

<b>App.No:</b> 161308	<b>Decision Due Date:</b> 5 January 2017	<b>Ward:</b> Meads
<b>Officer:</b> Neil Holdsworth	<b>Site visit date:</b> Various	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 4 December 2016		
<b>Neighbour Con Expiry:</b> 22 <sup>nd</sup> December 2016 (first consultation), 20th March 2017 (second consultation)		
<b>Press Notice(s):</b> 22 <sup>nd</sup> November 2016.		
<b>Over 8/13 week reason:</b> extension of time agreed with applicant to facilitate submission of revised plans.		
<b>Location:</b> Ravelston Grange, 10 Denton Road, Eastbourne		
<b>Proposal:</b> Proposed Material Change of Use from Residential Care Home (C2) to 9 X residential dwellings (C3), with associated extensions at ground and first floors. New vehicular access from Denton Road and provision of seven parking spaces in front garden area.		
<b>Applicant:</b> Mr Paul Piercy		
<b>Recommendation:</b> Approve conditionally		

### **Executive Summary:**

This application is being put forward for consideration by planning committee at the request of Councillor Robert Smart and given the number of objections received from local residents.

This application proposes the change of use of the existing care home at 10 Denton Road to 9 x 2 bedroom residential units, with associated extensions at ground and first floor rear level. In addition a new vehicular access is to be created facing Denton Road, with the front garden being utilised for seven new parking spaces for the users of the proposed development.

The application has been amended in the course of its consideration and the proposal for a two storey rear extension is now identical to an earlier proposal to extend the care home originally allowed at appeal in 1993.

Overall the proposal is considered to provide a high standard of new residential accommodation and the extensions proposed would not result in a significant loss of amenity for surrounding residents. The provision of new parking to the front of the development should address much of the parking

demand from the new residential units and, given the existing use will cease, overall there would be a negligible impact on parking demand in the local area.

The proposal is therefore recommended for conditional approval.

### **Planning Status:**

The existing building has a long established use as a care home (C2 use class).

### **Relevant Planning Policies:**

#### National Planning Policy Framework

Achieving Sustainable Development Para 7, Para 9

Presumption in favour of Sustainable Development Para 14, Para 15

Core Planning Principles Para 17

Delivering Sustainable Development Para 19

Promoting Sustainable Development Para 30, Para 32, Para 35, Para 36

Requiring Good Design Para 56, Para 57, Para 60, Para 61

Promoting Healthy Communities Para 69 Para 70, Para 73,

Conserving and Enhancing the Historic Environment Para 126, Para 131, Para 132, Para 134, Para 137

Decision Taking Para 186, Para 187

#### Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods

D10: Historic Environment.

D10A: Design

#### Eastbourne Borough Plan Saved Policies 2007

UHT1: Design of New Development

UHT5: Protecting Walls/Landscape Features

UHT6 Tree Planting

UHT7: Landscaping

UHT15: Protection of Conservation Areas

HO20: Residential Amenity

TR2: Travel Demands

TR6: Facilities for Cyclists

TR7: Provision for Pedestrians

TR11: Car Parking

### **Site Description:**

Ravelston Grange is large late 19<sup>th</sup> Century building currently used as a care home (C2 use class). It is a three storey detached building that is fairly

typical example of the buildings along Denton Road with sloping roof and large projecting gables to the front and rear. There is a flint and brick wall facing Denton Road with a hedge rising to a height of around 2 metres. To the rear there is a large single storey extension understood to have been constructed in the 1990's, and a large garden beyond that.

To the immediate east of the building is number 10A, a bungalow that appears to have formerly been an outbuilding to Ravelston Grange, and constructed immediately beyond this is a modern two storey house (number 8B) built to the rear of 10A and sharing a boundary with the application site. To the immediate west number 12 is a similar building which has been converted in to flats, with a driveway providing vehicular access to parking at the rear of the site.

### **Relevant Planning History:**

EB/1993/0110

Part single- and part two-storey extension at rear, to provide additional bedrooms and lounge.

Refused, three reasons.

1993-06-28

Allowed (Five years) - DoE letter 08/12/93.

950208

Part single and part two-storey extension at rear, and rebuilding of existing outhouse.

Planning Permission

Approved conditionally

25/05/1995

960064

Part single, part two-storey extension at rear, and single storey extensions to north-east elevation.

Planning Permission

Approved conditionally

23/05/1996

### **Proposed development:**

This application proposes the change of use of the existing care home at 10 Denton Road to 9 x 2 bedroom residential units, with associated rear extensions at ground and first floor level. In addition a new vehicular access is to be created facing Denton Road, with the front garden being utilised for seven new parking spaces for the users of the proposed development.

### **Consultations:**

Internal:

Councillor Robert Smart: Requested that application is heard at planning committee due to level of local objection on amenity and highways grounds.

Specialist Advisor (Arboriculture): No objection.

External:

Highways ESCC: No objection subject to recommended conditions.

**Neighbour Representations:**

First scheme (December 2016)

12 Objections have been received and cover the following points:

Design

- Modern design of proposed extension is out of keeping with remainder of buildings within conservation area.
- Proposal is an overdevelopment of the site.

Amenity:

- Proposal will create direct overlooking from roof terrace in to garden of number 8b Denton Road.
- Additional windows in side elevation will result in loss of privacy for occupant of 10a Denton Road.
- Loss of light and overshadowing to number 12 Denton Road.
- Overlooking to number 12 Denton Road from windows in side elevation.
- Noise from car use to new front parking spaces having an adverse impact on adjoining properties.
- Noise from new development experienced from flats.

Highways

- Insufficient parking provided for number of likely occupants.
- Concern that proposal will result in additional traffic congestion given number of additional dwellings proposed.
- Concern that proposal will result in additional demand for on street parking.

Trees

- Loss of trees of amenity value.
- Loss of trees will exacerbate issues with loss of privacy.
- Concern about loss of trees to provide replacement parking.

Other issues

- Concern that flats will be used as student accommodation.
- Concern about noise created by wheely bins to serve proposed accommodation.

Second scheme (February 2017) –(Deletion of roof terraces and privacy screening, new extension to rear).

Six letters of objection raising the following issues.

**Design:**

- Bulk scale and mass of rear extension is inappropriate given the site is location within a conservation area.

**Amenity**

- Concern that proposal will result in a loss of privacy to adjoining residential properties (8, 12 Denton Road),
- Concern about additional overshadowing and loss of light as a result of the additional bulk of the development.
- Concern about noise from residents of proposed accommodation, including additional vehicular movements resulting from proposed change of use of front garden to hardstanding and due to additional traffic generated by development.

**Trees**

- Concern about the loss of trees within a conservation area, particularly given the number of trees lost due to Dutch Elm disease in surrounding area.

**Highways**

- Concern about danger from additional vehicular movements resulting from proposed development entering and exiting Denton Road.
- Concern that proposal will result in additional traffic congestion in surrounding area.

**General**

- Concern that the proposal is an overdevelopment of the site and comprises too many units.

**Appraisal:**

Principle of development:

The proposed development involves the change of use of the existing C2 supported housing to nine independent residential units within the C3 use class.

The existing converted building is currently in use as a care home providing housing for people in need of care. There is no policy in the local plan protecting this use from a change to permanent residential use. The loss of existing special needs housing would be replaced by permanent units which

fulfil an established housing need. Therefore the conversion of the site to permanent residential use is considered to be acceptable in principle.

Nine two bedroom units are to be provided by the development. The residential units would all good levels of daylight and outlook and the sizes of the units exceed the recommended national minimum standards as set out in the table below:

UNIT	Total Size	Relevant national standard
1 - 2b 4p flat (2 storey)	86 Sqm	79 Sqm
2. 2b 4p flat	80 Sqm	70 Sqm
3. 2b 4p flat	100 Sqm	70 Sqm
4. 2b 3p flat	63 Sqm	61 Sqm
5. 2b 4p flat	75 Sqm	70 Sqm
6. 2b 3p flat	65 Sqm	61 Sqm
7. 2b 3p flat	63 Sqm	61 Sqm
8. 2b 3p flat	73 Sqm	61 Sqm
9. 2b 3p flat	67 Sqm	61 Sqm

Overall the principle of the change of use is acceptable and the proposed residential accommodation is of a good standard, and in principle the application is supported in land use terms.

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

The original proposal (submitted in late 2016) involved the construction of a number of roof terraces to the rear elevation on the building to serve the proposed residential dwellings. This arrangement would overlook the surrounding private gardens of the neighbouring properties and following the advice of officers the scheme has been amended with revised plans submitted.

The physical alterations to the rear of the property now involve two extensions, an extension to the existing ground floor rear extension facing 12 Denton Road, and the construction of a projecting gable roof over the ground floor extension to house additional residential accommodation at first floor level

Whilst the first floor extension will be visible from the garden of 8b Denton Road it is located 3 metres from the site boundary and over 15 metres from the property in question.

Regarding 12 Denton Road, the additional single storey extension would rise to 3.5m in height and will be located 3.5 metres away from the boundary with 12 Denton Road. The first floor extension is located ten metres from this site boundary.

The extensions would be visible from both neighbouring properties and may result in minor changes to the pattern of shadows in surrounding gardens, however given the distances from the site boundary it is considered that there would be no material loss of amenity in terms of daylight levels and outlook and the objections on these grounds cannot be supported.

Both side elevations have existing clear glass windows that currently serve rooms within the existing nursing home. There are some alterations proposed to both side elevations of the existing buildings to provide additional windows for residential accommodation within the new dwellings. Given the existing position, such changes are considered acceptable and would not have a material impact on the overlooking of adjacent properties.

Regarding the first floor extension there are rooflights proposed on the north east elevation (facing the garden of 8b Denton Road), and a new side dormer proposed facing the garden of 12 Denton Road. The rooflights on the north east elevation are stipulated as being 1.7m from floor level. To avoid the perception of overlooking from the neighbouring garden, a condition requires these to be made from obscure glass and fixed shut.

The Dormer window and rooflight on the side elevation of the first floor extension would result in some additional overlooking of 12 Denton Road. In this case however the additional overlooking would not be material given the distance of the extension from the site boundary, and given that the extent to which the existing property already overlooks the rear shared garden area and side windows of this property.

Concerns are also raised regarding noise resulting from the proposed residential use, in particular as the result of the conversion of the front garden area to off street parking. In general, the noise levels from a permanent residential use (including for instance the movement of bins) are likely to be broadly similar to that of the existing use. Any noise resulting from the use of the forecourt for parking would be intermittent and broadly comparable to noise created by cars parking on the main road outside these properties on Denton Road. It is noted that the applicant proposes to plant shrubs on the boundary with both 10A and 12 Denton Road which should mitigate the impact of noise from the adapted front forecourt area.

Overall it is considered for the reasons set out above that the proposal is acceptable in amenity terms and meets the requirements of the Council's relevant policies including B2 of the Core Strategy and H020 of the Borough Plan (2007).

#### Design issues:

Whilst the loss of the front garden area including associated removal of trees and shrubs is regrettable in conservation terms, its conversion to a

hardstanding for vehicular parking follows the precedent set by other buildings along Denton Road and for this reason it is difficult to resist. The applicant provides some screening (shrubs) to mitigate the impact on the appearance of the building, and details of the replacement boundary wall facing Denton Road are required by condition.

To the rear the property has been heavily altered previously with the construction of a large single storey extension. The extension currently proposed follows the precedent set by proposals approved in the 1990's but were not implemented.

The proposed alterations to the rear are not visible from any public viewpoints in the conservation area and the private views are limited to the rear gardens of surrounding properties.

Following amendments by the applicants the first floor extension mimics the traditional features of the building being faced in tile and sash windows that replicate the traditional style of the building. Overall the extensions are considered to be sympathetic the character of the host building and the surrounding conservation area.

The proposal is considered to meet the objectives of the relevant policies on conservation and design in Eastbourne namely D10 and D10A of the Core Strategy 2015 and UHT 1 and UHT 15 of the Borough Plan (saved policies) 2007.

#### Impacts on trees:

The proposals will result in the loss of four trees to facilitate the conversion of the front garden to a hardstanding.

The Specialist Advisor (Arboriculture) has commented that the loss of these trees is acceptable as they do not meet the criteria for a tree preservation order. A detailed landscaping plan is required by condition which will specify replacement planting.

The plans have been amended to provide a 3.5 metre gap from the new vehicular access to the young street tree nearby.

#### Impacts on highway network or access:

A number of objections draw attention to the potential for additional parking demand resulting from the proposed conversion of the premises to permanent residential use. At present there is pressure for parking along Denton Road from users of the adjacent sports facilities at the University of Brighton. As a result the unrestricted parking available on one side of Denton Road is in high demand (the other side of the road to the application site has



double yellow lines) there is understandable concern that the new residential development will exacerbate these issues.

Any assessment of the impact of the proposal must take in to account the impact of the cessation of the existing use. The Highway Authority advise that under the County Council's parking demand calculator the existing C2 use would generate an estimated demand for six parking spaces which at present would need to be absorbed within the surrounding street network as there is no parking on site. The proposed use would generate a demand for nine spaces, 7 of which would be off-street. It is clear therefore that the on street parking pressure would be less than the existing use. The NPPF states that local authorities should only refuse planning permission where the residual cumulative highway impacts of developments are severe. Given that seven new off street parking spaces would be provided by the development a reason for refusal on highways grounds would be difficult to sustain at appeal.

A number of detailed conditions have been included on the decision notice reflecting the advice of the Highway Authority. This is primarily for the purpose of highway safety and to ensure that a satisfactory development is achieved in highways terms.

#### Other matters:

Provision is made on the plans for cycle and waste storage (18 bins in total), this is required to be retained by condition.

The Council have no method of controlling who the ultimate occupants of these unrestricted residential units are and it would not be reasonable to seek to through any planning decision.

The loss of any natural privacy screening resulting from the removal of the existing trees to the front of the site is not a relevant planning reason to resist their removal.

#### **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 is acceptable in land use, amenity, conservation and design, highways and arboricultural terms.

**Recommendation:**

Grant conditional permission

**Conditions:**

1. Development within three years
2. Development in accordance with the approved plans
3. You must provide the detailed drawings of the following parts of the development:
  - Elevation of the retained boundary wall facing Denton Road.You must not commence works involving the conversion of the front forecourt to off street parking and you must implement the development in accordance with details approved under the terms of this condition.

The development hereby approved shall not be occupied until the reconstructed boundary wall has been completed in accordance with the requirements of this condition.

Reason: To ensure a satisfactory appearance of development and to ensure it preserves and enhances the Meads conservation area in which it is located.

4. You must provide detailed drawings ( including elevations and sections at 1:10 minimum) of the following parts of the development:
  - All new windows and doorsYou must not remove any of the existing windows or doors from the building until we have approved what you have sent us and you must implement this permission in accordance with details approved under the terms of this condition.

Reason: To make sure the appearance of the building is suitable and that it contributes to the character and appearance of the Meads Conservation Area.

5. All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings we have approved or are required by conditions to this permission.

Reason: To make sure the appearance of the building is suitable and that it contributes to the character and appearance of the Meads Conservation Area.

6. No part of the development shall be occupied until such time as the vehicular access has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety

7. No part of the development shall be occupied until provision has been made within the site in accordance with plans (Drawing No.262600-06). and approved by the Local Planning Authority, to prevent surface water draining onto the public highway.

Reason: In the interests of road safety.

8. No part of the development shall be first occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Denton Road. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: In the interests of road safety.

9. No part of the development shall be occupied until the car parking spaces have been constructed and provided in accordance with the submitted plans (Drawing No.262600-06). The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car-parking space for the development.

- 10.No part of the development shall be occupied until cycle parking spaces and waste storage facilities have been provided in accordance with the approved details. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles and storage of waste.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to provide acceptable provision for the storage of waste within the proposed development.

- 11.No part of the development shall be occupied until the vehicle turning space has been constructed within the site in accordance with the approved plans. This space shall thereafter be retained at all times for this use.

Reason: In the interests of road safety

12. Notwithstanding the approved plans, any gate facing Denton Road shall be positioned at least 5 metres back from the edge of the highway in order that a vehicle may wait clear of the highway whilst the gate is being operated. You must not construct any vehicular gate within 5 metres of Denton Road.

Reason: To ensure that the use of the highway by persons and vehicles is not obstructed by waiting vehicles

13. You must provide the following details for the approval of the local planning authority:

- Details and technical specification of permeable paving to be used in the front parking forecourt.

You must not start work on the conversion of the front forecourt to a parking area until we have approved what you have sent us and you must implement the permission in accordance with plans approved under the terms of this condition.

Reason: To ensure appropriate provision is made for surface water run-off from the development and to protect the rooting environment of surrounding trees.

14. No works or development shall take place to the garden area at the front of the building until full details of soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

- (viii) planting plans;
- (ix) written specifications (including cultivation and other operations associated with plant and grass establishment);
- (x) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- (xi) implementation timetables.

All landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously

damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

15. You must provide the following details for the approval of the local planning authority:

- Detailed landscaping plans on a plan at not less than 1:200 scale showing the position of any trees proposed to be retained including highway trees with root protection areas plotted, and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water.

You must not start work on the conversion of the front garden to a parking area until we have approved what you have sent us and you must carry out the development in accordance with plans approved under the terms of this condition.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details.

Reason: To ensure the retention of trees on the site in the interests of visual amenity.

16. A2.4m minimum height and 1.5m wide heavy duty hoarding securely and independently mounted around the trunk of the young highway street tree (Elm) on Denton Road outside the proposed development. Such fencing shall be inspected and approved by the Local Planning Authority before any works commence on site, and maintained during the course of the works on site. No unauthorised access or placement of goods, fuels, or chemicals, soil or other materials shall take place inside the fenced area or on the grass verge 3.5 metres either side of the tree.

Reason: To ensure the continuity of amenity afforded by existing trees.

17. The windows that you put in the North East (Side) elevation of the new first floor extension (As shown as being sited 1.7m from FFL on plan

number 262600-05 rev A) must be made from obscure glass and fixed shut and maintained in that position thereafter.

Reason: To protect the amenity of neighbouring residential properties.

**Informatives:**

1. The applicant's attention is drawn to the need for a licence to construct the new access. The applicant should contact ESCC on 0345 6080193 to apply for a licence to ensure the construction is to an acceptable standard.

**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.