

<b>App.No:</b> 140677 (OSR)	<b>Decision Due Date:</b> 24 July 2014	<b>Ward:</b> Upperton
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 20 June 2014	<b>Type:</b> Outline (some reserved)
<b>Site Notice(s) Expiry date:</b> 21 June 2014		
<b>Neighbour Con Expiry:</b> 21 June 2014		
<b>Weekly list Expiry:</b> 10 June 2014		
<b>Press Notice(s):</b> 10 June 2014		
<b>Over 8/13 week reason:</b> Brought to Planning Committee within Statutory time frame.		
<b>Location:</b> St. Annes Veterinary Group, 6 St. Annes Road, Eastbourne, BN21 2DJ.		
<b>Proposal:</b> Outline application for Access, Appearance, Layout and Scale (Landscaping Reserved) for the proposed demolition of existing building and redevelopment to provide 8 No. self contained flats.		
<b>Applicant:</b> Mr J. DASH		
<b>Recommendation:</b> Grant planning permission subject to conditions.		

### **Executive Summary:**

The proposal is for the demolition of the existing building and redevelopment of the site; permission for an identical scheme was approved in 2011, this is effectively to renew this permission which expires this year. There have been some changes in policy, the only implication is that the development is now subject to an affordable housing commuted sum payment which will be secured by condition. There are no significant changes in circumstances to warrant a refusal of the application given the previous approval of the scheme.

### **Constraints:**

Archaeological Notification Area

### **Relevant Planning Policies:**

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B2: Creating Sustainable Neighbourhoods

C2: Upperton Neighbourhood Policy

D10: Historic Environment

D10A: Design

Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of new development  
UHT2: Height of new buildings  
UHT4: Visual amenity  
HO7: Redevelopment  
HO20: Residential amenity  
TR6: Facilities for cyclists  
TR2: Travel demands  
TR11: Car parking  
LCF21: Retention of community facilities

**Site Description:**

This detached Edwardian villa is located on the north east side of St. Annes Road, on the corner of Churchfield Mews (between the junctions with Enys Road and Hartfield Road. The property has been in use as a veterinary surgery on the ground and basement floors since the 1970's, and has been significantly extended at the rear; a vehicular access is located adjacent to 4 St Annes Road and leads to a parking area at the rear of the site. The site is not situated within a conservation area, but is in close proximity to the Upperton Conservation Area which includes those properties facing onto Hartfield Road.

The surrounding area is principally residential, with some examples of modern developments both opposite the application site and to the side; these more recent properties have maintained a vertical and balanced emphasis in their design, which is an important feature of the character and appearance of local buildings. The area as a whole has retained a strong sense of its original character, with much of its architectural character and detailing intact.

**Relevant Planning History:**

010645

Residential development comprising a terrace of five houses and two flats, two semi-detached houses and a block of six garages together with associated parking areas.

Planning Permission

Approved conditionally

29/11/2002

030621

Redevelopment of veterinary surgery to provide residential (dwellings/flats) accommodation (Outline Application).

Outline (some reserved)

Approved conditionally

26/01/2004

090243

Demolition of existing building and redevelopment of site with a two storey building, providing nine self contained flats over three floors together with associated parking.

Planning Permission

Refused

19/06/2009

100722

Demolition of existing building and erection of a building containing 8 self-contained flats, together with associated parking spaces and cycle stores. (Outline permission)  
Outline (some reserved)  
Withdrawn  
19/01/2011

110502  
Demolition of existing building and erection of a building containing 8 self-contained flats, together with associated parking spaces and cycle stores. (Outline permission)  
Outline (Landscaping reserved)  
Approved Conditionally  
01/12/11

**Proposed development:**

Outline planning permission for access, appearance, layout and scale (landscaping reserved) is sought to demolish the existing building and replace it with a two storey building containing eight flats over three floor, with six car parking spaces (including 1 no. disabled space) and three enclosed cycle stores at the rear (access from Churchfield Square).

The building would be constructed of brick and tile hanging under a tiled, pitched roof. The St. Anne's Road (principal) elevation features an asymmetrical double frontage, with a square, double height bay under an overhanging gable on one side, and a ground floor bay with a flat, lead rolled roof on the other. The double height bay would support a small balcony with timber balustrading recessed under the gable. A third recessed gable would sit between the two main gables over an open porch with a timber valance leading to a recessed entrance door. The side and rear elevations are plainer, but with well proportioned windows and a total of three dormers and three small roof lights at roof level.

The accommodation would be arranged as four flats on the ground floor (two two-bedroom and two one-bedroom), three flats on the first floor (two two-bedroom and one one bedroom flats) and a two bedroom flat in the roof space.

The vehicular entrance is to be moved from the existing location on St. Anne's Road to the side of the site in Churchfield Mews, to serve six parking spaces and three secure, covered cycle stores, together with several small landscaped areas. A gated refuse store is indicated adjacent to the vehicular entrance.

**Consultations:**

Internal:

Specialist Advisor (Planning Policy) – No objections. Subject to payment of commuted sum by way of a unilateral undertaking to conform with policy D5 of the Core Strategy Local Plan 2013.

External:

East Sussex County Council Highways – Raise no objections to the application. Sufficient parking is provided to the rear of the site with an appropriate layout and size of parking

spaces provided; although the number of spaces is below that required (6 rather than 7 spaces) the stopping up of the existing dropped kerb in St Anne's Road will increase on street parking and therefore this is considered acceptable. The access in to Churchfield Square is sufficient in width and will allow visibility along the street and is therefore also considered acceptable.

Neighbour Representations:

Objections have been received from Flat 6, 23 St Anne's Road, 9 Hartfield Road, 1, 3 and 10 Churchfield Square, and cover the following points;

- Design not in keeping with character of other nearby properties;
- Buildings with original features should be treasured, and architectural heritage preserved;
- Additional strain to on-street parking;
- Loss of the Veterinary Group;
- Unsafe vehicular access from Churchdale Square;

**Appraisal:**

Principle of development:

Planning permission was granted on 1 December 2011 for the redevelopment of the site, the proposal is the same as previously approved. In terms of changes in policy since the 2011 permission, there has been the publishing of the National Planning Policy Framework and the adoption of our Core Strategy Local Plan 2013.

The National Planning Policy Framework is clear that sustainable residential development should be granted planning permission to ensure greater choice of housing in the local market and to meet local and national housing needs. The site has been formally identified for development within the Council's Strategic Housing Land Availability Assessment (SHLAA) with the potential to deliver 4 gross units, therefore the site would be considered an identified development. The application proposes a greater level of development (gross 8 units, net 7 units). It would provide the opportunity to deliver 1-2 bedroom flats within the local neighbourhood.

The size and type of residential units proposed is considered appropriate for its neighbourhood location and conforms to the Council's Strategic Housing Market Assessment. The case officer will determine the impact of the development on residential amenity and its impact on the local character of the neighbourhood. All of the proposed units meet the affordable housing local space standards identified in the Affordable Housing Implementation Technical Note and would help meet local need.

The application provides the positive gain of 7 net residential dwellings on an identified site within the Upperton neighbourhood, contributing positively to the Council's spatial development strategy (Policy B1 of the Core Strategy). The proposed development will significantly assist in the housing delivery target for the neighbourhood. The development would conform to the Upperton Neighbourhood Policy (Policy C2 of the Core Strategy) in 'delivering new housing through redevelopment and conversion of existing properties' and is therefore considered sustainable development.

Saved Policy LCF21 aims to retain community uses, unless they are no longer needed, or other provision can be made. The text of the policy, however, refers to D1 uses with no qualification; although a veterinary surgery falls within class D1, it is not considered to be a community use within the spirit of the policy. In this particular instance, it is a non-conforming business use within a predominantly residential area. It is understood that the business is looking to relocate to more suitable premises, although no site has yet been found. It is concluded that the loss of the building would not conflict with policy LCF21.

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

It is considered there has been no change in circumstances since the 2011 permission. Prior to the 2011 permission the scheme was subject to negotiations with Officers to address previous reasons for refusal; the position of windows has been carefully considered to maintain acceptable overlooking distances with adjacent properties. Therefore it is not considered that the proposed building will result in any significant impacts in terms of amenity on surrounding residential properties to warrant the refusal of the application.

Design issues:

The existing building is not listed, nor is it located in a conservation area, or an area of high townscape value, and therefore there can be no policy objection to its loss. Moreover, the previous approval has established the principle of the loss of the building and the redevelopment of the site, although the previous approval is due to expire there have been no changes to policy which would change this aspect. The design of the proposed building is a pastiche, nevertheless, it is well executed with traditional features, such as diminishing window heights, decorative bands of tile hanging and strong gables, and would sit very comfortably in the street scene. The proposed building is therefore considered acceptable in terms of scale, and materials proposed.

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

The site is not located within a conservation area but is near the boundary of the Upperton Conservation Area. However, it is considered given the context of the site that the proposal would preserve the character and appearance of the setting of the conservation area.

Impacts on trees:

No impacts on trees.

Impacts on highway network or access:

Access will be provided from Churchfield Mews as granted under the previous application. East Sussex County Council Highways have raised no objection to this access arrangement, as the proposed access is wide enough to allow visibility along the street. The level of parking is considered acceptable for the location of the site taking into account that on-street parking will be increased by 1 car with the removal of the existing dropped curb on St Anne's Road.

**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:**

As there have been no material changes in circumstances since the previous application, the access and parking provision is considered acceptable and it is considered that the development will not result in significant harm to amenity of surrounding residential properties, it is recommended that planning permission is granted subject to conditions.

**Conditions:**

- (1) Approval of reserved matters (landscaping)
- (2) Submission of reserved matters
- (3) Time limit for submission of reserved matters
- (4) Time limit for commencement
- (5) List of approved plans
- (6) Hours of operation during construction
- (7) Submission of samples
- (8) Provision of privacy screens
- (9) Submission of details of doors/windows/joinery/flues
- (10) Floor levels
- (11) Submission of details of boundary walls
- (12) Obscure glazing with restrictors in ground floor side windows
- (13) Before occupation provision of vehicular access, parking, cycling and refuse stores.
- (14) The building shall not be occupied until the existing access shown on the submitted plans has been stopped up and the kerb and footway reinstated.
- (15) 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.
- (16) 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
- (17) Subject to completion of a Unilateral Undertaking to secure the payment of comuted sum for off-site affordable housing.

**Informative:**

1. Although this proposal indicates a new access, it is from Churchfield Square which is not an adopted highway and therefore highway conditions have not been issued in this instance
2. The applicant's attention is drawn to the need for a Sec 184 licence for closing up the existing access. The applicant should contact ESCC on 01273 482254 prior to commencement of development to complete the agreement and pay the necessary fee.