

<b>App.No:</b> 150344 (PPP)	<b>Decision Due Date:</b> 3 June 2015	<b>Ward:</b> Meads
<b>Officer:</b> Sally Simpson	<b>Site visit date:</b> 17 April 2015	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 8 May 2015		
<b>Neighbour Con Expiry:</b> 8 May 2015		
<b>Press Notice(s):</b> 28 April 2015		
<b>Over 8/13 week reason:</b> In time		
<b>Location:</b> Flat 1, Castle Mount, 40 Carlisle Road, Eastbourne		
<b>Proposal:</b> Replacement of ground floor window on rear elevation with a door and window set.		
<b>Applicant:</b> Mr David Montgomery		
<b>Recommendation:</b> Approve Conditionally		

**Executive Summary:**

Application relates to the removal of a domestic window to one of the ground floor flats and to be replaced by a pedestrian door. It is proposed that the new door and side window would utilise materials that are used elsewhere on this apartment block.

This new doorway would facilitate direct access from this ground floor apartment direct onto communal secure rear garden area.

There are a number of letters of concerns from other occupiers within the block and these are reported below; in planning terms though there is limited visual impact from the proposal and the use of the doorway as an access to the garden would not cause such a material loss of amenity to warrant a refusal of consent.

Scheme is considered acceptable and recommended for approval.

**Planning Status:**

Ground floor flat within in a residential block of twelve units in total.

**Constraints:**

**Conservation Area** Meads Conservation Area

**Relevant Planning Policies:**

**National Planning Policy Framework 2012**

Paragraphs 7-14

Paragraphs 56-65  
Paragraphs 126-141

### **Eastbourne Core Strategy Policies**

Eastbourne Core Strategy Local Plan 2006-2027  
B1 Spatial Development Strategy and Distribution Sustainable Neighbourhood  
C11 Meads Neighbourhood Policy  
D5 Housing High Value Neighbourhoods  
D10 Historic Environment Conservation Area

### **Borough Plan Policies**

Eastbourne Borough Plan 2001-2011  
UHT 4 Visual Amenity  
UHT15 Conservation Area  
HO2 Predominantly Residential Areas  
HO20 Residential Amenity  
NE1 Development Outside the Built-up Area Boundary

### **Site Description:**

The site comprises of a four storey 'T' shaped block of 12 flats located on the North west side of Carlisle Road immediately next door to Moira House School.

The property has a open aspect frontage and communal garden to the rear.

### **Relevant Planning History:**

EB/1960/0251

Demolition of property and erection on the site thereof of a four-storey block of 12 two-bedroom flats, and 6 domestic garages.

Granted, subject to conditions. 1960-05-05

Replacement plastic windows approved at units 1-7 & 10 - 12

### **Proposed development:**

The applicant is seeking planning approval to change an existing window to a door and window set (Upvc), giving private access to the existing communal garden at the rear.

### **Consultations:**

Internal: Specialist Advisor (Conservation) had no objections to this proposal and concludes:

'...whilst the proposed changes would not enhance or preserve the inherent design associated with the rear elevation of Castle Mount. Due to the siting of the works, there would result in little or no impact on the historic or architectural character and appearance of Meads conservation area in which the building is located.'

### Neighbour Representations:

6 objections have been received and cover the following points:

- The proposal contravenes the terms of our lease dated 12 April 1966.
- If the work was to proceed, it would create an unacceptable precedent which would be detrimental to the block.
- It would compromise security of the building, having another entrance.

- Will alter the uniformity of the windows and could affect the emergency exit route around the building.
- Nuisance issue with children in front of adjacent flat.
- Increased noise possibly for flats 4, 7, 10, 3, 6, 9, 12.

### **Appraisal:**

The main issue to consider when assessing the proposal for changing a window to a door and window set is the impact on visual and neighbour amenity.

The location and design of the proposed door/windows is to the rear of the ground floor on the North west elevation of the block, not visible from the public highway and as such would not be out of character with the host property and not out of character/intrusive into the wider street scene/Meads conservation area.

The use of the door would and can only be used as access to the back communal garden and given this the activity associated with its use would be fairly limited and would not give rise to any material impact upon the occupiers of the adjoining/adjacent apartments.

There are no material issues with means of escape in case of fire

A number of the respondents to this application have raised issues that are civil matters such as breach of covenants/leases, these can not be taken into account in the assessment of this application as private covenants are not material considerations.

### **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 proposal to alter an existing window to a door and window set is considered to be acceptable in terms of scale and design. It complies with policies B1, C11, D5 & D10 of the Local Core Strategy 2013, policies UHT4, UHT15, HO2 & HO20 of the saved policies of the Eastbourne Borough Plan 2007 and the guidance outlined in the National Planning Policy Framework 2012.

**Recommendation:** Approve, conditionally

### **Conditions:**

1. Time Limit
2. The development hereby permitted shall be carried out in accordance with the following drawings received on 29 March 2015:

916-01 A - Change window ar rear for door - Elevation Proposed

Site Location Plan

Block Plan

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.

3. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building, as outlined under section 10. Materials of the submitted application form.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area.

**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.**