

**Report to:** Planning Applications Committee  
**Date:** 12 June 2023  
**Application No:** 230202  
**Location:** 24 Hurst Road, Eastbourne  
**Proposal:** Variation of a condition 2 (Approved Plans) following grant of planning permission 26/10/2022(ref 220566) to include additional bedrooms to form 3no four-bedroom dwellings  
**Applicant:** Ms C Christie  
**Ward:** Upperton  
**Recommendation:** Approve Conditionally

**Contact Officer:** **Name:** Chloe Timm  
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**IMPORTANT NOTE: This scheme is CIL Liable.**

#### Site Location Plan



## **1. Executive Summary**

- 1.1 This application is presented before planning committee due to the level of objections received on the proposed scheme (15 objections received). The application.
- 1.2 The application is a variation to the previously approved scheme for 3no three-bedroom dwellings with 2no off street parking spaces per dwelling.
- 1.3 The proposed development is to vary the previously approved plans to include the installation of 6no roof lights to each of the three dwellings to enable the loft space to be converted into a fourth bedroom, bathroom and storage.
- 1.4 The application is considered to comply with national and local policies and is therefore recommended for approval subject to conditions.

## **2. Relevant Planning Policies**

### **2.1 National Planning Policy Framework:**

- 2. Achieving sustainable development
- 4. Decision making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places.

### **2.2 Eastbourne Core Strategy 2006-2027:**

- B1: Spatial Development Strategy and Distribution
- B2: Creating Sustainable Neighbourhoods
- C2 Upperton Neighbourhood Policy
- D1: Sustainable Development
- D5: Housing
- D8: Sustainable Travel
- D10: Historic Environment
- D10a: Design.

- 2.3 Saved polices of the Eastbourne Borough Plan 2001-2011:
- NE4: Sustainable Drainage Systems
  - NE28: Environmental Amenity
  - UHT1: Design of New Development
  - UHT4: Visual Amenity
  - UHT7: Landscaping
  - HO1: Residential Development within the Existing Built-up Area
  - HO2: Predominantly Residential Areas
  - HO3: Retaining Residential Use
  - HO6: Infill Development
  - HO7: Redevelopment
  - HO11: Residential Densities
  - HO20: Residential Amenity
  - TR11: Car Parking
  - US1: Hazardous Installations.

- 2.4 Supplementary Planning Documents and other relevant guidance:
- Sustainable Building Design SPD
  - Trees and Development SPG
  - Sustainability in Development
  - EBC Sustainability in Development TAN
  - EBC Biodiversity Net Gain TAN
  - EBC Electric Vehicle Charging Points TAN.

### **3. Site Description**

- 3.1 The application site comprises a single storey bungalow on a corner plot with Hurst Road and Rossington Close. The building currently onsite sits towards the rear of the site, is in a run-down state and currently unoccupied.
- 3.2 Hurst Road slopes downwards from South to North and West to East with the application site itself sloping from West to East.
- 3.3 The existing property has a concrete driveway situated to the south side of the site and heavy vegetation surrounding the property and there is evidence of this recently being cleared and the cutting down of trees.
- 3.4 The site is neither located within a designated Conservation Area, nor is the building statutorily listed.
- 3.5 The application site is within an archaeological notification area and is within 50m of a high-pressure gas line.

- 3.6 Hurst Road is mainly comprised of two storey terraced properties with the exception of the application site and two pairs of semi-detached properties, adjoining the site and opposite the site.
- 3.7 Immediately north of the site are semi-detached two-storey dwellings (ground and lower ground floor levels) and opposite the site are three-storey semi-detached dwellings. The properties on the western side of Hurst Road sit above the properties on the eastern side due to the topography of the road.
- 3.8 Site Constraints:  
Predominantly Residential Area  
Gas High Pressure 50m Buffer Zone  
Archaeological Notification Area  
Covenant – Trustees of the Chatsworth Estate.

#### **4. Proposed Development**

- 4.1 The application is seeking permission for variation of condition 2 (plans) of planning permission granted 26/10/2022 for the erection of 3no 3-bedroom dwellings.
- 4.2 The variation to the plans is to provide 3no 4-bedroom dwellings, this would be achieved by providing a bedroom in the previously approved loft space.
- 4.3 The proposal includes the installation of 6no. roof lights.

#### **5. Relevant Planning History**

- 5.1 220216: Demolition of existing dwelling and erection of 3no 3-bedroom dwellings.  
Planning Permission, Refused, Decision Date: 27 May 2022.
- 5.2 220566: Demolition of existing dwelling and erection of 3no. 3-bedroom dwellings (resubmission of refused planning application 220216)  
Planning Permission, Approved Conditionally, Decision Date: 26/10/2022.
- 5.3 230055: Non-material amendment application in relation to planning consent 220566 granted on 26/10/2022 for alterations to external materials to all elevations (amended proposal)  
Non-Material Amendment, Issued, 28/03/2023.

#### **6. Consultations**

- 6.1 CIL Officer  
The application is CIL Liable.

## **7. Other Representations**

### **7.1 Notification:**

Notification of this application has been undertaken in the form of:

- a. neighbour notification letters
- b. site notices displayed in roads neighbouring the site and
- c. a press advert in a locally distributed newspaper.
- d. consultation with the Meads Community Association.

### **7.2 Neighbour Representations:**

15 letters of objection have been received, which raise the following concerns based upon material planning grounds:

- Densely Populated Area
- Loss of privacy
- Out of Keeping with the Character of the Area
- Parking provision.

### **7.3 Other Representations:**

Other non-material matters raised included a lack of transparency from the developers with their intentions for the site and a concern the houses would be converted into flats once completed. The application has to be assessed with the information provided, assumptions as to future development of the site do not form part of the decision-making process and the application is assessed on its own merit.

## **8. Appraisal**

### **8.1 Key Considerations:**

#### **8.2 Principle:**

The principle of the development for the erection of 3no dwellings was established as acceptable under planning application 220566, which was approved conditionally following presentation at planning committee on 03 October 2023.

A non-material amendment application was submitted and approved on 28 March 2023 to alter the external facing materials under reference 230055.

This application is seeking to vary the plans approved to allow for the loft area to be used as habitable space with a bedroom (bedroom 4) and a bathroom. No other changes are proposed within this application.

8.3 Design, Character and Impact Upon Landscape:

The scheme is not looking to alter the overall design or external materials for the 3no dwellings. The addition of the roof lights within the previously approved roof will not detrimentally harm the character or visual amenity of the host buildings or surrounding area.

8.4 Transport and Parking:

Objections raise concerns over the impact an additional bedroom for each property will have on the parking availability in the area.

The East Sussex County Council parking demand calculator advises that for a 3bedroom house the total parking demand is 2.26 spaces per house. When using the calculator for a 4bedroom house, the total parking demand is 2.28 spaces, an increase in 0.02 additional parking space required. Across all three houses this would be an increase of 0.6 spaces with total demand for 3no 4bedroom houses being 6.84

The application site is sustainably located with links to local bus routes in close proximity, Eastbourne train station and the town centre are a short distance away.

The scheme as approved provides for 6 spaces (2 per dwelling), an increase of 0.06 in parking demand, does not warrant enough of a reason for refusal of this application to include a fourth bedroom within the properties.

8.5 Residential Amenity:

The proposed additional bedroom in the loft space will not have a detrimental impact on the amenity of the surrounding occupiers.

Objections raised on this application mentioned that a condition was set to remove permitted development rights for dormers and roof lights to protect the amenity of the neighbouring occupiers. The condition was to ensure that any conversion of the roof space did not take place without prior planning permission being applied.

The condition removed the permitted development rights for dormers and roof lights, however, did not take away the right to apply for such development via a planning application. The planning application process assesses developments, and the material impacts they would have on amenity of neighbouring occupants and the surrounding area, along with other matter.

This application does not include any alterations to the design or the height of the dwellings but would see the installation of 6no roof lights to each of the three dwellings. 4no to the north roof slope (1 for the stairway, 1 for the bathroom and 2 for the bedroom) and 2no to the south roof slope (for the bedroom).

No other windows or dormers are proposed to be installed to the roof to enable the conversion of the loft space into a bedroom and bathroom.

Outlook from the new roof lights will be limited and would not provide any direct views into the neighbouring buildings or negatively impact the privacy of the occupants.

8.6 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.

8.7 Conclusions:

The proposed variation to the previously approved plans is acceptable and would not have a detrimental impact on the amenities of the neighbouring occupiers or the visual amenities of the surrounding area.

The application is found to be in accordance with national and local planning policies.

**9. Recommendations**

9.1 Approve, subject to conditions.

**10. Conditions:**

10.1 **Timeframe:** The development hereby permitted shall be begun before the expiration of three years from the date of permission.

Reason: To comply with Sections 91 and 92 of the Town and County Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

10.2 **Drawings:** The development hereby permitted shall be carried out in accordance with the following approved drawings:

Drawing: 01 Rev E – Location, Block and Site Plan

Drawing: 02 Rev L – Proposed Plans Plot 1

Drawing: 03 Rev N – Proposed Plans Plot 2

Drawing: 04 Rev N – Proposed Plans Plot 3

Drawing: 07 Proposed Site Plan

Drawing: Landscaping Plan.

Reason: For the avoidance of doubt and in the interests of proper planning.

10.3 **Tree Protection:** Prior to the commencement of works a Tree Protection Plan and Arboricultural Method Statement to include ground protection methods and construction exclusion zones in relation to T1 and Tree G1 are to be submitted and approved in writing by the local planning authority.

Reason: To safeguard and enhance the character and amenity of the area.

10.4 **Demolition/Construction Management Plan:** Prior to commencement of development, including any ground and demolition works, a Demolition Construction and Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire demolition/construction period. The Plan shall provide details as appropriate, which shall address but not be restricted to the following matters:

- sequence and schedule of demolition phases;
- the anticipated number, frequency and types of vehicles used during development;
- the method of access and egress and routing of vehicles during development;
- parking of vehicles by site operatives and visitors;
- loading and unloading of plant, materials and waste;
- method of removing material from the site, including special measures for hazardous material;
- times of any deliveries related to the development, which should avoid peak travel times;
- photographic survey of the condition of the surrounding highway;
- storage of plant and materials;
- erection and maintenance of any security hoarding;
- provision and operation of wheel washing facilities or any other works required to mitigate the impact of development upon the public highway (including the provision of temporary Traffic Regulation Orders);
- measures to manage the impact upon local air quality;
- confirmation of no burning of materials on site;
- operating hours;
- anticipated timescales for completion of the works;
- measures to manage flood risk during construction; and
- public notification, including site notices with public contact details during the works.

Reason: In the interests of highway safety and the amenities of the area.

10.5 **Archaeology:** No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

10.6 **Archaeology:** The archaeological work shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological

investigation unless an alternative timescale for submission of the report is agreed in writing with the Local Planning Authority.

- 10.7 **Rainwater goods:** Notwithstanding the plans hereby approved, all water run-off from the new roof shall be dealt with using rainwater goods installed at the host properties and no surface water shall be discharged onto any adjoining property, nor shall the rainwater goods or downpipes encroach on the neighbouring property and thereafter shall be retained as such.

Reason: To ensure that surface water is dealt with appropriately within the application site and not affect adjoining property by way of localised flooding or encroachment.

- 10.8 **Electric Vehicle Charging Point:** Details of electric charging facilities, including their number, specification and location, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the facilities shall be implemented in accordance with the details approved prior to first use of the development, hereby approved, and retained as such thereafter for the lifetime of the development.

Reason: To provide sustainable travel options in accordance with current sustainable transport policies.

- 10.9 **Car Parking:** Prior to first occupation of the development, hereby approved, the car parking spaces shall be provided and clearly marked in accordance with approved drawing No: 07 (Proposed Site Plan). The parking spaces shall thereafter be maintained throughout the lifetime of the development and the land on which they are positioned shall be used for no purpose other than for the parking and turning of vehicles.

Reason: To ensure adequate parking provision for the development and to prevent overspill to on street car parking in accordance with Policy TR11 of the Eastbourne Borough Plan (2007).

## 11. Appendices

- 11.1 None.

## 12. Background Papers

- 12.1 None.