

<b>App.No:</b> 150342	<b>Decision Due Date:</b> 24 June 2015	<b>Ward:</b> Old Town
<b>Officer:</b> Thea Petts	<b>Site visit date:</b> 19 <sup>th</sup> May 2015	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 24 <sup>th</sup> May 2015		
<b>Neighbour Con Expiry:</b> 24 <sup>th</sup> May 2015		
<b>Press Notice(s):</b> N/A		
<b>Over 8/13 week reason:</b> N/A		
<b>Location:</b> The Drive, 153 Victoria Drive, Eastbourne		
<b>Proposal:</b> Demolition of existing garage and erection of one four-bedroom dwelling with one parking space.		
<b>Applicant:</b> Row Properties LLP		
<b>Recommendation:</b> Approve conditionally		

**Executive Summary:**

The application Relates to the erection of a detached two storey dwelling house to the rear and within the curtilage of the former The Drive Public House.

The siting, scale and design/appearance of the proposed property is considered to be appropriate to the predominant character of the area and as such the proposal is considered to acceptable in principle.

**Planning Status:**

Disused garage to the rear of a soon to open retail store (previously The Drive public house).

**Relevant Planning Policies:**

National Planning Policy Framework 2012

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
3. Supporting a prosperous rural economy
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure.
6. Delivering a wide choice of high quality homes
7. Requiring good design

8. Promoting healthy communities
9. Protecting green belt land
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment
13. Facilitating the sustainable use of minerals

#### Core Strategy Local Plan 2013 Policies

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C4: Old Town Neighbourhood Policy

D1: Sustainable Development

D10a: Design

#### Eastbourne Borough Plan Saved Policies 2007

HO2: Predominantly Residential Area

HO20: Residential Amenity

UHT1: Design of New Development

UHT4: Visual Amenity

#### **Site Description:**

Victoria Drive is formed predominantly with residential properties of a substantial size with street trees at intervals along the pavements.

Beechy Avenue is typified by brick built semi-detached properties with street trees at intervals on the pavement. Along the south side of the road close to the junction with Victoria Avenue, stand such semi-detached properties with some defining characteristics such as brick soldier courses and brick-built archways serving the gates to the rear gardens.

153 Victoria Drive (former The Drive Public House) occupies the corner plot where Beechy Avenue meets Victoria Drive, on the west side of Victoria Drive. Adjacent to the site are the junctions of Milton Road and Victoria Drive and Green Street and Victoria Drive. South of no. 153 is a bowling club with associated car park.

The property was most recently used as a pub with residential unit (Managers flat) above, although it was last occupied and used as such some time ago.

The ground floor of the property is currently under refurbishment as a Sainsburys retail store. The building has a hip-to-pitch roof and a number of dormer windows at first floor level to the front, rear and south side. The principal building is set back from the road, with a substantial hard surfaced area to the front and sides, used formerly as pub car park.

To the rear of the plot, near the boundary shared by 1 Beechy Avenue, is a disused garage which can be accessed from an existing section of dropped kerb on the south side of Beechy Avenue.

**Relevant Planning History:**

There is an extensive planning history for the site with majority relating to the former Public House. The most recent applications relating to the Sainsburys scheme are listed below:

120758

Installation of ATM to front elevation together with extension of roof overhang

Planning Permission - Approved conditionally, 03/04/2013

130124

Ventilation and extraction units

Planning Permission - Approved conditionally, 21/05/2013

130125

Exterior alterations and modifications

Planning Permission - Approved conditionally, 30/05/2013

130128

Re-grading of existing car park and redesign of layout, remodelling of existing ramp to front entrance, and remodelling of access steps and wall to rear

Planning Permission - Refused, 11/06/2013

130129

Demolition of conservatory and infilling side elevation at ground floor level

Planning Permission - Approved conditionally, 29/05/2013

130225

Remove and reconstruction of boundary wall, provision for hard landscaping, parking and bollards

Planning Permission - Withdrawn, 02/05/2013

130261

Conversion of first floor pub into 2.No. two bedroom self-contained flats, 1.No. one bedroom self-contained flats

Planning Permission - Withdrawn, 02/05/2013

130304

Fascia signs.

Advertisement - Advert Approved, 03/09/2013

**Proposed development:**

The applicant seeks permission to build a new four-bedroom dwelling to the rear of the plot of 153 Victoria Drive. The new dwelling will be accessed via Beechy Avenue using an existing dropped kerb which was used to access the garage.

The two storey dwellinghouse is to have a hip-to-pitch roof with approximately a full height of 8.1m and an eaves height of 5.7m. The front elevation is to have a two storey bay, other windows and will service the principal access to the property. This principal elevation will be approximately 8.2m wide, leaving a gap of 0.6m between the building and the boundary shared with 153 Victoria Drive (former The Drive Public House) and 0.35m between the building and the boundary shared with 1 Beechy Avenue. The gaps between the external walls of the dwellinghouse and the boundary allow enough space to accommodate the eaves of the building so that no overhanging into adjoining plots occurs. The principal elevation stands approximately 5.8m behind the wall that separates the plot and the pavement. The amenity space to the front of the dwelling is to be divided into off-street parking and a lawn.

The boundary shared with 153 Victoria Drive is stepped. As such, the east side external walls of the property are stepped to accommodate this shape. On the west side (elevation facing 1 Beechy Avenue), the wall is continuous, at a length of approximately 12.15m. The ground floor is to accommodate a living/dining area, kitchen, shower room and a bedroom. The first floor level is to accommodate three additional bedrooms and three bath/shower rooms (one of which is en-suite to one of the bedrooms). The area of floor space for both ground and first floors is approximately 130sqm.

The rear garden is approximately 13.9m in length and 4.7m wide. There is a small paved area spanning the width of the dwellinghouse and inset to allow access from the kitchen which is set back from the rear elevation.

**Consultations:**Internal:

Specialist Advisor (Arboriculture) No comments received

Specialist Advisor (Planning Policy) Scheme is CIL liable and applicants have committed to honour this payment.

External:

Highways ESCC – do not wish to comment given the scale of the development is unlikely to have a negative impact upon the wider highway network.

**Neighbour Representations:**

Including consultees 102 letters of notification were sent out and no objections have been received. One note of general support has been received.

## **Appraisal:**

### Principle of development:

There is no objection in principle to the proposed development provided it would be designed to a high standard, respect the established character of the area and would not have an adverse effect on amenity, the character of a listed building or conservation area in accordance with policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007.

### Design issues:

Policy D10a of the Eastbourne Core Strategy and Policy UHT1 of the Eastbourne Local Plan state 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 B1 of the Eastbourne Core Strategy provides the spatial vision and strategic objectives which seek to ensure that future growth in Eastbourne is delivered at an appropriate level and in a sustainable manner and Policy B2 seeks to create an attractive, safe and clean built environment with a sense of place that is distinctive and reflects local character.

Although Beechy Avenue and Victoria Drive are typified by semi-detached properties, there are characteristics of this proposed dwelling which are drawn from nearby properties. The soldier courses and arch above the front door is reminiscent of the archway over gates leading to the rear of nos. 1 and 3 Beechy Avenue. In addition, the property opposite the plot, Tarleton Villa, has the same bay and gable element to the front elevation as the proposed dwelling. As such, these shared design features will allow the new dwelling to harmonise with the established character of the area.

Materials to be used as part of the alterations to the front boundary wall are proposed to match the existing. Although materials proposed for the rest of the development appear to be sympathetic to the materials used to construct nearby properties, a condition requiring discharge will be placed on the permission which will require samples of the proposed materials to be submitted prior to the commencement of development in order to ensure that the character and appearance of the new dwelling further harmonises in its surroundings.

The proposed dwelling is offset from the boundaries of the plot in order to allow for the future maintenance of the new dwelling.

The side wall of the proposed property will be approximately 5.5m away from the flank on No 1 Beechy Avenue. It is considered that the void created by this distance is sufficient and will not result in the plot appearing

overdeveloped, despite the proximity of the new dwelling to the side boundary lines of the plot.

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

Policy HO20 of the Eastbourne Local Plan requires new development proposals and extensions to existing buildings to respect residential amenity. In addition, Policy B2 of the Core Strategy seeks to protect the residential and environmental amenity of existing and future residents.

The proposed dwelling itself presents no significant issues with regards to affecting the amenity of adjacent occupiers. The design refrains from including windows to the side of the property, with the exception of one window to serve the staircase (on the elevation facing 1 Beechy Avenue) which is to be obscure glazed. In addition, boundary treatments of 1.8m in height are to surround the plot, which will prevent potential for overlooking from the amenity space at the property.

It must be noted that the rear garden of the proposed dwelling will be potentially overlooked on occasion as the first floor residential accommodation of 153 Victoria Drive can be accessed from the rear. This overlooking will only be transitory and as such will not amount to a material loss of amenity that would substantiate a reason for refusal.

**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:**

The proposed scheme is considered to work in-line with the aforementioned policies, but to further secure compliance to these policies, conditions will be attached to the permission granted.

**Recommendation:**

Approved conditionally

**Conditions:**

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
*Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004*

2) The development hereby permitted shall be carried out in accordance with the approved drawings no:

- 14E3A.LO.002 Rev 01
- 14EA3.LO.100 Rev 01
- 14EA3.LO.101 Rev 00
- 14EA3.LO.102 Rev 01
- 14EA3.LO.200 Rev 01
- 14EA3.LO.201 Rev 01
- 14EA3.LO.300 Rev 01

submitted on 24th April 2015.

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

3) The hard surface within the front garden of the property hereby approved 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 curtilage of the property so that surface water does not run off the site onto and across the public footpath/highway

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

4) The dwellinghouse hereby approved shall not be occupied until full details of the means of enclosure/boundary treatments to be constructed on all boundaries of the plot/site have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To protect the amenity of occupiers of the property hereby approved*

5) No development shall commence until fences for the protection of trees to be retained to the front of the site have been erected 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*

6) The external materials (facing brick and roof tiles) to the property hereby approved shall match those used in the adjacent property No 1 Beechy Avenue *Reason: To ensure a satisfactory appearance to the development*

7) 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