

Report to: Planning Applications Committee
Date: 17 July 2023
Application No: 230318
Location: Upperton United Reformed Church, Upperton Road, Eastbourne
Proposal: Installation of roof top plant on new church centre
Applicant: Reverend Paul Tabraham
Ward: Upperton
Recommendation: Approve, subject to conditions.

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Site Location Plan



1. Executive Summary

- 1.1 The application is being presented to the Planning Committee at the request of a Ward Councillor.
- 1.2 The application seeks retrospective planning permission for the retention of roof top plant already installed which includes the provision of 6no vent turrets.
- 1.3 The application is considered to be acceptable in policy terms and would not have any detrimental impact on the amenities of the neighbouring occupiers or the surrounding area.

2. Relevant Planning Policies

2.1 National Planning Policy Framework:

- 2. Achieving sustainable development
- 4. Decision making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment.

2.2 Eastbourne Core Strategy 2006-2027:

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C2: Upperton Neighbourhood Policy
- D1: Sustainable Development
- D5: Housing
- D8: Sustainable Travel
- D10: Historic Environment
- D10a: Design.

2.3 Saved policies of the Eastbourne Borough Plan 2001-2011:

NE14: Source Protection Zone

UHT1: Design of New Development

UHT4: Visual Amenity

HO2: Predominantly Residential Areas

HO20: Residential Amenity

TR4 Quality Bus Corridors.

3. Site Description

3.1 The site is located on the north side of Upperton Road on the corner of Watts Lane in a somewhat mixed use, but predominately residential area. Upperton Road is part of one of the main routes in and out of Eastbourne and serves a number of local and area-wide bus routes.

3.2 The application site is a to be used as a church and is comprised of three-storey brick-built building with grey mansard roof, the site provides parking at ground floor level with entrance foyer and access to the rest of the building to the congregation hall, gallery, offices, vestry, prayer room, meeting rooms and 2no second floor roof top gardens. A secondary access to the building is located on the side elevation on Watts Lane.

3.3 Planning permission for the church was approved in 2018 and works to complete the building are still underway.

3.4 The site is not located within a conservation area, nor is it statutorily listed.

3.5 Site Constraints:

Covenant – Gilbert Estate

Predominantly Residential Area

Source Protection Zone

Archaeological Notification Area.

4. Proposed Development

4.1 This application involves retrospective planning permission for the installation of roof top plant.

4.2 The proposal includes 3no air handling units, 1no kitchen extract fan and 6no vent turrets located on the roof of the newly built church, which is still under construction.

5. Relevant Planning History:

- 5.1 **160590:** Demolition of existing United Reformed Church and construction of new church and community centre.
Planning Permission Approved Conditionally 05/01/2018.
- 5.2 **180411:** Application for approval of details reserved by conditions, 3) Construction Method Statement, 6) Geotechnical investigation, 7) Archaeological Works, 10) Construction Traffic Management Plan, 12) Wheel Washing, 20) Retention/Protection of Boundary Wall, 22) Deposit of Materials On-Site and 23) Employment and Training. (P/C 160590).
Approval Of Condition Issued 05/06/2019.
- 5.3 **200157:** Application to vary condition 2 (approved plans), condition 9 (access gates) to allow for installation of telescopic bollards in place of gates, and conditions 13 (cycle parking) and 14 (turning space) to allow for amended parking level layout - following grant of planning permission 160590.
Approval of Condition Discharged 21/04/2020.
- 5.4 **200230:** Approval of details reserved by conditions 5 (lighting), 8 (access) and 11 (surface water) following grant of planning permission 05 January 2018 (as varied 21st April 2020) for Demolition of existing United Reformed Church and construction of new church and community centre (ref 200157).
Approval of Condition Discharged 21/05/2020.
- 5.5 **210623:** non-material amendment application for original roof lantern design - Planning application 160590 Condition 4/Materials.
Non-Material Amendment Issued 03/08/2021.
- 5.6 **210945:** Application for approval of details reserved by condition 7 (Archaeology), condition 15 (Hours of Occupation) and condition 21 (Boundary Treatment) pursuant to planning consent 160590 granted on 05/01/2018.
Approval of Condition Discharged 12/01/2022.
- 5.7 **230090:** non-material amendment application in relation to planning permission 160590 granted on 05/01/2018 to include amendment to privacy screens, 1no door at ground floor, 2no doors at first floor level, 4no windows at second floor level, and to include protective guarding to roof (amended description).
Non-material Amendment Issued 11/04/2023.

6. Consultations:

6.1 Environmental Protection:

The Specialist Advisor in Environmental Protection has confirmed that there is no objection to the proposal and that the proposal would well within tolerance limitations where noise nuisance was Lilley to become an issue.

7. **Other Representations:**

7.1 Notification

Notification of this application has been undertaken in the form of:

- a. Neighbour notification letters;
- b. Site notices displayed in roads neighbouring the site.

7.2 Neighbour Representations:

4 letters of objection have been received, which raise the following concerns based upon material planning grounds:

- Noise;
- Visual Impact.

7.3 Other Representations:

Impact to house prices;
Impact to views;
New church building is overbearing.

8. **Appraisal:**

8.1 Principle:

The principle of the new church building as a whole was previously established under planning application 160590.

This application is reviewing the roof top plant and vent turrets only and is to determine whether there is a detrimental impact on the amenities of the neighbouring occupiers and the visual amenity of the area along with compliance with other national and local planning policies.

8.2 Design, Character and Impact Upon Landscape:

The majority of the roof top plant is not visible within the surrounding street scene or within wider views. However, due to the topography of Watts Lane the roof top plant is visible in the immediate area.

The vent turrets are grey in colour to match the grey slate of the mansard roof and minimise the overall visual impact.

A key feature, and tallest part of the church building is the tower, which is located on the westernmost corner of the site. The roof lantern for the tower forms the highest part of the building. The highest vent turret sits approximately 1.9m below the highest part of the roof lantern.

Whilst the turrets are visible within the roof from certain views surrounding the site, they do not add to the overall bulk of the building and are not out of keeping.

8.3 Residential Amenity:

The roof top plant has been reviewed by the Councils Specialist Advisor in Environmental Protection, who has confirmed that they have no adverse comments relating to noise from the air handling plant and kitchen extract units.

The Specialist Advisor comments that 'The plant described is modern, efficient, well insulated and, additionally, fitted with appropriate noise attenuators. The data provided by the manufacturers has a tolerance factor built into it as it presents the worst case scenario (ie plant running at maximum capacity), which is never the case when the plant is in use.

The acoustician's calculations are correct and appropriately presented and the predicted sound emissions lie comfortably within the planning condition limits'.

A condition is recommended by the Specialist Advisor (at paragraph 9.2), which ensures that only the approved plant shall come into operation and any departure from this would require separate approval prior to first use, in the interest of protecting residents.

The residential properties of Watts Lane are sited above street level and will have an increased view of the roof top plant and vent turrets. Whilst visible, the views of the turrets are not considered to have a harmful impact on residential amenity.

8.4 Use:

The plant is expected to be in operation between the hours of 07:00 and 23:00 when the church building is in use. The plant provides ventilation throughout the building and also provides extract for the kitchen on the first floor.

8.5 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.

8.6 Conclusions:

The application is found to be in accordance with national and local planning policies and will not have a detrimental impact on the amenities of neighbouring residential occupiers or have a harmful impact on the visual amenity of the surrounding area.

9. Recommendations

9.1 The application is recommended for approval, subject to conditions.

10. Conditions:

10.1 Drawings: The development hereby permitted shall be carried out in accordance with the approved drawings submitted on **29th January 2020:**

- Drawing: UPC.15/158P Revision B – Proposed Third/Roof Floor Plan on Existing Site Plan
- Drawing: UPC.15/159P Revision E – Elevation Sheet 1
- Drawing: UPC.15/160P Revision E – Elevation Sheet 2
- Document: Acoustic Design Specification
- Document: Assessment of Ventilation Plant Noise

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

- 10.2 **Plant:** No plant and/or machinery, other than those hereby approved, shall come into operation until full specifications, and any mitigation measures required to achieve this condition, have first been submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not exceed 48 dBA between 0700 and 2300 hours and 37 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest residential premises. The measurements and assessment shall be made according to BS 4142:2014.

Reason: In the interest of protecting residents against the potential for future noise disturbance.

11. Appendices

None.

12. Background Papers

None.