

App.No: 150975	Decision Due Date: 16 th November 2015	Ward: Meads
Officer: Thea Petts	Site visit date: 22 nd October 2015	Type: Planning Permission
Site Notice(s) Expiry date: 15 th October 2015		
Neighbour Con Expiry: 15 th October 2015		
Press Notice(s): 18 th November 2015		
Over 8/13 week reason: over 8 weeks given the timetabling of Planning Committee		
Location: 42-44 Meads Street, Eastbourne		
Proposal: Replacement of pitched roof to the rear of no.42 with a raised flat roof to provide route for ductwork for new ventilation system to restaurant.		
Applicant: Ms Hui Sheng		
Recommendation: Approve conditionally		

Executive Summary:

The proposed scheme comprises of alterations to the single storey ground floor extension to the property, which is located in the Meads Conservation Area. The mono-pitch roof is to become a flat roof and a louvre vent associated with an internal extraction system to service a restaurant is to be installed in the rear elevation.

This application has been referred to the Planning Committee from delegated due to the level of opposition to the scheme.

Planning Status:

Mixed use three storey property

Relevant Planning Policies:

National Planning Policy Framework 2012

1. Building a strong, competitive economy
7. Requiring good design
12. Conserving and enhancing the historic environment

Core Strategy Local Plan 2013 Policies

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C11: Meads Neighbourhood Policy

D1: Sustainable Development
D10: Historic Environment
D10a: Design

Eastbourne Borough Plan Saved Policies 2007

HO2: Predominantly Residential Area
HO20: Residential Amenity
UHT1: Design of New Development
UHT4: Visual Amenity
UHT15: Conservation Area
UHT20: Archaeological Sites and Scheduled Monuments

Site Description:

Meads Street runs on a north to south axis through the west side of the Ward, adjoining Meads Road and Beachy Head Road to the north and Holywell Road to the south. It is an important road for maintaining sustainability in this area of Eastbourne as it hosts a number of shops and amenities. In the main, the properties along the road are of mixed use and typically three storeys high, with the majority being retail with residential above. However, the north and south ends of the road are lined with residential properties, both dwellinghouses and flats (mainly created through sub-division of dwellinghouses). The built environment is of higher density than what is typical of Meads Ward as there are few and small voids between the buildings there, with the principal building line situated close to the road and pavement.

There are few examples of significant flue/extraction systems along Meads Street, with the exception of The Pilot, 89 Meads Street and The Ship Inn, 33-35 Meads Street. However, neither of these properties have residential units above.

42-44 Meads Street is a terraced property which is sub-divided, three self-contained flats and a shop at ground floor level. There is a small amenity space to the rear which is backed by a high brick wall which runs along the rear boundaries of nos. 36 to 42-44 Meads Street. This access path adjoins Matlock Road. The property stands on the west flank of Meads Street at the north end of the road, south of the junction shared with Matlock Road. The property shares boundaries with 40 Meads Street to the north (side), 46 Meads Street to the south (side) and The Bungalow, Matlock Road to the rear. The property stands in the Meads Conservation Area.

The established use of the ground floor unit has historically been A3, although no significant extraction/ventilation system has yet been required by occupiers to date. To the rear and north side of the property, as is common along the row, stands a single storey ground floor extension. This historic addition extends approximately 4.6m beyond the rear wall of the property, has a width of 2.1m, an eaves height of 1.7m and a full height of 2.4m. There is a distance of 0.75m between the highest point of the roof and

the lowest part of the nearest windows servicing a residential unit on the upper floor.

Relevant Planning History:

EB/1988/0070

C/U 1ST & 2ND FLS FROM BEDSIT & MAIS TO BEDSIT & 2X1 BED FLATS WITH STAFF ROOM TO RESTAURANT ON 2ND/FL (44A)

Refused - 1988-03-17

EB/1987/0393

C/U 1ST & 2ND/FLS FROM BEDSIT & MAIS TO 2 BEDSITS & 1X1 BED FLAT (44A)

Approved Conditionally - 1987-08-04

EB/1987/0227

C/U 1ST & 2ND/FLS FROM BEDSIT & MAIS TO 4 BEDSITS (44A)

Refused - 1987-06-18

EB/1984/0439

REMOVAL OF CLAY TILES FROM FRONT ROOF SLOPE & REPLACEMENT WITH CONCRETE TILES (42)

Approved Conditionally - 1984-10-09

EB/1974/0482

CONV 1ST & 2ND/FL MAIS TO BEDSIT & 2 BED MAIS (44A)

Approved Conditionally - 1974-09-24

EB/1969/0495

ALTS & INSTLN SAN/FITS TO INCOPORATE GRD/FL NO.42 WITH NO 44 INC NEW SHOP FRONT & S/ST REAR EXTN

Approved Conditionally - 1969-10-09

EB/1959/0201

PROV EXTNL STAIRCASE AT REAR (NO 42)

Approved Unconditionally - 1959-05-12

000117

Application for Certificate of Lawfulness for use as self-contained flat.

LD Certificate (proposed)

Issued - 20/03/2000

000118

Application for Certificate of Lawfulness for use as self-contained flat.

LD Certificate (proposed)

Issued - 20/03/2000

000119

Application for Certificate of Lawfulness for use as self-contained flat.

LD Certificate (proposed)
Issued - 20/03/2000

Proposed development:

The applicant seeks permission to make alterations to the existing single storey ground floor rear extension. It is proposed that the mono-pitched roof is replaced with a flat roof. Subsequently, the overall roof level will be 2.3m (current eaves height of 1.7m and a full height of 2.4m) and a felt roof will be constructed.

In addition, a louvered extract vent is to be situated on the rear elevation, just below the roof's edge.

The alterations are to accommodate a storage area and will house an internal extraction and filtration system.

Consultations:

Internal:

Specialist Advisor (Environmental Health) – condition recommended

Specialist Advisor (Conservation) – no objection

Neighbour Representations:

Five objections have been received and cover the following points:

- Potential noise and cooking odour implications of extraction system on nearby residential units
- Request for a noise assessment
- Noisy extraction system could negatively impact quality of life
- Negative impact overall as changes suggest an intensification of the use
- Design of roof not in keeping with Conservation Area
- Takeaway facility is strongly objected to

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 the 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.

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. Policy B2 of the Core Strategy seeks to protect the residential and environmental amenity of existing and future residents. As an extension to

this, Policy D10 states that all significant heritage assets will be protected and where practicable there is a presumption in favour of protection of all heritage assets from inappropriate change, including both designated and non-designated assets.

The details of the extraction system to be installed in the rear extension have been submitted along with this application, however the effects of this system have not been assessed as part of the application. It is considered that to install an extraction system so close to residential units would require a noise assessment to be carried out to prevent the proposed extraction system from having a detrimental effect on nearby residents. As such, and on the recommendation of the Specialist Advisor for Environmental Health, a condition shall be attached to any permission granted, detailing that such a system must be in line with the correct British Standard. This condition is considered necessary due to the proximity of the windows of the residential units above.

The effect of the development on the wider Conservation Area is considered to be negligible as the alterations to the roof will not be visible from the public realm. As such, the scheme is not found to be discordant with Policy D10. In addition, although the site is located in an Archaeological Notification Area, the development will not include any groundwork. As such, any archaeological remains will be unaffected by the implementation of the scheme.

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. Proposals within Conservation Areas will be required to preserve the character and appearance of the area as specified in Policy UHT15 of the Eastbourne Local Plan.

The proposed alterations are not visible from the street due to their position to the rear of the property at ground floor level. The rear boundary wall further obscures the alterations from view. It is therefore considered that although the loss of the pitched roof is somewhat unfortunate, its being replaced with a flat roof will not have a significant effect on the building, nor will there be any noticeable impact on the wider Conservation Area. This is due to the location of this part of the building to the rear of the property, out of view of the public realm.

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:

Although the proposed alterations will make very little physical difference to the built environment or appearance of the wider Conservation Area, it is considered that a noise assessment will be necessary in order to fully assess any potential impact the extraction system may have on occupiers of nearby properties.

Therefore, although the scheme is recommended for approval, this is on the condition that an adequate noise assessment is submitted to and approved in writing by the Local Planning Authority.

Recommendation:

Approve conditionally

Conditions:

- 1) Time
- 2) Approved drawings
- 3) The development hereby approved shall be implemented in accordance with the current British Standard BS4142 2014 methods for rating and assessing industrial and commercial sound regulations, to ensure no nuisance will be caused to residential properties and shall be retained as such thereafter.

Reason: To ensure that noise levels outside the premises are minimised so as not to cause a nuisance to occupiers of nearby properties

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**.