

App.No: 160751	Decision Due Date: 25 August 2016	Ward: Meads
Officer: Neil Holdsworth	Site visit date: Various	Type: Planning Permission
Site Notice(s) Expiry date: 30 July 2016		
Neighbour Con Expiry: 30 July 2016		
Press Notice(s): 9 th August 2016		
Over 8/13 week reason: To meet committee cycle		
Location: 17-18 Lushington Lane, Eastbourne		
Proposal: Demolition of existing garages and erection of a three storey building with 6 No. two bedroom flats with private courtyard gardens to the rear serving the ground floor flats.		
Applicant: Mr C Benton		
Recommendation: Approved conditionally		

Executive Summary

This application is reported to planning committee given the level of objections received.

This proposal involves the demolition of an unlisted garage within the Town Centre and Seafront Conservation Area and its replacement with a three storey building comprising 6x 2 bedroom flats.

The proposed footprint and scale of the silhouette of the development is identical to one that was previously approved on the site for four flats each with a garage at ground floor level.

Under the current proposal the ground floor (garages on the former schemes) would comprise two additional units and there will be no off street parking provided. The highway authority advise that there is sufficient capacity in the surrounding road network to absorb any parking demand from this development.

The proposed development is acceptable in all other respects, and it is therefore recommended for approval subject to conditions.

Planning Status:

Town Centre and Seafront Conservation Area
Source Protection Zone 2

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

C1: Town Centre Neighbourhood Policy

D1: Sustainable Development

D2: Economy

D5: Housing

D10: Historic Environment

D10A: Design

Eastbourne Borough Plan Saved Policies 2007

NE14: Source Protection Zone

NE17: Contaminated Land

UHT1: Design of New Development

UHT2: Height of Buildings

UHT4: Visual Amenity

UHT15: Protection of Conservation Areas

HO1: Residential Development Within the Existing Built-up Area

HO2: Predominantly Residential Areas

HO7: Redevelopment

HO20: Residential Amenity

BI1: Retention of Class B1, B2 and B8 Sites and Premises

TR2: Travel Demands

TR6: Facilities for Cyclists

TR11: Car Parking

Site Description:

These single storey commercial garage premises are located on the south side of Lushington Lane. The building is purely functional, and is of no merit to the conservation area, although it does reflect the scale of the service buildings found originally on this side of the lane.

Relevant Planning History:

Site

141478: Demolition of existing garages and erection of a three-storey block of four self-contained flats with garaging on the ground floor.

Approved conditionally 29/01/2016

16 Lushington Road

140801

Demolition of garages and erection of a pair of semi-detached dwellings.

Approved conditionally 08/08/2014

20 Lushington Lane

EB/2000/0262

Demolition of redundant warehouse and construction of four townhouses and five flats with integral garaging.

Approved conditionally 9/11/2000

Proposed development:

Permission is sought to demolish all the commercial buildings on the site, and to construct a block of six two-bedroom flats.

Planning permission was previously granted for a similar proposal under reference 141478.

The revised proposal is identical in most respects to the previous approval with the exception of the conversion of the ground floor to two additional two bedroom flats and alterations to the rear elevation to create external amenity space at ground floor level.

The new building would be constructed of brick with hanging tiles at first floor level and a mansard style roof.

Consultations:

Internal:

Conservation Area Advisory Group

The proposal was considered at the meeting of CAAG on 23rd August and no objections were raised to the proposed development.

Highways ESCC

A refusal on highway grounds would be difficult to defend.

Other main points raised by ESCC Highways have been summarised below.

The main highway issue related to this proposal is lack of parking. However it should be noted there are a variety of travel choices available in Eastbourne and the site is located within the Town Centre and therefore is in a sustainable location in transport terms. There is good access to train, bus and taxi services as well as shops and services which will limit the need to travel by car. Under these circumstances a zero parking provision is acceptable.

The site is also in a permit parking zone (G) so parking is controlled and residents are required to purchase a permit before they can park in the area. Following consultation with the ESCC Parking Team, permits are still issued for this zone and there is no waiting list. It

should be noted that the issue of a permit does not guarantee that space will be available on street.

A refusal on highway grounds would be difficult to defend as a severe impact would be unlikely to be created and therefore the proposal is in accordance with the transport requirements of the NPPF. Parking restrictions along Lushington Lane prevent unauthorised parking, therefore maintaining the free flow of traffic.

Neighbour Representations:

Six objections have been received on the following grounds:

Design

- Concern that proposal is an overdevelopment of the site.

Amenity

- Loss of light and overlooking to neighbouring properties along Lushington Road.
- Overshadowing and sense of enclosure to adjoining property.

Parking

- Concern about lack of parking for proposed flats

Other issues

- Concern that proposed development in opens out directly on to the road, risking highway safety.
- Absence of cycle and waste storage.
- Concern about hygiene of rear alleyway.

Appraisal:

Principle of development:

Many of the former commercial buildings fronting Lushington Lane have been redeveloped over the past 15-20 years to provide dwellings of a range of different forms and styles. The character of the lane has changed from that of a service road containing principally commercial buildings on the south side, to one which now contains very much more residential properties interspersed with some garaging and commercial uses.

The principle has for residential developed has therefore been established.

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

Objections have been raised by occupiers of adjacent buildings within Lushington Lane, to the rear along South Street and to the front along Lushington Road which have a rear access to Lushington Lane.

A building of the same bulk scale and mass has already been considered acceptable on this site and an extant planning permission is in place. That decision considered the relationship between the proposed development and

properties to the side and rear to be acceptable both in terms of its height, bulk and scale and the principle of clear glass windows in the rear elevation. This is an important material consideration in the current decision.

In amenity terms the distance between the premises and the properties to the rear along South Street was previously considered to be acceptable and would not create a material increase in overlooking. There are no material changes in circumstance that would justify changing this position. The residential redevelopment of the site and increase in height fits the pattern of the surrounding townscape and established precedents along Lushington Lane, and is not considered to result in a noticeably detrimental relationship in amenity terms.

In respect of the recently constructed semi detached premises on Lushington Lane (16 A and B) it is acknowledged that the bulk of the development will result in a small loss of light through the enclosure of the small rear courtyard gardens to these premises by a three storey high wall. Whilst any loss of light is regrettable, in this case the courtyard gardens in question are very small and already substantially enclosed. Furthermore, the properties in question were under construction at the time of the granting of the previous permission, and any future occupier would be aware of the possibility of that development being built out. In respect of the properties along Lushington Road which open out directly on to Lushington Lane it is considered that there is sufficient distance from the development to the affected windows and private amenity space to not result in a material increase in overlooking or loss of privacy to these properties.

The proposal is considered acceptable in residential amenity terms.

Amenity of future occupiers.

The proposal provides 6x 2 bedroom units which are 67 sqm in size. This exceeds the nationally defined minimum standard for a 2 bedroom/ 3 person unit (61sqm).

All the units have an acceptable outlook and are sufficiently lit. The ground floor flats have a small area of private amenity space to the rear.

Design and impact on conservation area:

In design terms the scheme replicates the previous approval with the exception of the replacement of the garage doors with windows. This in turn replicated the scale and design of the nearby development at 20 Lushington Lane (known as Chelsea Mews). The style of development is in keeping with the appearance of surrounding buildings and this part of the Town Centre and Seafront Conservation Area.

The loss of the existing garages were previously considered acceptable and the residential development follows surrounding precedents.

Impacts on highway network or access:

Objections are raised regarding the fact that no off street parking is proposed. The proposal is a zero parking development and the loss of garaging when compared with the previous proposal is regrettable as any parking demand from future occupiers will need to be absorbed on the surrounding road network.

However, the Highway Authority advise that there is sufficient capacity within the current residents permit scheme to absorb the potential parking demand from the development. As such a reason for refusal on highways grounds cannot be supported. Whilst it is acknowledged that the fact the development opens out directly on to the highway is not ideal, it follows the existing pattern of development.

Details of waste storage and cycle parking within the development are required by condition.

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 or residential amenity, and would provide residential units with a good standard of accommodation within the town centre. As such the proposal complies with the relevant policies in the Council's approved local plans and national guidance.

Recommendation: Approve conditionally

Conditions:

1. Commencement with 3 years
2. Development in accordance with approved plans
3. Hours of operation
4. Details of waste storage
5. Details of cycle parking.
6. Details of materials.

Informatives

Need to submit a DOC application

Appeal:

Should the applicant appeal the decision the appropriate followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.