

<b>App. No:</b> 170964 (PPP)	<b>Decision Due Date:</b> 21 September 2017	<b>Ward:</b> Upperton
<b>Officer:</b> Anna Clare	<b>Site visit date:</b> 11 September 2017	<b>Type:</b> Planning Permission
<b>Site Notice(s) Expiry date:</b> 26 August 2017		
<b>Neighbour Con Expiry:</b> 26 August 2017		
<b>Press Notice(s):</b> n/a		
<b>Over 8/13 week reason:</b> Committee cycle and extension of time agreed		
<b>Location:</b> 20 Upperton Road, Eastbourne		
<b>Proposal:</b> Add two additional floors (Seventh and Eighth) to existing building to provide 7 new flats, alter sixth floor elevations, replace and enhance windows and doors from ground level to sixth floor including new entrance and vertical features to elevations. Form access and balconies to and from South facing first floor flats. Externally add refuse and cycle stores, compounds for electric sub-station and parking and alter both access ways onto Upperton Road.		
<b>Applicant:</b> Mr Zach Chaudry		
<b>Recommendation:</b> Grant planning permission subject to conditions		

### **Executive Summary:**

This application is being reported to planning committee at the discretion of the Senior Specialist Advisor in order to seek Members views/comments on the issues relating to this form of development.

This application follows an application under Prior Approval under Class O, part 3 of schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015 (As amended) for the change of use of the former operational offices of the East Sussex Fire and Rescue Service (ESF&R), to 73 residential units.

This application proposed to erect an additional two storeys onto the roof of the existing building to provide an additional 7 residential flats (80 in total); further alterations to facilitate the change of use are also proposed as part of the application.

The proposal is considered acceptable in principle, the alterations to the building and site are considered acceptable in terms of the bulk and scale of the proposal and the detailed design will preserve the character of the adjacent Upperton

Conservation Area. As such it is recommended that the application should be supported given the benefits of the proposal and the lack of any significant or demonstrable harm to warrant the refusal of the application.

### **Relevant Planning Policies:**

#### National Planning Policy Framework

- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 12. Conserving or enhancing the historic environment

#### Eastbourne Core Strategy Local Plan Policies 2013

- B1 – Spatial Development Strategy and Distribution
- B2 – Creating Sustainable Neighbourhoods
- C2 – Upperton Neighbourhood Policy
- D1 – Sustainable Development
- D5 – Housing
- D10 – Historic Environment
- D10a – Design

#### Eastbourne Borough Plan Saved Policies 2007

- UHT1 – Design of new development
- UHT2 – Height of buildings
- UHT4 – Visual Amenity
- UHT15 – Protection of Conservation Areas
- HO2 – Predominantly residential areas
- HO20 – Residential amenity
- TR2 – Travel demands
- TR6 – Facilities for cyclists
- TR11 – Car parking

### **Site Description:**

The existing building on the application site is a 6 storey building with 6<sup>th</sup> floor recessed within mansard roof.

The site is not situated within a conservation area, however the Upperton Conservation Area runs to the rear of the site in the middle of Upperton Lane.

The building is currently vacant following the cessation of the use by ESF&R, prior approval has been granted for the conversion of the building into 73 flats.

To the east of the site, sits the low level Chantry House, which is currently offices with a large car park to the rear.

To the west are a block of flats facing the corner of Upperton Road and Hartfield Road, and the Elim Family Church Building with church at ground and first floor (used as Little Acorns nursery) and residential flats above.

**Relevant Planning History:**

161312

Change of use from B1 (office) to C3 (dwelling houses) - creation of 32no. 1 bed apartments and 24no. 2 bed apartments.

Prior Approval

Approved conditionally

16/12/2016

170527

Change of use from Office Building, Class use B1 (a) to Residential (use class C3). Comprising of 73 apartments (35 x 1 Bedroom units and 38 x 2 Bedroom Units)

Prior Approval

Approved conditionally

08/05/2017

170868

Alterations to elevations to include replacement of windows and conversion of rear walkway to balconies and alterations to external areas to include installation of new sub-station and cycle stores, amendment to car parking, widening of access ways, redesign of the main entrance and re-landscaping.

**Proposed development:**

The application proposes to provide 7 additional residential flats at the site by way of a two storey extension at roof level and alterations to the existing 6<sup>th</sup> floor mansard.

The application also proposes alterations to the external appearance of the building and the site consisting of:

- Replacement of windows and doors to all elevations of the building;
- Addition of vertical cosmetic 'ladder-fin' features to front and side elevations ;
- Formation of accesses and additional balconies to first floor flats;
- Formulation of 8 parking spaces to the front forecourt area;
- Installation of a substation, generator, water storage to the front forecourt;
- Installation of cycle storage units to the front and rear of the building to provide secure cycle storage for 50 bicycles;
- Installation of a refuse store to the western boundary, with internal access from within the building and external access to the Upperton Road frontage for collection;
- Widening of the two access points and reconfiguration of landscaping to allow access by a refuse truck from Upperton Road;

- Widening of the existing access off Upperton Lane to the rear to allow the waiting of a vehicle off the lane;

## **Consultations:**

### Specialist Advisor (Waste)

The alterations to the front access will allow for a refuse truck to enter and exit the site in a forward gear. The amount of refuse storage is acceptable for the number and type of dwellings proposed and is situated in a suitable location for collection.

### Specialist Advisor (Planning Policy) No objection

*The proposal site is situated in a predominantly residential area in the Upperton Neighbourhood, as defined by the Eastbourne Borough Plan and the Core Strategy, respectively. The vision for the Upperton Neighbourhood is to make a significant contribution to the delivery of housing in the town which will be achieved by delivering new housing through redevelopment and conversion of existing properties.*

*Paragraph 47 of the National Planning Policy Framework suggests that for local authorities to significantly boost the supply of housing they should set out an approach to housing density to reflect local circumstances. The proposal site is centrally located in a sustainable neighbourhood with good access to the railway station and bus links. The application will increase the density of the development and provide a greater number of net dwellings. Policy D1 of the Core Strategy refers to sustainable development and states that development should conserve scarce resources, making efficient use of land and infrastructure and ensuring good connections to public transport. Moreover, as the proposal is situated in a sustainable neighbourhood, higher residential densities will be supported in accordance with policy B1 of the Core Strategy.*

*The proposal is in general conformity to adopted policy so there is no objection from a planning policy perspective. However any impact on residential amenity needs to be addressed.*

### Specialist Advisor (Conservation and Design) No objection subject to conditions controlling external materials.

*The site is situated on the border with the Upperton Conservation Area which runs to the north of the site in Upperton Lane and includes those properties opposite of Upperton Gardens but not the site itself.*

*This intention is to recommission the site for high volume residential use through the creation of 80 mainly 1 and 2 bed apartments. In order to*

*maximise the development potential, the suggestion is that the building is further extended to accommodate 2 new levels.*

*The original building is an imposing –if widely unloved- contemporary red brick design, very much illustrative of an era where institutional presence and power was signified by a showcase headquarters building able to project that confidence and purpose. With its broad frontage, sweep drive and stepped entrance, the building dominates at both street and aerial levels, forming part of a mixed street scene comprising both commercial and residential uses. The two immediately adjoining buildings are also of a contemporary design; though lower level, with a diverse mix of residential accommodation within the vicinity, to include modern flats, period town housing and even a listed C19th building. The overall local design effect might effectively be characterised as one of bricolage.*

*The 2 main areas of interest for this response are 1) the addition of the new storeys on top of the existing structure and 2) adaptations through the introduction of new windows, doors and vertical fins. My feeling is that, with regard to 2) planned changes such as the incorporation of quality contemporary fittings, in a modish grey finish, will operate to soften the uncompromising visual aspect. The addition of vertical fins should also subdue the building's horizontal muscularity and create a new visual emphasis that is more playful and engaging.*

*The addition of new-storeys is clearly controversial, given the borough's predominantly low rise local building culture. This proposed upward development will undoubtedly have an impact on the immediate environment, which comprises mid-height commercial buildings, tall Victorian terrace housing and a cluster of low level commercial buildings, inevitably inviting accusations that the adapted building projects an over large and dominating presence on a prominent, if mixed, gateway setting. That said, the new build is recessed, limiting the adverse effect, and is not precedent setting, given the presence of other examples of higher rise structures within easy walking distance of this address. The most obvious are Hamilton House, at 8 storeys, and South View, a 12 storey residential block located towards the neighbouring Old Town conservation area. Having viewed the site on a number of occasions, from different perspectives, my feeling is that there is impact, but that it is limited and manageable given its busy, fast flowing and connective location.*

*Overall, my sense is that the planned adaptations to this building offer a new lease of life to a tired corporate headquarters unlikely to be remodelled for ongoing commercial use. This proposal to regenerate the site as a housing complex, however, builds on a well- established and commercially successful tradition of recommissioning such sites for contemporary*

*apartment living, working creatively with its bulk and form to realise a high volume alternative use.*

Southern Water No objection subject to conditions controlling sewer protection during construction and an informative requiring their approval for further connections.

East Sussex County Council Highways No objections subject to widening of the access to the rear to allow two-way waiting/passing

#### *Parking*

*In accordance with the ESCC parking calculator the additional 7 units should be provided with 5 parking spaces, provided these are unallocated. The existing parking provision approved (planning reference 170527) for the 73 units is 54 spaces. This application provides an additional 7 spaces (5 unallocated and 2 disabled spaces). Although the 61 spaces are still slightly short of the 69 spaces recommended for the whole development, given the reduction in overall demand from the former consented use and the central location this number is considered acceptable.*

*Cycle Storage has been indicated with 50 spaces will be provided. This allocation is adequate, it should be noted that cycle storage should be covered, secure and located conveniently for users.*

#### *Traffic Generation*

*The submitted Transport Assessment provides information on the likely trip generation by both the previous consented use and proposed use, using the TRICS database. Having carried out my own analysis using TRICS, I agree the trips suggested in the TA provide an appropriate assessment of the proposed development. Given there would be a reduction in the scale of the development I am satisfied there will be no significant issues as a result of this proposal. TRICS indicates the daily trips generated by the consented office use could have been in the region of 491, in comparison to the residential use which would generate approximately 160 to 240 daily trips.*

#### *Access*

*There are two access points off Upperton Road (A259) and a third access off Upperton Lane (UC2127). All access points appear to currently operate with a traffic light, one way system as neither access is of suitable width to accommodate two way vehicular flows. Both access points on Upperton Road are to be widened and will be of sufficient width to accommodate two way traffic and are therefore considered acceptable. The access off Upperton Lane is currently gated with an electronic access system, this access will be widened to allow waiting off the lane for a vehicle if necessary.*

### *Refuse collection*

*It is suggested that refuse collection will take place off Upperton Road (A259), a plan showing tracking has been provided that demonstrates that the existing access will need to be widened and realigned in order to accommodate the refuse vehicle.*

### *Accessibility*

*There are a variety of travel choices available in Eastbourne. The site is sustainably located along the A259 with bus stops adjacent to the site and the Town Centre and Railway Station are within walking distance which will significantly reduce the reliance on the private car.*

### The Eastbourne Society Object

*Built in 1974, this former office block was – even at the time – more than high enough in the surrounding residential area. However, the mansard sixth floor helped to soften the height and the appearance in the public realm. The addition of two extra storeys presents an unwelcomed overpowering appearance in the public realm, not just the immediate vicinity, but also when viewed from the approach out of the town centre and up the Upperton Road.*

*The original copper-clad sixth floor mansard roof is planned to be replaced by three storeys in, I consider, an unsympathetic design to the building on which they stand. These three storeys are far too box-like, stacked on the top of the block.*

*There is the addition of vertical ladders applied all around the building, reaching from the ground to the top floors, clearly added as a feature to breach up the original horizontal fenestration design. Again I consider that they do nothing to enhance the design of the building, but more importantly they could present a problematic security hazard for many of the apartments over which they pass, and the penthouse.*

### Neighbour Representations:

10 Objections have been received along with a petition signed by 25 residents. Objections cover the following points:

- Over development of the site
- Overly dominant
- Design is inconsistent/out of character with the area
- Towers over surrounding buildings
- Long range views
- Increase in height is out of keeping with the historic townscape
- The design is architecturally inconsistent and will result in an unsightly 'cobbled together' design
- Reduction in light and outlook from rear gardens of Upperton Gardens.

- Overshadowing
- Impact of parking on surrounding streets
- Increase in volume of traffic visiting the site and pollution
- Impact on safety in the lane which has no pavements and barely wide enough for two vehicles to pass.
- Increased overlooking to Upperton Gardens
- Reusing the available space for needed residential accommodation is sensible use of the site, increasing its height demonstrates no concern for the neighbouring residents
- Additional height will create a blot on the landscape for generations to come.
- Increase in noise

### **Appraisal:**

#### Principle of development:

At the heart of the NPPF is the presumption in favour of sustainable development.

Eastbourne cannot at this time demonstrate availability of a five year supply of deliverable housing sites. In the absence of such paragraph 14 of the framework indicates that planning permission should be granted for sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole.

The provision of the 7 units on top of the 73 units already approved under the previous Prior Approval application would make a contribution to the supply of housing in the area and there would therefore be economic and social benefits associated with the development.

Therefore give the above the principle of maximising the housing delivery on this site is supported as the site is sustainable given the close proximity to the Town Centre, its services and its transport links.

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

The additional two floors will result in additional height to the building, and introduce activity at roof level by way of terraces. There are residential properties to the north of the site facing north-east and to the east of the site facing south-east. The adjacent building to the west of the site is currently a low level office building with more residential properties to the north-west.

The surrounding properties are likely to have an increased perception of being overlooked given the height of the proposal. However real overlooking already exists and will be increased by the change of use of the building to residential which was granted under the Prior Approval application.

The sixth floor is already set in from the edge of the building, the flat roof area would become an outdoor terrace for the flats at this level. The seventh floor is to the same footprint of the sixth with external balconies providing outside space. The eighth floor is then set in from the seventh floor with the flat roof area forming an external terrace. This reduces the bulk of the proposal at the upper levels, reducing the overshadowing impacts and impacts of perceived overlooking.

It is not considered that the additional storeys given the location and height will result in significantly additional overlooking, real or perceived to warrant the refusal of the application on this basis.

Some properties of Upperton Gardens may see a reduction in light at certain times of the day, and some will have less view of the sky, however it is not considered that the bulk of the development will have significant impacts in terms of loss of light or being overbearing on surrounding properties to warrant the refusal of the application given the set away from other residential properties.

Impact on amenity of future occupiers:

The proposal is to provide an additional 7 residential units at 7<sup>th</sup> and 8<sup>th</sup> floor, all of the flats have access to external space/balcony (3sqm) the units consist of;

- 1 no. 1bed at 46m<sup>2</sup> –exceeds standard of single occupancy (39m<sup>2</sup>)
- 2 no. 2bed 3 person at 72m<sup>2</sup> – Exceeds Standards (61m<sup>2</sup>)
- 1 no.2 bed 4 person at 72m<sup>2</sup> – Exceeds Standard (70m<sup>2</sup>)
- 1 no.2 bed 4 person at 93m<sup>2</sup> – Exceeds Standards (70m<sup>2</sup>)
- 1 no.2 bed 4 person at 114m<sup>2</sup> – Exceeds Standards (70m<sup>2</sup>)
- 1 no. 3bed 5 person at 141m<sup>2</sup> – Exceeds Standards (86m<sup>2</sup>)

Although some flats are shown with two double bedrooms, not all the bedrooms would meet the standard of a double bedroom, therefore these rooms have been treated as single rooms, therefore at single occupancy.

The two units at 8<sup>th</sup> floor will have access onto private terraces, the 6 units at 7<sup>th</sup> floor will have small balconies for private space. It is considered that all proposed units would provide a good standard of accommodation for future occupiers.

Design issues:

Policy UHT1 requires that new development harmonises with the appearance and character of the local environment, is appropriate in scale and form, and that it makes the most effective use of the site with the highest density appropriate to the locality.

The proposal includes the addition of vertical features (ladders-fins) to the elevations of the building. This results in a lessening of the horizontal emphasis that the building currently has. The visual appearance will be greatly improved by

the change in the windows removing the reflective glazing. The changes to the external appearance will result in the building appearing more residential in nature than the existing.

Overall the alterations to the building and the site are considered acceptable. In design terms considering the location and context of the site.

Save for the ceramic tiling to the upper floors there are no other forms of new external cladding to this building. It is considered that the specific detailing of this ceramic cladding should be controlled by condition.

Impact on character and setting of a listed building or conservation area:

The site is situated on the border of the Upperton Conservation Area but not within it. The application has been assessed on the basis of the impact of the setting of the conservation area given the close proximity and the height of the proposed building.

Policy UHT2 states it is a requirement that new development is of a height similar and conforms to that of the majority of surrounding buildings and take full account of its effect on the skyline and long distance views.

The existing building is visible in long range views across the wider Upperton area, therefore the additional height to the building will increase this visibility in this context. Whilst the developments either side of the site may be lower in height there is precedent of higher buildings along Upperton Road. It would not be considered that the height is totally out of keeping considering other developments in the area.

The additional stories are well designed, with light weight materials visually, such as expanses of glass and a ceramic tile a light teal/blue colour which will blend with the natural colour of the sky. Therefore it is not considered that the impact on the additional height given the design would be detrimental to long range views and as such it is considered that the setting of the adjacent conservation area is preserved by the proposed development.

Impacts on trees:

A tree to the rear of the site would be lost to provide the improvements to the access at the rear. This tree is limited in its size and offers limited street scene value to the rear, therefore there is no objection to its removal.

Impacts on highway network or access:

As above in the Consultation response from ESCC Highways the previous office use is considered would if used at full occupancy likely result in more trip generation than the residential use of the building as already granted and in its increased occupancy if this application were granted.

The site has access both onto Upperton Road to the 'front' of the site and Upperton Lane to the 'rear', with the main vehicular access to the rear. Both access' will be improved as part of the application to allow better access to the site. The two access points at the front onto Upperton Road will be widened to allow access by a refuse vehicle. The access to the Lane will be widened to allow the waiting of a vehicle off the lane should another be exiting the site.

In terms of parking in accordance with the ESCC parking calculator the additional 7 units should be provided with 5 parking spaces, provided these are unallocated. The existing parking provision approved under the Prior Approval application for the 73 units is 54 spaces. This application provides an additional 7 spaces (5 unallocated and 2 disabled spaces). Therefore the number of spaces required to serve the additional units are provided.

Although in total when considering the cumulative impact of the development the 61 spaces are still slightly short of the 69 spaces recommended for the whole development, given the reduction in overall demand from the former consented use and the central location this number is considered acceptable. It is not considered that the shortfall would result in severe impacts on the surrounding highway to warrant the refusal of the application in accordance with paragraph 32 of the National Planning Policy Framework.

Cycle Storage has been indicated with 50 spaces to be provided in secure stores located conveniently to encourage transport by sustainable means.

Given the above it is considered that the parking provision is suitable for the additional dwellings created in this sustainable location close to town centre amenities and public transport links. The development will not result in severe harm to the surrounding highway network and as such there is no reason to restrict this additional development on highway or parking grounds.

#### Fire Safety

Given the proposal provides additional storeys at seven and eighth floor to the building a Fire Safety Strategy has been submitted to support the application to show how the proposal will meet the requirements of building regulations in respect of fire safety.

The building is designed with two staircases. The centre staircase will be designed as a firefighting staircase and the north staircase will be designed as a protected staircase. The report shows that the proposal meets the functional requirements of the Building Regulations and therefore there is no concerns regarding the safety of the construction of the additional storeys.

#### Surface Water Drainage

The proposal does not increase the impermeable area of the site. Therefore it is not considered that the proposal will increase the requirements for surface water drainage at the site.

**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 create an additional 7 residential units on the site is acceptable in principle. The site is a sustainable location close to the Town Centre amenities and local public transport links. Eastbourne are unable to show a five year supply of deliverable housing sites. In the absence of such paragraph 14 of the framework indicates that planning permission should be granted for sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole. It is not considered that the additional units, or the proposal in terms of the size, design, bulk, or impact on surrounding residential properties scale of the proposed additional storeys would result in significant and demonstrable harm to outweigh the benefits of the proposal.

**Recommendation:** grant planning permission subject to the following conditions and informatives;

Conditions:

1. Time for commencement
2. Approved drawings
3. Sample of materials for external cladding at 6-8<sup>th</sup> floors
4. Parking areas to be provided prior to occupation
5. Cycle parking to be provided prior to occupation
6. No development to commence until vehicular access off Upperton Road has been constructed in accordance with approved drawing
7. Development not to be occupied until the amendments to the Upperton Lane access have been undertaken in accordance with the approved drawing.
8. No development to take place before the submitted of a Construction Management Plan has been submitted.
9. Southern Water condition in relation to protection of the existing sewer on the site.

Informatives;

1. Highways Informative
2. Southern Water Informative

**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**.