:

Economic Development

The proposal is in line with the vision and objectives detailed in the Sovereign Harbour SPD and the Economic Development Team's viewpoint would be to support this application

Specialist Advisor - Arboriculture

This site contains a group of Pinus, Ulex, Hippophae and Acer along the northern boundary, this group is subject to Tree Preservation Order 77. The group is situated on a raised bund. This bund should be considered an essential rooting area for this group of trees and needs to be treated as the root protection area for this group. Any development of this site requires this information to be taken into consideration. The reason this bund is vitally important, is the surrounding ground conditions outside this mound are not conducive to root growth. The application appears to be outside the root protection area of this group but tree protection measures should still be installed prior to development.

Three other trees which should be considered and retained as part of the development are the Poplars situated in the north eastern corner of the site adjacent to the junction of Pevensy Bay Road and Pacific Drive. These trees were planted as part of the original landscaping plans at the beginning of the North Harbour development and create a mirror image with the three Poplars on the opposite side of the road in Site 7. These trees should be incorporated into any landscape design of both sites.

Specialist Advisor - Planning Policy

The application site is located within the Sovereign Harbour neighbourhood as identified in the Core Strategy. Sovereign Harbour has been identified as a Sustainable Centre, where housing growth will be balanced by significant improvements in the provision of social and employment infrastructure. The delivery of employment space within Sovereign Harbour has been a corporate priority for a number of years.

The application relates to a currently undecided outline application for the development of the remaining sites within Sovereign Harbour. This outline application proposes employment and office uses (B1 up to 15,000 sqm). This proposal is for 2,323 m² of B1 uses within a flexible space that could be occupied by a single occupier or a number of smaller occupiers that would encourage business support and interaction.

The Vision for Sovereign Harbour in the Core Strategy is: 'Sovereign Harbour will increase its levels of sustainability through the delivery of community infrastructure and employment development, ensuring that a holistic view is taken of development across the remaining sites'.

One of the main objectives identified in Core Strategy Policy C14: Sovereign Harbour Neighbourhood Policy for promoting the vision for Sovereign Harbour is providing extensive employment opportunities through the development of a Business Park (B1a Office). This policy is supported by the Sovereign Harbour Supplementary Planning Document (SPD), which provides additional guidance on the uses considered to be appropriate for each of the remaining development opportunity sites, including details of the size, scale and form of development.

The Sovereign Harbour SPD identifies Site 6 as being appropriate to provide employment through development as an office/business park. It identifies that the development should be of a high quality design with a maximum of three to four storeys and could provide up to 15,000 square metres of B1(a) office floorspace. It also identifies that the employment space should be flexible enough to allow different businesses at different stages of development, including start-up businesses, to occupy the office space. It is considered that this proposal is in conformity with the SPD.

Core Strategy Policy D2: Economy aims to support job growth and economic prosperity by measures including: Supporting the development of B1(a) office use at Sovereign Harbour, and land at Sovereign Harbour is identified for 30,000 sqm of B1(a) office floorspace. In addition, Borough Plan BI4: Retention of Employment Commitments protects Site 6 at Sovereign Harbour for 30,000 sqm of B1 office floorspace.

The emerging Employment Land Local Plan and the evidence from the Employment Land Review (2013) supports the development of B space on Site 6 within Sovereign Harbour, although at a reduced amount compared with current adopted policy. It also opens the site up to other B1 uses, rather than exclusively B1a (office) as identified in the Core Strategy.

In summary, the delivery of employment space at Sovereign Harbour has been a corporate priority for a number of years, and this proposal will help to initiate the development of a Business Park within Sovereign Harbour. It is in general conformity with the Core Strategy and the emerging Employment Land Local Plan, and is supported by evidence contained within the Employment Land Review (2013). Therefore this application is fully supported from a planning policy perspective.

External Consultees:

Health and Safety Executive

Advise of the proximity of pipelines in the wider vicinity of the site.

Sovereign Harbour Residents Association

This development is a very welcome start to the final phase of the Sovereign Harbour project, and the employment opportunities it will bring before, during and after the construction are very welcome, and will be a boost to the economy of the town and neighbourhood. The striking design of the innovation mall will form an impressive

gateway to the harbour and its construction will hopefully be a catalyst for further development on this site and site seven. For these reasons the application has the full support of the Sovereign Harbour Residents Association.

Environment Agency

No flooding objections to the principle of the developing of any of the key sites around Sovereign Harbour. Requested further details to be supplied covering SUDS and specific design issues.

County Ecologist

Given the location, scale and nature of the proposed development, there are unlikely to be any significant impacts on sites, statutory or non-statutory, designated for their nature conservation importance. The site comprises part of the former Crumbles shingle forland which has been subject to historic sand and gravel extraction and subsequent landfilling. Currently the site comprises shingle which has become vegetated with ephemeral and tall reteral vegetation and scrub, hardstanding and some ornamental planting.

The vegetated area includes some species indicative of coastal vegetated shingle. Despite that, given the extent of enrichment and disturbance on the site, overall it is considered to be of relatively low ecological interest with respect to habitats. The landscaping scheme for the proposed development should include areas of bare shingle which should be left undisturbed and allowed to recolonise naturally; some native shingle plants, particularly sea pea which is a rarity in East Sussex, should be translocated to retained shingle areas within the site, and/or seeds of shingle plants should be collected and scattered on retained shingle.

The reptile surveys found that the site supports a good population of common lizards; mitigation will be required to avoid any harm. A reptile mitigation strategy specific to the current application (the one submitted relates to the whole of site 6) will need to be submitted; with further information included as to where the reptiles will be relocated to and how those areas will be enhanced and protected in the long term.

The site has the potential to support breeding birds; to avoid disturbance to nesting birds, any removal of scrub/trees that could provide nesting habitat should be carried out outside the breeding season (generally March to August) unless site survey confirms absence of nesting birds.

There are opportunities to be sought for biodiversity enhancements to help the Council address its duties and responsibilities which include the provision of log/brush piles around the boundaries of the site, the use of boardwalks in shingle areas rather than tarmac and the landscaping scheme should use appropriate species for the local conditions, or value to wildlife.

Minerals and Waste Unit
Local Highway Manager

Natural England

No objections raised and no specific comments made in relation to the site.

Southern Water

No objections raised, suggested conditions in relation to soakaways for surface water drainage and an informative in relation to connection to the public sewer.

Neighbour Representations:

1 letter of comment has been received from a resident of North Harbour regarding access to the site should be safe for traffic and pedestrians, and that every effort is made to ensure the safety of nearby residents regarding disturbance to the contaminated land.

Applicant's Submissions

- This application provides a detailed application within the scope of the outline planning application by Sovereign Harbour Limited.
- The application will achieve delivery of the long-sought employment uses for Sovereign Harbour.
- The overarching design objectives are to create a building that is a safe, attractive and healthy building fitting sympathetically into the surrounding landscape.
- The site presents the opportunity to provide a 'gateway' feature as part of the building design. The wider site and the constraints placed upon it have informed the orientation of the building.
- Three storeys with a central atrium sits well in the wider context particularly given the distance across Langney Sewer to low rise housing and the height of existing development on the harbour.

Appraisal:

Principle of the development

Sovereign harbour is one of the newest areas of Eastbourne, having been developed from a shingle landscape to an important leisure attraction and residential area over the last 20 years. The development consists of four separate harbours, a retail park and a variety of different housing development. The Sovereign Harbour SPD recognises that the completion of the Sovereign Harbour development is long overdue and that the area is missing the social and economic infrastructure that is required for it to become a sustainable community.

Sovereign Harbour has been identified in the Core Strategy Local Plan as a Sustainable Centre, where housing growth will be balanced by significant improvements in the provision of social and employment infrastructure. This will improve the sustainability of the Sovereign Harbour neighbourhood by addressing issues such as site access, linkages and contributions to additional community infrastructure. The delivery of employment space within Sovereign Harbour has been a corporate priority for a number of years.

The application relates to a currently undecided outline application for the development of the remaining sites within Sovereign Harbour. This outline application proposes employment and office uses (B1 up to 15,000 sqm).

One of the main objectives identified in Core Strategy Policy C14: Sovereign Harbour Neighbourhood Policy for promoting the vision for Sovereign Harbour is providing extensive employment opportunities through the development of a Business Park (B1a Office). The proposal the subject of this report is for 2,323m² of B1 uses within a flexible

space that could be occupied by a single occupier or a number of smaller occupiers that would encourage business support and interaction. This proposal will help to establish Site 6 as a location for future employment development to create a Business Park, and will assist in delivering the identified amount of business floorspace within Sovereign Harbour.

Core Strategy Policy C14: Sovereign Harbour Neighbourhood Policy is supported by the Sovereign Harbour Supplementary Planning Document (SPD), which provides additional guidance on the uses considered to be appropriate for each of the remaining development opportunity sites, including details of the size, scale and form of development. This SPD identifies that the development on site 6 should be of a high quality design with a maximum of three to four storeys and could provide up to 15,000 square metres of B1(a) office floorspace. It also identifies that the employment space should be flexible enough to allow different businesses at different stages of development, including start-up businesses, to occupy the office space. It is considered that this proposal is in conformity with the SPD.

Design

Site 6 forms part of the northern edge of Sovereign Harbour adjacent to the A259 Pevensy Bay Road, and is a significant part of an important public frontage and entrance to the Harbour. The site provides an opportunity to improve the presence and access to the Harbour, and has a role to play in creating a gateway to Eastbourne.

The application presents the opportunity to provide a 'gateway' feature as part of the building design; the design is modern in external appearance and proposes the use of limited range of materials to minimise the massing of the building.

The design of the building with a central atrium actively encourages tenants to use the space for circulation, breakout, meetings and socialising and interaction. The provided office space is intended to be as open and uninhabited as possible. This gives ultimate flexibility within the building, which can more easily follow market forces and react as each tenants show an interest in taking space. Cores containing frequently used facilities such as washrooms and breakout areas are accessed from the central atrium, while the fire escape a less frequently used facility are enclosed and accessed via either end of the main core.

The intention is to reinforce the simple massing arrangement by using a limited range of materials. The office block is proposed to be clad in a dark coloured horizontal format rainscreen cladding, above a masonry base. Each feature 'core' at the ends of the atrium will be clad in a horizontal format metal cladding. All external materials will be controlled via planning consideration.

A Brise Soleil will be added to the south-western façade to provide shelter and interest. Louvred cladding is proposed to the external fire escape staircases, the blades are proposed to be angled so from some angles they appear as solid structures.

The design is considered appropriate for the setting, providing a modern design with interesting elevational detailing which enhances the character and appearance of the locality and provides a landmark feature and a gateway into the town.

The scheme is intended to be naturally ventilated as far as possible, and natural daylight is maximised by large windows set high in the façade at each level and a large glazed atrium central to the building. This allows deep penetration of daylight and allows borrowing of light across the building, reducing the requirement for artificial lighting. 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.

Highways impacts

The site is located just off the Martello Roundabout which links Pevensey Bay Road and the main access to the north harbour, Pacific Drive. Given the location it is considered there will be little impact on the surrounding road network within the Harbour in terms of additional traffic.

The parking provision is considered to be sufficient for the space created and it is unlikely given the location of the site that there would be any additional impacts on parking in the surrounding residential areas.

Although a large car park of 130 spaces is to be provided there must be ongoing consideration for green travel methods. The site is close to several bus stops, and secure cycle parking is to be provided on site.

The proposed parking layout incorporates the potential to access other parts of the site 6 if needed.

Trees/landscaping

The trees the subject of the Tree Preservation Order are retained by this scheme.

The submission of a detailed landscaping scheme for the site will be required by condition.

Other matters

There is considered to be limited impact on the amenity of residential properties in the surrounding area given the location of the building and the context of the site.

The reptile survey has identified a good population of common lizards at the site, whilst the County Ecologist has raised some concerns in relation to the reptile mitigation survey any concerns can be dealt with by condition and the requirement for a mitigation strategy specific to this proposal.

Contamination

The land adjacent to site 6 has been used for historic landfill purposes. The remaining shingle mound falls outside of the application site, and is used informally as open space.

It is possible that contamination may be present either as impacted soils or groundwater or unidentified landfilling. Unidentified contamination can be dealt with by condition.

Human Rights Implications:

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

Conclusion:

In conclusion the proposed development is considered acceptable in principle, the design is modern and respects the character of the area whilst providing an attractive gateway development to the Harbour and to the Town and therefore it is recommended that planning permission is granted subject to conditions.

Recommendation: Grant planning permission subject to conditions.

Conditions:

- 1) Time limit for commencement.
- 2) In accordance with drawings.
- 3) Materials
- 4) Parking to be laid out prior to occupation.
- 5) Details of cycle parking and refuse storage to be submitted for approval and provided out prior to occupation.
- 6) T4 Tree and natural feature protection fencing.
- 7) T5 Tree Protection: No burning.
- 8) T6 Tree Protection: Excavations regarding the bund associated with TPO 77.
- 9) T8 Tree Surgery.
- 10) T10 Landscape design Proposals relating to species and size of hedging and trees
- 11) T15 Landscape maintenance
- 12) Submission of reptile mitigation strategy.
- 13) Removal of scrub outside bird breeding season (March-August) unless demonstrated absence of breeding bird species
- 14) Submission of detailed landscaping plan
- 15) Details of means of foul and surface water sewage disposal.
- 16) Standard hours of construction conditions
- 17) Construction method statement
- 18) Provision of wheel-washing facilities
- 19) Submission of layout plan which shows provision of a footpath/cycle path linkage through the site
- 20) Contaminated land

Informatives

Proposed advertisements may require advertisement consent.
Southern water informative on connection to sewer.

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App.No: 130897	Decision Due Date: 09 April 2014	Ward: Ratton
Officer: Anna Clare	Site visit date: 29 January 2014	Type: Reserved Matters
Site Notice(s) Expiry date: 09 January 2014 Neigh. Con Expiry: 30 January 2014 Weekly list Expiry: 30 January 2014 Press Notice(s): 4 February 2014		
Over 8/13 week reason: Brought to Planning Committee within Statutory Expiry Date.		
Location: Land East Of Kings Drive, Kings Drive, Eastbourne		
Proposal: Application for approval of reserved matters (Details of the appearance and scale of buildings and landscaping of the site) following outline approval. (EB/2010/0003- Outline Planning Permission for 119 new Dwellings)		
Applicant: Bovis Homes Limited		
Recommendation: Grant permission subject to conditions and prior conclusion of a deed of variation to the Unilateral Undertaking in relation to the original outline planning permission granted on appeal.		

Executive Summary

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

This application follows a previous refusal of reserved matters at Planning Committee in October 2013 on the grounds of design of the proposed buildings. The design of the proposed buildings has been amended following this refusal.

The proposed design of the buildings follows a 'design/appearance consultation event' where key design and appearance principles were debated. The revised scheme proposes a form of development in terms of its external detailing and materials that are considered acceptable and in keeping with the surrounding area; and the scale of the dwellings and the landscaping proposed respect the topography of the site and the important vista's towards Eastbourne Park.

Relevant Planning Policies:

National Planning Policy Framework 2011

7. Requiring Good Design

11. Conserving and Enhancing the Natural Environment

Core Strategy Local Plan 2013 Policies

B2: Creating Sustainable Neighbourhoods

C5: Ocklynge and Rodmill Neighbourhood Policy

D1: Sustainable Development

D10A: Design

Eastbourne Borough Plan Saved Policies 2007

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

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.

Original Approved Scheme 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.

Amended scheme: 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.

Reserved Matters It was resolved to refuse a subsequent application for reserved matters pursuant to the outline planning permission (amended scheme) at planning committee on 1 October 2013 on the grounds of design.

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. This application follows a previously refused application for the reserved matters which was refused on the grounds of design of the proposed buildings.

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.

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 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:

Specialist Advisor Arboriculture

Agree with tree species, detailed location will be agreed by condition. Relocation of the cycle lane from the boundary is an improvement with regards to arboricultural impact and will ease pressure on the retained trees along the boundary.

Housing Services Manager

This proposal will help provide more homes in Eastbourne at a time when demand and need for new accommodation is growing. The additional homes provided will help reduce the risk of shortage of supply across the market contributing towards property price inflation and so help maintain Eastbourne's current status as an accessible housing market for many first time buyers.

Specialist Advisor Planning Policy

The application site, for the purposes of the Local Plan, is located within the Ocklynge and Rodmill neighbourhood and is a greenfield site, being a former housing allocation in the Eastbourne Borough Plan (2003), and is an identified site in the adopted Eastbourne Core Strategy Local Plan (2013).

The principle of the quantum of residential development on the site (119 dwellings) has been confirmed through the granting of planning permission at appeal in October 2010. Since this time, planning policy considerations have been developed further through the publication of the National Planning Policy Framework (NPPF) [2012] and the formal adoption of the Eastbourne Core Strategy Local Plan (known as the "Core Strategy") [February 2013]. These two policy documents provide strong planning policy support in favour of the application. The NPPF supports the proposed development by:

- ensuring that identified sites can be brought forward for development to meet the Council's 5 year housing land supply targets, and
- ensuring development is financially viable.

The Core Strategy further strengthens the proposal as the site is identified for development, and is in conformity with the Neighbourhood vision and policy (Policy C5) especially in relation to the 'creation of affordable housing'.

The application does not make any fundamental amendments that would change the principle of residential development, nor impact the overall level of market or affordable housing delivered. In conformity with the National Planning Policy Framework, the proposal would provide sustainable development and should be permitted.

External:

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 this response as they are already been approved.

At the time of the planning appeal for this site, a S106 was agreed and signed. This agreement included contributions payable to East Sussex County Council (ESCC) to cover a number of specific highway issues. The contributions included payments towards cycle routes, pedestrian crossing and bus stops, etc, which were to be put towards an ESCC scheme for the area.

As the implementation date for a scheme in this area is not clear at this time it is likely that this development (subject to the necessary planning consent), would commence before the scheme. In order to ensure adequate infrastructure to serve this development the developer should install a pedestrian crossing over Kings Drive and implement the necessary bus stop improvements as part of the off site highway works that will be carried out. This approach has been discussed and agreed in principle with the developer. This work would be in lieu of the equivalent contributions currently included in the S106 agreement. A deed of variation would therefore be required to make these changes.

County Archaeologist

Nothing further to add; recommendations remain from the outline planning permission.

County Ecologist

The proposal for 'green fingers' running through the site is welcome and this should be supported as this will help maintain wildlife connectivity. The design and access statement states that new planting will use species found naturally in the sussex area. The landscaping scheme should use species appropriate to the local area and conditions, of known benefit to wildlife. Species should be native and of local provenance where possible.

Southern Water

No objection to drainage layout.

Natural England

Make no specific comments on the proposals.

Sussex Police – Crime Prevention Design Officer

Is satisfied that the revised design and layout of this development will support the attributes of safe, sustainable places.

Neighbour Representations:

29 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 hospitals)
- Energy and Climate change
- Biodiversity
- Density of housing not in keeping with area
- High density/low quality estate
- Size of dwellings proposed
- Design does not reflect surrounding area

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 this is assessed below.

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 with orange detailing interspersed with blue/grey coloured weatherboard cladding to relieve the brickwork and add texture. The roofs are hipped and made of reconstituted slate, with an accentuated key corner block at the end of prominent rows. The windows and doors are proposed to be white upvc, the doors with simple canopy hoods.

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. The roofs are hipped and tiles are proposed to be heather blend plain tiles.

The design of the apartment blocks to the north of the site, constitute the main changes to the scheme from the previously refused reserved matters application. These are proposed to be of a modern flat roof design, the height and flat roof design were actually approved at the outline planning permission stage. The exterior walls are proposed to be buff brickwork with bronze/brown cladding panels, glass balconies and entrance canopies.

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 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 Borough 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 proposed landscaping has responded to earlier concerns and is now more organic in terms of the siting/layout of the structural planting (trees and shrubs). This revised structural planting now supports this development site in providing a development that sits well on the transitional site between the Rodmill residential estate and Eastbourne Park.

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 Borough Plan 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 landscaping plan seeks to ensure a sufficient amount of tree and hedge planting for visual amenity whilst retaining important vistas across the site and eastern 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 will respect the topography of the site and the important vista towards Eastbourne Park. In addition, the

proposals, the design of the proposed buildings and the proposed landscaping of the site will make a positive contribution to the area. The proposed design, scale and landscaping is therefore considered to comply with saved policies UHT1, UHT2 and UHT4 of the Eastbourne Borough Plan and Policies B2, C5 and D10A of the Core Strategy Local Plan 2013.

The proposal incorporates a cycle path through the site which 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. The proposal also complies with the adopted Cycling Strategy for Eastbourne (2012) which seeks to develop a network of cycle routes across the town.

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 to vary the terms of the highways contributions and 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 in relation to cycle parking to the outdoor play area.
- (7) Submission of detailed design of refuse storage facilities.
- (8) Submission of details of secure cycle parking facilities.

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COMMITTEE: Planning Committee
DATE: 4th March 2014
SUBJECT: Bolton House, 10 Bolton Road, Eastbourne BN21 3YJ
REPORT OF: Clare Dales
Specialist Advisor – Conservation & Design

Ward(s): Meads

Purpose: To seek the recommendation of Planning Committee for the inclusion of Bolton House, 10 Bolton Road Eastbourne BN21 3YJ in the list of Buildings of Local Interest

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

Recommendation: Members agree to consult on the inclusion of Bolton House, 10 Bolton Road as a Building of Local Interest at Planning Committee on 4th March 2014

1.0 Introduction

The purpose of this report is to propose that Bolton House, in the Town Centre & Seafront Conservation Area is 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.

2.0 The Role Of Local Heritage Listing

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

3.0 National Planning Policy Framework (NPPF) and Heritage Assets

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

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

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

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

4.0 Buildings of Local Interest

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

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

5.0 Local Policy and Guidance

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

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

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

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

Both Policies are within the adopted SPG '*The Townscape Guide*'.

5.2 Bolton House is within the Town Centre & Seafront Conservation Area.

6.0 Setting & Development of Bolton House

6.1 Bolton House, 10 Bolton Road is an imposing mid 19th century building, on the corner plot of Bolton Road and Lismore Road. The site was occupied by 1870, as a structure appears on the 1870 map.

Bolton House is first listed in the 1890-91 Pike's Directory, The current building may be a re-build, or significantly altered structure, as the footprint on the 1899 map matches that of the present structure and cartographic errors are unusual.

Bolton Road and Lismore Road are characterised by mid-19th century villas which have private gardens, but the buildings are positioned close together so the rear gardens are not visible. These buildings sit back from the generous pavement, giving a green and tree lined streetscape.

6.2 Bolton House

10 Bolton Road was originally called Bolton House and has been a medical practice since 1897.

The property is of the earliest group of buildings built to the East of the Railway Station, in the 1850's-1870's having the following characteristics:

- Italianate style
- Substantial detached form
- Set back from road with front areas and a small side garden
- Four, rising to five storeys, with unusual glazed Italianate glazed lantern
- Lantern and structure beneath has fenestration to emphasise the verticality of this section of the building, has a double corbelled detail to generous eaves. Two zinc finials complete the structure
- Shallow pitched slate roofs, with bay windows, some of which are slate, with generous corbelled eaves
- Highly distinctive zinc hoods to bay windows, these are cut and pierced to unique design
- Windows are vertical sliding sash with pronounced and moulded reveals and keystones with bracketed stone cills. Windows to upper Ground floor mostly 4 over 4 with slender pilasters between bays. Upper floors are plain (rear and upper floor), or without decorated reveals, but having decorative label mould
- Slim chamfered quoins to returns
- Many windows contain original glass and original window furniture
- Chimney stacks, with little decoration - 80% original pale ceramic pots
- Painted stucco finish, which has deteriorated in places. This is currently painted grey with white highlights to doors, windows and quoins. This would originally have been white.
- Boundary wall, 400mm approx, with gate piers, rendered with chamfered stone cappings
- Iron railings, with fleur du lis finials exist to some sections, notably on Lismore Road

It should be noted that the above list is not exhaustive, and that any item that is not included should not be taken as it having less or no bearing on the special nature of the building.

Bolton House is a fine example of late 19th Century building style, and is unusual in having two facades facing Bolton and Lismore Roads. It is complete in fenestration, exterior detail and does not appear to have been significantly altered, thus preserving its original form externally.

6.3 A full description is shown as Appendix A.

Maps showing development of the Bolton Road area are shown in Appendices B and C.

6.4 A partial photographic schedule is held by the Council, and is available to view, by contacting the Specialist Advisor in Conservation & Design. It has not been possible to perform a full photographic schedule due to the building currently undergoing repair and being scaffolded and having mesh protection. A visual assessment has been performed from the public realm.

8.0 Assessments

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

The recommendation from this assessment is that 10 Bolton Road be added to the local list as a Building of Local Interest.

8.2 The quality of construction of 10 Bolton Road, its contribution to the streetscape, its fine architectural detailing and its structural completeness, warrant its inclusion in the Local list.

8.3 Therefore, the recommendation of this report is that Bolton House be included in the List of Buildings of Local Interest, to signify its contribution to the area of the town as a building of special architectural merit.

9.0 Consultation

9.1 It was unanimously recommended after consideration by CAAG at their meeting of 18th February 2014, that the proposal should be presented to the Planning Committee for their consideration on 4th March 2014.

Public comments would be invited on the inclusion of Bolton House in the local list of Buildings of Local Interest for a period of 21 days between 4th March 2014 and 25th March 2014.

10.0 Financial and Staffing Implications:

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

11.0 Sustainability Implications

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

12.0 Other Implications

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

13.0 Conclusion

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

Clare Dales Specialist Advisor – Conservation & Design Background Papers:

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

Eastbourne Borough Plan (2001 – 2011)

Eastbourne Borough Council SPG Eastbourne Townscape Guide July 2004

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

Appendix A – Description of Bolton House Appendix B – Historic Map 1870 Appendix C – Historic Map 1899

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Nomination for Inclusion on the List of Buildings Of Local Interest



**Bolton House
10 Bolton Road
BN21 3JY**

HISTORY

10 Bolton Road is an imposing mid 19th century building, on the corner plot of Bolton Road and Lismore Road. The site was occupied by 1870, as a structure appears on the 1870 map.

Bolton House is first listed in the 1890-91 Pike's Directory, The current building may be a re-build, or significantly altered structure, as the footprint on the 1899 map matches that of the present structure and cartographic errors are unusual.

Bolton Road and Lismore Road are characterised by mid-19th century villas which have private gardens, but the buildings are positioned close together so the rear gardens are not visible. These buildings sit back from the generous pavement, giving a green and tree lined streetscape.

10 Bolton Road was originally called Bolton House and has been a medical practice since 1897.

The property is of the earliest group of buildings built to the East of the Railway Station, in the 1850's-1870's having the following characteristics:

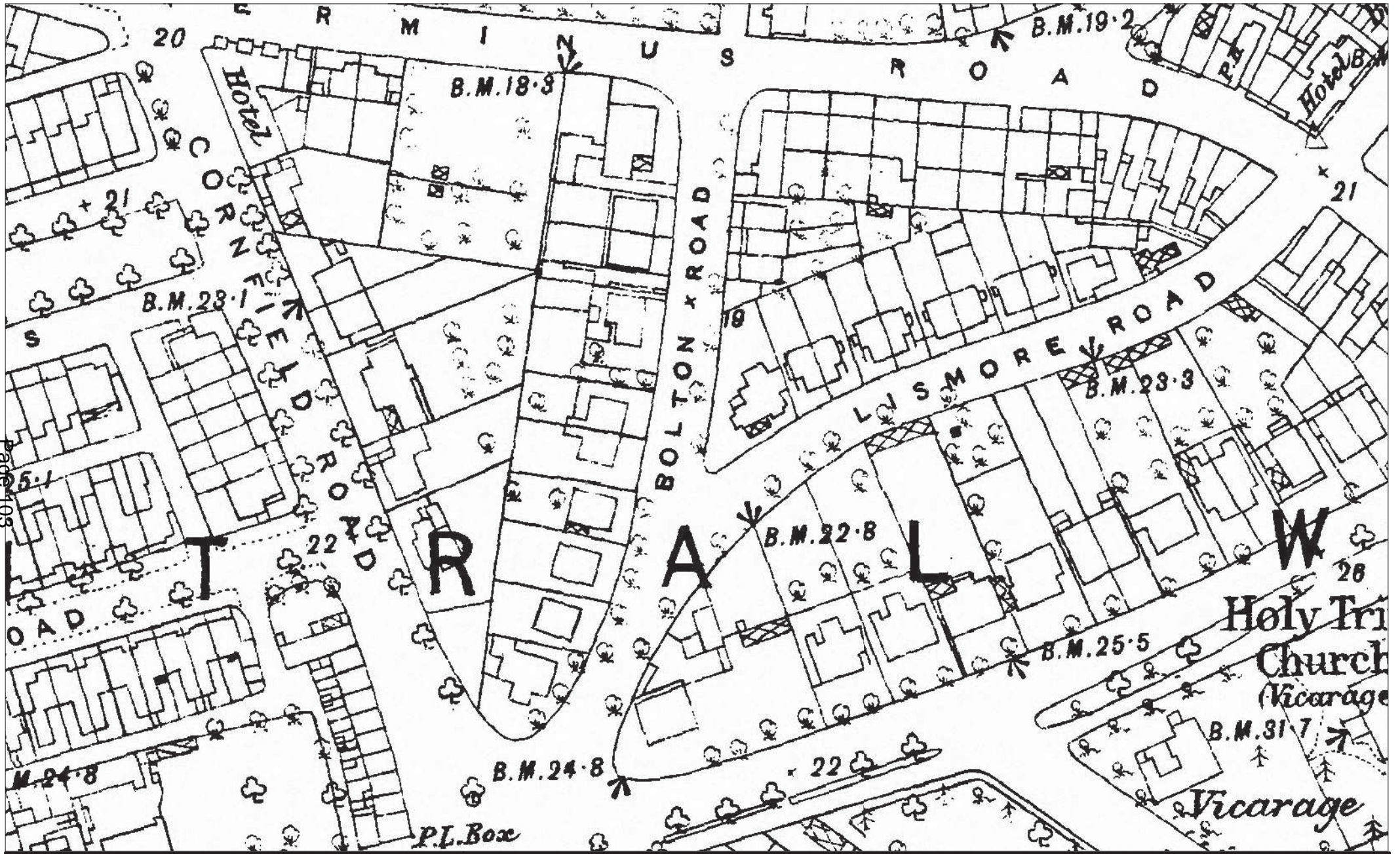
- Italianate style
- Substantial detached form
- Set back from road with front areas and a small side garden
- Four, rising to five storeys, with unusual glazed Italianate glazed lantern
- Lantern and structure beneath has fenestration to emphasise the verticality of this section of the building, has a double corbelled detail to generous eaves. Two zinc finials complete the structure
- Shallow pitched slate roofs, with bay windows, some of which are slate, with generous corbelled eaves
- Highly distinctive zinc hoods to bay windows, these are cut and pierced to unique design
- Windows are vertical sliding sash with pronounced and moulded reveals and keystones with bracketed stone cills. Windows to upper Ground floor mostly 4 over 4 with slender pilasters between bays. Upper floors are plain (rear and upper floor), or without decorated reveals, but having decorative label mould
- Slim chamfered quoins to returns
- Many windows contain original glass and original window furniture
- Chimney stacks, with little decoration - 80% original pale ceramic pots
- Painted stucco finish, which has deteriorated in places. This is currently painted grey with white highlights to doors, windows and quoins. This would originally have been white.
- Boundary wall, 400mm approx, with gate piers, rendered with chamfered stone cappings

- Iron railings, with fleur du lis finials exist to some sections, notably on Lismore Road

It should be noted that the above list is not exhaustive, and any that any item is not included should not be taken as it having less or no bearing on the special nature of the building.

Bolton House is a fine example of late 19th Century building style, and is unusual in having two facades facing Bolton and Lismore Roads. It is complete in fenestration, exterior detail and does not appear to have been significantly altered, thus preserving its original form externally.

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10 Bolton Road

20 January 2014

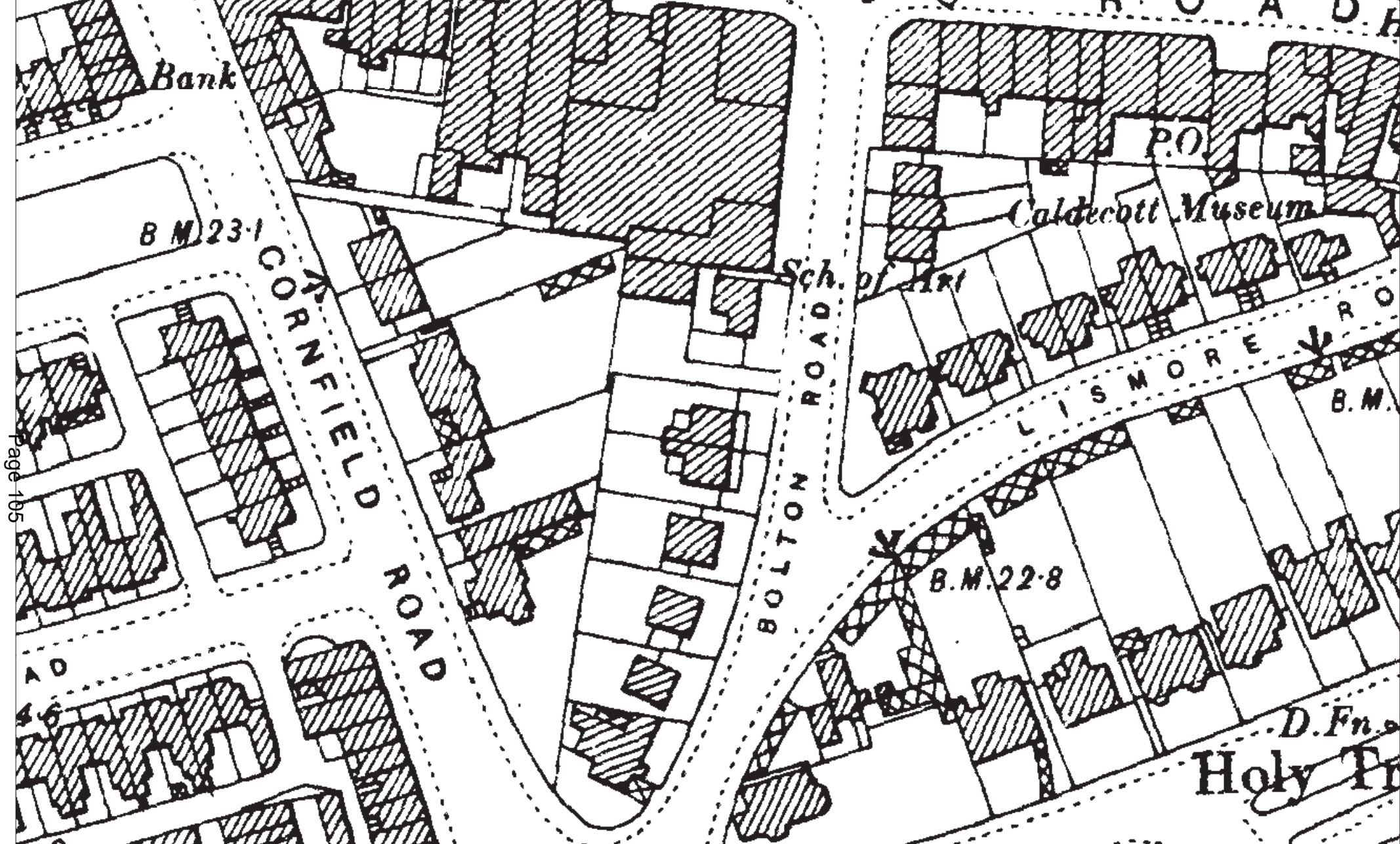
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COMMITTEE: Planning Committee
DATE: 4th March 2014
SUBJECT: Article 4 Direction
The Park Close Conservation Area
REPORT OF: Specialist Advisor – Conservation & Design

Ward(s): Upperton

Purpose: To seek approval for the introduction of an Article 4 Direction for The Park Close Conservation Area

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

Recommendations Members are asked to recommend to Full Council:

1. The making of an Article 4 Direction for The Park Close Conservation Area in the form of the Appendix attached ;
2. The delegation by Full Council to the Planning Committee of the power both to consider any representations made following the making of the Park Close Article 4 Direction and, if appropriate, to then confirm it;
3. The delegation by Full Council to the Planning Committee of the power to deal with the complete process of bringing in any future Article 4 Directions in the Borough up to and including confirmation.

1.0 Introduction

- 1.1 The designation of Park Close as Conservation Area came about after a definition of the special architectural and historic interest of the area was compiled in the form of a detailed character analysis. The Council, in its role as a local planning authority, seeks to manage any significant changes to the area in ways that maintain and strengthen its special qualities.
- 1.2 The Park Close Conservation Area Management Appraisal was considered by the Cabinet on 23.10.2013. It set out the special nature of the area with a recommendation for protection of the setting of the heritage assets. The special nature of The Park Close is partially controlled by virtue of being a Conservation Area. However, even in a conservation area householders have the same "permitted development rights" as persons not living in conservation areas - unless this position is modified by the local planning authority.

2.0 Permitted Development Rights

- 2.1 Single Dwelling Houses, including those within Conservation Areas, enjoy statutorily – defined “Permitted Development Rights”. Basically, this means they may undertake certain alterations and adaptations without needing to seek Planning Permission or, where applicable, Conservation Area Consent. In Park Close, there have been, over time, some unsympathetic repairs. It is considered likely that erosion of the special nature and visual cohesion of the dwellings, together with a lessening both of the quality of materials used and the extent of the use of original materials and layouts to shared spaces will continue, unless the local planning authority takes the appropriate action.
- 2.2 What is needed in these circumstances is to arrange matters so that the homeowner will need to seek specific council permission for works such as replacement windows, doors and bargeboards, the removal of front gardens to create parking spaces and other works which currently would not normally require planning consent.
- 2.3 This would be achieved by the local planning authority using its power to withdraw the permitted development rights of the householders that would otherwise apply to the properties in Park Close. To do this the, council needs to make a direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995, as amended. If a direction is made, later confirmed and the date set by the council for it to come into force has passed, the affected householders would then need planning consent for the kind of matters detailed at paragraph 2.2 above. However, no fee would be payable in relation to applications.
- 2.4 The Management Plan in Section 6 of The Park Close Conservation Area Appraisal contains proposals that seek to preserve and enhance the character and appearance of The Park Close Conservation Area It recommends the introduction of an Article 4 direction.

3.0 Article 4 Directions

- 3.1 The purpose of an Article 4 Direction, as outlined above, is to enable appropriate planning control to take place and to allow proper consideration to be given to certain types of proposed development that would normally not require planning consent but which, because of their setting and context, could be detrimental to the amenity of the area if not properly controlled.
- 3.2 Before making a direction at Park Close, the local planning authority must be satisfied that it is expedient that development that would normally benefit from permitted development rights should not be carried out unless permission is granted for it on an application.
- 3.3 A copy of the Article 4 Direction, the substance of which was recommended for adoption in principle by Cabinet on 23.10.2013 is included as the Appendix to this report.

3.4 Therefore, the recommendation of this report is that an Article 4 Direction be made to help maintain the special architectural and historic character of The Park Close Conservation Area. The direction should, for the reasons given below, come into force 12 months after confirmation.

4.0 Consultation and Statutory Procedure for Making a Direction

4.1 The Residents and wider community have been invited to comment generally on the introduction of Article 4 Direction during the Consultation on The Park Close Conservation Area Appraisal & Management Plan

4.2 Should members of the Planning Committee decide to accept the recommendations made in this report and Full Council then follow the recommendations of the Planning committee, the statutory procedure contained in the 1995 Order for bringing an Article 4 Direction into being will be followed. In summary, notice of the making of the order is advertised in the paper and sent individually to all the properties affected. A specified period of 21 days is given for the receipt of representations on the direction. The notice includes the proposed date on which the order, if it is confirmed after any representations have been considered, will come into force. This proposed date must be within two years of the first day on which representations are invited. The County planning authority is informed, as is the Secretary of State. The council takes into account any representations received within the specified consultation period and decides whether to confirm the direction. Such confirmation must take place no sooner than 28 days after the date specified as the first date for making representations. If the direction is confirmed, the same public advertising and individual notices are given as were provided when it was made.

5.0 Financial Implications(including the possibility of compensation) and staffing:

5.1 The cost of the consultation is met from within existing budgets and will largely consist of staff time.

5.2 There is no charge to the homeowner for an Article 4 Application to seek permission for works controlled by such. The administrative and other costs for considering such an application will be met by the Council.

5.3 It is anticipated that the homeowners will be aware of the Article 4 Direction, and will seek pre-application advice to enable applications to be successful and be aware of, or may seek expert advice relating to the appropriate care and maintenance of their dwelling.

5.4 In all the circumstances of this matter, it is considered to be appropriate and proportionate to make an Article 4 Direction regarding Park Close which will not actually come into force until a reasonable period has elapsed; as stated above, 12 months is the recommended period. Indeed, while it would be theoretically possible, in an urgent situation, to make an order that came into force immediately it was made with regard to some of the otherwise permitted development activities that the council wishes to control, this is not the case with the installation of domestic

microgeneration equipment. This last is one of the areas over which the officers feel it is important the council does exercise control, as detailed in the Appendix.

- 5.5 Members should be aware that there are circumstances in which local planning authorities may be liable to pay compensation, having made an article 4 direction, although the potential liability is limited in many cases by the time limits that apply. In practice, very, very few claims are either made or sustained.

Local planning authorities may be liable to pay compensation to those whose permitted development rights have been withdrawn if they:

1. refuse planning permission for development which would have been permitted development if it were not for an article 4 direction; or
2. grant planning permission subject to more limiting conditions than the GPDO would normally allow, as a result of an article 4 direction being in place.

Compensation may be claimed for abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights; members will appreciate that the delayed implementation date of the direction would make this type of claim much less likely.

All claims for compensation must be made within 12 months of the date on which the planning application for development formerly permitted is rejected (or approved subject to conditions that go beyond those in the GPDO).

Specific compensation provisions apply in relation to statutory undertakers, who may additionally claim for loss of profits.

6.0 Sustainability Implications

- 6.1 The conservation of heritage assets, which are a finite and diminishing resource, is an integral aspect of sustainable development. The introduction of an Article 4 Direction in Park Close will assist in the conservation of heritage assets.

7.0 Other Implications

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

8.0 Conclusion

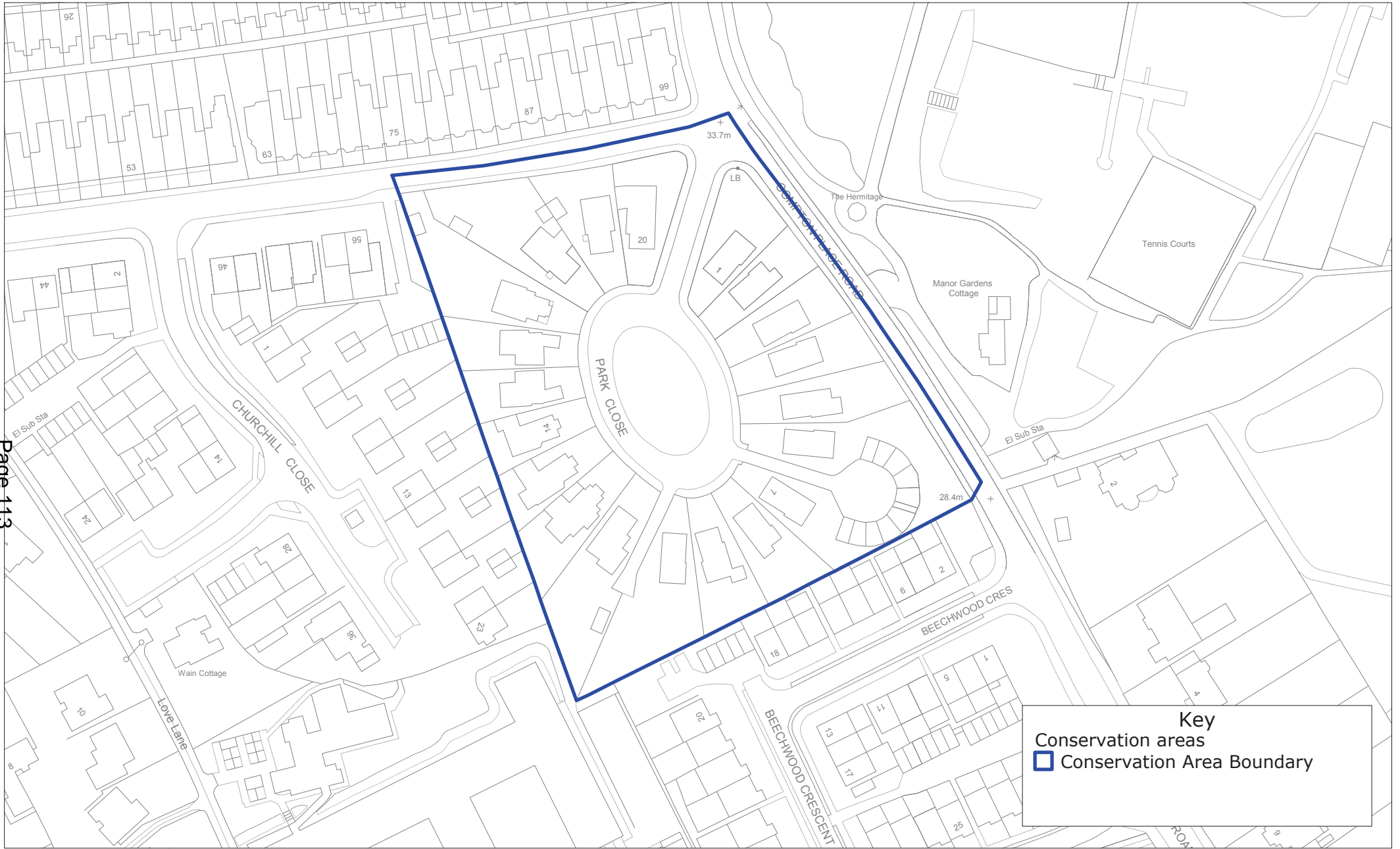
- 8.1 The introduction of an Article 4 Direction is considered to be an effective manner in which to manage change and conserve or enhance the special nature and interest of The Park Close Conservation Area.
- 8.2 Members are therefore asked to agree the recommendations above.

Clare Dales
Specialist Advisor – Conservation & Design

Appendices

Appendix A – Map with the Area Outlined in Blue
Appendix B – Article 4 Directions

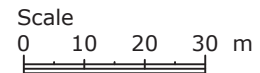
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Park Close Conservation Area

27 January 2009

Drawn by: Matt Hitchen
Dept: Planning Policy



Scale: 1:1250
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Eastbourne Borough Council
LA100025879 2009

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Article 4 Direction

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 5 APPLIES

WHEREAS EASTBOURNE BOROUGH COUNCIL being the appropriate local planning authority within the meaning of article 4(4) of the GPDO, are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown edged BLUE on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended,

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below:

Schedule

(“Parts” and “Classes” taken from Schedule 2 of the Town and Country Planning (General Permitted Development Order 1995 As Amended).

Part 1 - Development Within The Curtilage Of A Dwellinghouse

Class A – The Enlargement, Improvement Or Other Alteration Of A Dwelling House

Works comprising:

- the replacement of windows
- the replacement of external doors
- the alteration or removal of any architectural features
- extensions to the side or rear

being development comprised within Class A of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class

Class C – Any Other Alterations To The Roof Of A Dwelling House

Works comprising:

- the replacement of roof cladding
- the installation or replacement of rooflights
- The removal or replacement of barge boards or soffits

being development comprised within Class C of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class

Class D - The Erection Or Construction Of A Porch Outside Any External Door Of A Dwelling House

Works comprising:

- The erection of a new porch
- Removal, enclosure or addition or any re-fenestration to any part of the existing porch

being development comprised within Class D of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class

Class E – The Provision Within Its Curtilage Of A Building, Enclosure Or Swimming Pool.

Works comprising:

- The erection of any summer house or outbuilding
- The erection of any garage, canopy or shelter for vehicular storage or other purpose

being development comprised within Class E of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class

Class F – The Provision of A Hard Surface

Works comprising:

- The removal or resurfacing of the common, shared road surface from the entrance gates around the grassed common area
- The removal of front gardens to provide parking or any other purpose
- The removal of the common grass area bounded by granite kerb

being development comprised within Class F of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class

Class G - The Installation Of A Chimney, Flue Or Soil Or Vent Pipe

Works comprising:

- Any works to alter or replace existing pipework, including down pipes, hoppers and brackets
- The removal, alteration or replacement of any chimney stacks or pots

being development comprised within Class G of Part 1 of Schedule 2 to the said Order and not being development comprised within any other Class

Part 2 – Minor operations

Class A – The erection, construction, maintenance, improvement or alteration of a gate, fence wall or other means of enclosure

Works comprising:

- Flint and brick boundary walls to the Park Close Conservation Area
- The dwelling house boundary

- The ancillary buildings, specifically the Garage block, the walls along the access path and that of the footway to Gildredge Park.
- The alteration to the capping or lighting to the entrance gates
- Alteration or cleaning or maintenance to the original signage at entrance to The Park Close

being development comprised within Class A of Part 2 of Schedule 2 to the said Order and not being development comprised within any other Class

Class C - The Painting Of The Exterior Of Any Part Of A Dwelling House Or Of A Building Or Enclosure Within The Curtilage Of A Dwelling House.

Works comprising:

- The painting of any door or staining of any timber, whether new or part of replacement of repair
- The treatment or painting of any exterior woodwork, including windows, barge boards, gates or fences.

being development comprised within Class C of Part 2 of Schedule 2 to the said Order and not being development comprised within any other Class

Part 31 – Class B - Demolition of buildings

- Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure

being development comprised within Class B of Part 31 of Schedule 2 to the said Order and not being development comprised within any other Class

Part 40 – Class A Installation of domestic Microgeneration equipment

- The installation, alteration or replacement of solar PV or solar thermal or any other micro generation capacity equipment on:
 - a dwelling house; or
 - a building situated within the curtilage of a dwelling house

being development comprised within Class A of Part 40 of Schedule 2 to the said Order and not being development comprised within any other Class

Buildings to which the Article 4 Direction applies

- The Article 4 Direction applies to No.1 to No. 20 inclusive, The Park Close, Eastbourne

Made under the Common Seal of EASTBOURNE BOROUGH COUNCIL

thisday of.....20.....

The Common Seal of the Council was affixed to this Direction in the presence of

.....
Authorised Officer

Confirmed under the Common Seal of EASTBOURNE BOROUGH COUNCIL

thisday of.....20.....

The Common Seal of the Council was affixed to this Direction in the presence of

.....
Authorised Officer