

App.No: 151011 (PPP)	Decision Due Date: 20 November 2015	Ward: Old Town
Officer: Jane Sabin	Site visit date: 9 November 2015	Type: Planning Permission
Site Notice(s) Expiry date: 23 October 2015		
Neighbour Con Expiry: 23 October 2015		
Press Notice(s): N/A		
Over 8/13 week reason: Referred Committee by Chair		
Location: 2a St Marys Road		
Proposal: Redevelopment of site to provide 3no. self-contained flats with three undercroft parking spaces.		
Applicant: Mr C Brown		
Recommendation: Approve		

Executive summary:

The proposed development would have no adverse impact on visual and residential amenity, highway safety or the employment facilities in the town and would provide three units of accommodation in sustainable location.

Planning Status:

Source Protection Zones 3
Residential area

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C4: Old Town Neighbourhood Policy
D1: Sustainable Development
D5: Housing
D10A: Design

Eastbourne Borough Plan Saved Policies 2007

NE14: Source Protection Zone
UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity

UHT5: Protecting Walls/Landscape Features
HO2: Predominantly Residential Areas
HO7: Redevelopment
HO20: Residential Amenity
BI1: Retention of Class B1, B2 and B8 Sites and Premises
TR6: Facilities for Cyclists
TR11: Car Parking

Site Description:

This irregular shaped site is located on the north side of St Mary's Road and is accessed through a single width vehicular access adjacent to 2 St Mary's Road. It is bounded on all sides by residential development (St Mary's Road/Gore Park Road/Gore Park Avenue). It currently comprises a two storey building on the rear boundary, originally built as stables, of red brick under a slate roof, and two single storey modern outbuildings adjacent to the west boundary. The previous use is unclear, but the agent states that it was a general builders storage yard; the buildings are boarded up and the applicant confirms that it has been unused for some time.

A particular feature of the site is the high brick, sandstone and flint wall which runs along the east boundary with Gore Park Avenue. It is approximately 5m high and reaches the eaves of the existing two storey building and forms a retaining wall for the rear gardens of the properties in Gore Park Avenue, the ground levels of which are 3m higher; the wall follows the slope of the site, which rises from St Mary's Road to Gore Park Road at the rear.

Relevant Planning History:

No planning history.

Proposed development:

Planning permission is sought to demolish the two modern buildings on the east boundary and to construct a two storey building on the west boundary.

The new building would provide one flat on the upper floor, with car ports below, whilst the retained older structure would provide a further two flats, one on the ground floor, and one on the first floor.

Alterations to the existing stable building comprise:

- Two storey extension to the front; 1.3m on the right hand side under a flat roof, and 2m on the left hand side with a gable end to the front elevation
- Removal of external staircase and provision of a communal entrance via the new gabled extension
- Provision of six windows to the front elevation (includes two floor to ceiling doors to the living rooms, one as a Juliet arrangement)
- Provision of one widow in the flank elevation at first floor level (facing the alleyway serving the dwellings in St Mary's Road)

The new block containing one flat and parking:

- Canted footprint to following the angle of the boundary wall, with a maximum depth of 5.75m and overall width of 12.5m

- All windows (four) on the west elevation, including one Juliet arrangement facing the flank wall and garden of 2 St Mary's Road, and two roof lights to the same roof slope
- Hipped and pitched roof 4.5m to the eaves and 6m to the ridge
- Three open spaces on the ground floor, and enclosed cycle and bin stores

Consultations:

Internal:

Highways ESCC - The site layout provides adequately sized parking spaces and sufficient manoeuvring space so cars can enter and exit in a forward gear. Appropriate cycling parking is also proposed. It is noted that 3 car parking spaces are proposed. Based on the ESCC parking guidelines, a development of 3no. 2 bed flats in this ward will create a demand for 4 spaces. Although not ideal as there are high levels of on street parking in St Marys Road and the surrounding area, the lack of one space is unlikely to result in a severe impact on the highway network as a space is generally likely to be available within 200m of the site.

Specialist Advisor (Planning Policy) – no response.

External:

Neighbour Representations:

Four objections have been received, and cover the following points:

- Public highway must not be used for delivery or storage of materials
- Noise must be restricted to Mondays to Fridays, no weekends or evenings
- Any damage to the party wall must be the responsibility of the developer
- No loss of light must result
- Direct contravention of policy HO20; the new building would overshadow properties in Gore Park Avenue including the greenhouse at no.7, and block views of the Downs
- Concern about stability of the boundary wall, and the negative effect on the distinctive character of the area by obscuring it, contravening policies UHT4 and UHT5
- Insufficient parking, resulting in a negative impact on highway safety and residential amenity
- Concerns regarding the position and maintenance of the guttering in relation to the new building.

Neighbours were reconsulted following a reduction in height of the new building (by 0.5m); one further response was received stating that there were no objections in principle, but expressing concern that on-site parking might be insufficient which could have an impact on Ocklynge Road.

Appraisal:

The main issues to take into consideration in determining this application are the impacts on visual and residential amenity, highway safety and the loss of employment land.

Visual amenity:

The buildings to be demolished are purely functional and of no merit whatsoever. The alterations to the existing building and the design of the new building are considered to be appropriate to the locality. The boundary wall, whilst characteristic of Eastbourne, is

not an outstanding example of its type, and nor is it located within a conservation area. It is therefore considered that there could be no objection to its concealment; half the wall would still be exposed, most of it adjacent to St Mary's Road and therefore still visible from the public domain.

Residential amenity:

Residential use is an acceptable alternative for this semi-backland site, given the high density nature of the surrounding properties, which themselves are all in residential use. The main issues are privacy and overlooking from new windows, and overshadowing of properties in Gore Park Avenue.

Whilst the introduction of windows at first floor level would have an impact on surrounding properties in St Marys Road to some degree, the high density nature of the adjoining properties and the orientation between them would not give rise to overlooking which is any worse than currently is the case (particularly between no. 3 and 5), although there would be some increase, of course.

With regard to overshadowing, the only impact would be from the new building (referred to as Block A on the submitted plans). This building has been reduced by 0.5m in height, as it was considered that the internal height of the garaging was unnecessarily high. This results in the maximum projection of the roof above the boundary wall with Gore Park Avenue being 1m; this is the ridge height, which itself would be 2.75m away from the boundary wall. On this basis, taking into account the depth of the rear gardens of the properties in Gore Park Avenue, the significant difference in ground levels and orientation, it is not considered that there would be any harm to residential amenity as a result of overshadowing or loss of outlook.

Highway safety:

None of the properties in St Mary's Road have the benefit of off-street parking, and the surrounding streets are heavily parked, particularly in the evening. The development now proposes three on site spaces for three small flats, which is considered adequate in this location. The application as originally submitted proposed a fourth space for visitors, but the applicant wished to move Block A further down the site (to improve light and outlook to Block B) which made it necessary to remove it.

Loss of employment land:

The National Planning Policy Framework allows for the loss of employment land in certain circumstances, and this site fulfils the criteria; it is a small site in a residential area, which would benefit from the removal of a non-conforming use, the buildings are unused (the works evident from the site photographs relate to works underway at 2 St Mary's Road next door), and it would provide modest units of accommodation in a popular, high value and sustainable area.

Other matters:

The stability of the boundary wall is a private matter between the owners, and will also be dealt with under the Building Regulations.

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 development would have no adverse impact on visual and residential amenity, highway safety or the employment facilities in the town, but would provide three units of accommodation in sustainable location. As such, the proposal complies with local and national policies.

Recommendation: Approve, conditionally

Conditions:

1. Commencement of development within three years
2. Development in accordance with the approved plans
3. Submission of samples of materials
4. Details of entrance gates, and permanent set back of 5.5m from highway
5. Provision of parking spaces before occupation and permanent retention
6. No guttering to be fixed onto or on top of the wall adjoining Gore Park Avenue
7. Restriction on building work hours

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.**