

EASTBOURNE BOROUGH COUNCIL

PLANNING AND LICENSING COMMITTEE

TUESDAY 11 FEBRUARY 2003

REPORT OF THE HEAD OF PLANNING

LIST OF PLANNING APPLICATIONS FOR CONSIDERATION

- 1) **18 SEASIDE.** Conversion of ground floor shop and upper floor dwelling to four one-bedroom self-contained flats together with alterations to the front elevation in connection with the ground floor flat. EB/2002/0631, MAP I12. DEVONSHIRE
- 2) **32 PEVENSEY ROAD.** Change of use of basement and ground floor from gym to restaurant together with formation of three flats (in addition to an existing flat) on the first and second floors and alterations to the front elevation (to create new doorway to access the basement). EB/2002/0689, MAP H12. DEVONSHIRE
- 3) **CLIFTON NURSERY AND 252 KINGS DRIVE.** Erection of twenty detached houses and garages together with roads, sewers and all ancillary works. EB/2002/0739, MAP J4. HAMPDEN PARK
- 4) **LAND AT BEACHY HEAD, ADJACENT TO THE COASTGUARD STATION, BEACHY HEAD ROAD.** Installation of three additional antennae to existing radio mast. EB/2003/0006, MEADS
- 5) **REAR OF NO. 1 UPWICK ROAD.** Demolition of existing double garage and erection of new office building. EB/2002/0745, MAP E7. OLD TOWN
- 6) **CAVENDISH SCHOOL, ELDON ROAD.** Retention of a single mobile classroom unit. EB/2003/0032(CC), MAP F6. OLD TOWN
- 7) **14 PARKWAY.** Two-storey side extension. (Amendment to previously approved scheme EB/2001/0213) EB/2002/0668, MAP H2. RATTON
- 8) **SOUTH COAST CATERING, 1 SPRING CLOSE.** Installation of open sided canopy. EB/2002/0712, MAP I1. RATTON
- 9) **14 BUCKHURST CLOSE.** Two storey extension at side. EB/2002/0699, MAP H2. RATTON
- 10) **ST. PHILIPS PARISH CHURCH, ST. PHILIPS AVENUE.** Demolition of existing church and hall and the erection of new church hall and community facilities, together with 16 flats and six houses. EB/2002/0465, MAP J10. ST. ANTHONYS
- 11) **LANGNEY COUNTY PRIMARY SCHOOL CHAILEY CLOSE.** Retention of single storey link between existing mobile units. EB/2003/0033(CC), MAP R9. ST. ANTHONYS
- 12) **62 BRIDGEMERE ROAD.** First floor addition at rear. EB/2002/0722, MAP K9. ST. ANTHONYS
- 13) **43 GREAT CLIFFE ROAD.** Raising of ridge height of roof and construction of rear dormer. EB/2002/0729, MAP.Q10. ST. ANTHONYS
- 14) **2 BARRIER REEF WAY.** Conversion of four bedroom dwellinghouse to form surgery for a single

general medical practitioner, together with car park (for ten vehicles) off Pacific Drive (situated opposite the application site). EB/2002/0760, MAP T11. SOVEREIGN

15) DUKE'S QUAY, SITE 'X', SOVEREIGN HARBOUR. Erection of 4 timber bin stores to serve existing apartments (RETROSPECTIVE APPLICATION) EB/2002/0101, MAP T12. SOVEREIGN

16) TAXI OFFICE, 2 OLD ORCHARD ROAD. Display of an internally illuminated fascia sign. EB/2002/0761(ADV), MAP G11. UPPERTON

17) PRIDEAUX HOUSE REST HOME, 21 PRIDEAUX ROAD. First floor extension at rear to provide five additional bedrooms and a lift. EB/2002/0674, MAP I8. UPPERTON

T. C. E. Cookson

Head of Planning

31 January 2003

EASTBOURNE BOROUGH COUNCIL

PLANNING AND LICENSING COMMITTEE

TUESDAY 11 FEBRUARY 2003

REPORT OF THE HEAD OF PLANNING

BACKGROUND PAPERS

1. Town and Country Planning Act 1990
2. Planning (Listed Buildings and Conservation Areas) Act 1990
3. The Planning and Compensation Act 1991
4. The Town and Country Planning General Regulations 1992
5. The Town and Country Planning (General Permitted Development) Order 1995
6. The Town and Country Planning (General Development Procedure) Order 1995
7. The Town and Country Planning (Use Classes) Order 1987 (as amended)
8. The Town and Country Planning (Control of Advertisements) Regulations 1992 and Amendment Regulations 1994
9. DoE Circulars
10. DoE Planning Policy Guidance Notes (PPGs)
11. East Sussex and Brighton & Hove Structure Plan 1991-2011
12. Eastbourne Borough Plan (Adopted Plan – 1998)
13. Eastbourne Borough Plan (Revised Deposit Draft 2001-2011)

14. Eastbourne Townscape Guide 1994

15. East Sussex County Council Manual for Estate Roads 1995 (as amended)

16. Statutory Instruments

17. Human Rights Act 1998

Note: The documents listed above and the papers referred to in each application report as "background papers" are available for inspection at the offices of the Planning, Regeneration and Amenities Department at 68 Grove Road on Mondays, Tuesdays, Thursdays and Fridays from 9.00 a.m. to 5.00 p.m. and on Wednesdays from 9.30 a.m. to 5.00 p.m.

EASTBOURNE BOROUGH COUNCIL

PLANNING AND LICENSING COMMITTEE

TUESDAY 11 FEBRUARY 2003

REPORT OF THE HEAD OF PLANNING

DEVONSHIRE WARD

1) 18 SEASIDE Conversion of ground floor shop and upper floor dwelling to four one-bedroom self-contained flats together with alterations to the front elevation in connection with the ground floor flat. EB/2002/0631, MAP I12. DEVONSHIRE

SITE LOCATION

The site, an end-of-terrace property comprising a retail unit with three floors above, including a loft area lit by a dormer window, is located on the western side of Seaside and is situated within the Town Centre and Seafront Conservation Area.

PLANNING HISTORY

Planning permission was refused in 1952 for the use of the dwelling above the shop as a boarding house (EB/1952/0072 – Background paper) but permission was granted, in 1965, for a new shop front, to form a ladies hairdressing salon (EB/1965/0618 – Background paper).

CURRENT APPLICATION

Permission is sought to convert the, at present vacant, retail unit and residential accommodation above to form 4 self-contained one-bedroom flats, together with alterations to the front elevation of the building and the provision of a front boundary wall onto Seaside.

PLANNING POLICY

Relevant policies contained in the adopted Borough Plan 1998:

CT1 - New development to harmonise with existing

CT11 - Standards for new developments in Conservation Areas

HO10 – Impact and design of residential conversions and changes of use

Relevant policies contained in the draft replacement Borough Plan 2001–2011:

UHT1 – New development to harmonise with existing

UHT16 – Protection of Conservation Areas

SH2 – Business uses outside the retail hierarchy

HO10 – Conversions and changes of use

HO20 – Residential amenity

CONSULTATIONS

The Conservation Area advisory Group, at their meeting of 3 December 2002, expressed no objections in principle, subject to amendments to the detailing on the entrance door and the positioning of the windows on the ground floor. Details of the boundary treatment are also required for prior approval (Minutes of meeting – Background paper).

The Assistant Highway Engineer (Planning) states that “Although the re-development of the property would not include parking spaces, the site is close to the town centre with good public transport facilities and the road outside the building is protected by double yellow lines”. Therefore, the Highway Authority does not wish to restrict grant of consent (Memo dated 28 October 2002 – Background paper).

The Local Plan Officer advises that policy SH2 of the Revised Deposit Draft of the Borough Plan 2001–2011 applies to this proposal, as the site does not lie within an identified shopping area. Further information about the marketing of the shop unit for retail and business use is required, as the applicant has not demonstrated that there is no business interest for continued Class A1, B1 or D1 uses (Memo dated 14 November 2002 – Background paper).

The applicant has subsequently provided marketing related details, which indicate that from 8 October 2001, for twelve months, the property was on the market as a shop with living accommodation above. However, the only interest generated was from residential developers, including a housing association (Based on information contained in a letter, dated 15 July 2002, supplied by the estate agents – Background paper)

The Assistant Historic Buildings Advisor advises that the proposal involves the removal of the existing shop front but as the shop front is relatively modern there is no objection to its loss. Various minor amendments are suggested to the design of this part of the proposal including the use of a 4-panel entrance door and having a larger ground floor window that lines up with the bay window above. Further, the treatment of the site frontage is an important aspect in respect of the appearance of the conservation area. Details of the boundary treatment are suggested comprising a low rendered wall, with railings above and intermediate piers (Memo dated 15 November 2002 – Background paper).

The applicant has provided an amended drawing that shows the installation of a four-panel entrance door, a single window to the ground floor flat and railings on a low wall as boundary treatment to the front.

The Environmental Health Officer has no objections to the proposal but recommends that given the road traffic noise from Seaside, a busy road, any grant of planning permission should have a noise related condition attached in respect of all living room windows facing Seaside. In addition, there should be provision for the storage of household waste and the converted property must meet the Council’s “House in Multiple Occupation” standards, including an adequate means of escape and adequately ventilated bathrooms and kitchens (Memo dated 16 December 2002 – Background paper).

A site notice was displayed at the front of the premises, an advertisement placed in the local press and letters of notification sent to neighbouring properties. At the time this report was prepared (30 January) no responses had been received.

APPRAISAL

The main issues to consider in the determination of the proposed conversion scheme are: the loss of a retail unit; the number and size of the self-contained residential units; the impact of the proposed works on the Conservation Area and the lack of on-site car parking provision.

With regard to policy SH2 of the draft replacement Borough Plan, the applicant has supplied information, which confirms that the former hairdressing salon was marketed as a shop for the twelve months prior to the submission of the current application. However, it is stated that there was no interest in the business unit. On such a basis, it is considered that the loss of the retail unit is acceptable.

Four self-contained flats, one on each floor of the end-of-terrace building, are proposed, each with a lounge fronting Seaside, a bedroom at the back of the property and bathroom/kitchen facilities positioned, on the upper floors, between the living and sleeping accommodation. Although the proposed flat in the existing roof space is smaller than the other three flats, due to the sloping nature (skelining area) of the mansard roof, it is considered to create a residential unit of an adequate size. Further, the conversion scheme, to form four flats, will make efficient use of the existing vacant building.

As indicated in the "Consultations" section of this report, the proposal has been revised to reflect the advice of the Council's Assistant Historic Buildings Advisor. The amended fenestration on the ground floor, to replace the existing shop display window, together with the front boundary treatment are considered to make a positive contribution to the designated Conservation Area.

As also indicated in the "Consultations" section of this report, no off-street car-parking is able to be provided as part of the conversion scheme. However, given the close proximity of local facilities, the town centre and the sea front, all a level walk away, together with a main bus route along the front the application site, with services throughout the town, it is considered that the lack of on-site car parking is not sufficient reason to refuse the application.

HUMAN RIGHTS IMPLICATIONS

The proposed conversion is unlikely to infringe the above noted Rights of local residents or commercial operators.

RECOMMEND: Permission be granted subject to the following conditions:

1. D1.1 Commencement of development within 5 years;
2. D6.1 Submission of details of storage of refuse;
3. That the building specification of the proposed flats shall provide an interior weekday sound pressure level of not more than 35 dBLAeq (1 hour) (10am-5pm) in all habitable rooms fronting Seaside. Alternative acoustic ventilation shall be provided if secondary or double-glazing is part of the specification. The specification shall be submitted to and be approved by the Head of Planning before the conversion starts, and any works forming part of the approved scheme shall be completed before any of the flats permitted are first occupied;

2) 32 PEVENSEY ROAD Change of use of basement and ground floor from gym to restaurant together with formation of three flats (in addition to an existing flat) on the first and second floors and alterations to the front elevation (to create new doorway to access the basement) EB/2002/0689, MAP H12 DEVONSHIRE

SITE LOCATION

The premises form the end of a Victorian terraced block, situated mid-way along the north-western side of Pevensey Road, characterised by commercial units on the ground floor and residential above, between the junctions with Susan's Road and Cavendish Place. There is a modern building immediately to the east. The site is situated within the Town Centre and Seaside Conservation Area.

PLANNING HISTORY

In 1975 a change of use from retail shop to health studio and sauna was granted planning permission (EB/1975/0487 – [Background paper](#)). A year later the first floor offices and second floor flat received change of use permission to health studio (EB/1976/0244 – [Background paper](#)). In 1980 and also in 1989 planning permission was granted for a single-storey extension and conservatory, at the rear of the premises, to enlarge the health club (EB/1980/0289 and EB/1989/0312, respectively – [Background papers](#)).

CURRENT APPLICATION

Planning permission is sought to change to use of the four-storey building, with the former “Pulsestar” gym and changing facilities in the basement, ground and first floors, and a flat on the top floor, to a restaurant on the lower two floors, together with a further three flats (making a total of four) on the upper two floors.

PLANNING POLICY

Relevant policies contained in the adopted Borough Plan 1998.

SH1 - Shopping hierarchy: S5 Shopping area on Proposals Map, which comprises general retailing consisting of commercial, community and residential uses.

CT12 - Standards for new developments in Conservation Areas

HO10 - Design and impact of residential conversions

IC10 - Standards for new commercial development

Relevant policies contained in the draft replacement Borough Plan 2001-2011.

UHT16 - Protection of Conservation Areas

HO10 - Conversions and changes of use

BI7 - Design criteria for business development

CONSULTATIONS

The Eastbourne Access Group recommends that the proposed restaurant should comply with the Disability Discrimination Act as regards access (e-mail sent 27 November 2002 – [Background paper](#)).

The Council’s Assistant Historic Buildings Advisor has no specific objection to the introduction of an additional entrance on the ground floor of the building. However, no details of the new basement entrance door are given. It is suggested that matching traditional timber 4 panelled entrance doors, with fanlights above, to both the new basement access and also the adjacent existing flat entrance door be utilised (Memo dated 3 December 2002 – [Background paper](#)).

The Principal Highway Engineer (Planning), on behalf of the Highway Authority, notes that there is no existing on site parking and that it will not be possible to make such a provision. However, taking into account the close proximity of the site to the town council and public transport facilities the Highway Authority does not wish to restrict grant of consent (Memo dated 12 December 2002 – [Background paper](#)).

The Council’s House in Multiple Occupation Officer advises that with the formation of three flats, in addition to an existing flat, the application property would be classified as a house in multiple occupation and would be required to meet the Council’s minimum standards. Therefore the property must be provided with an adequate means of escape; there should be an adequate means of ventilation and there should be access to suitable refuse

storage (Memo dated 16 December 2002 – Background paper).

The Council's Head of Pollution Control advises that, as the application site is surrounded by residential units, any grant of planning permission should have conditions to safeguard the amenities of the area (Memo dated 24 January 2003 – Background paper).

A notice was displayed at the front of the site and notification letters sent to the occupants of surrounding residential properties and commercial premises. At the time this report was prepared (30 January) three letters of objection had been received, the contents of which can be summarised as follows:

- There would be noise through the adjoining wall with the restaurant
- There are already enough eating places (10 named) within the immediate vicinity of the new restaurant
- There would be additional traffic generated and parking spaces needed
- There would be odours emanating from the restaurant's exhaust fans

(Letters dated 28 November – 9 December 2002 – Background paper).

APPRAISAL

The main issues to consider in the determination of the application are the use of the health studio as a restaurant, with additional residential accommodation above, in terms of land-use policy and residential amenity, together with the lack of on-site car parking provision.

In 1975, the then former retail use of the ground floor of the application premises was granted planning permission to become a gym. Whilst much of the remainder of the south-eastern side of Pevensey Road is still occupied by Class A1 (Shops) uses, the non-retail use of the ground floor of the application site is established and, as such, a Class A3 (restaurant) use is acceptable in land-use terms as such a use is unlikely to undermine the vitality of this part of the street.

The relationship between the proposed restaurant and the surrounding residential units, either to the side or above, is one that requires careful attention in order to protect residential amenity, especially with regard to noise and odour emissions. The Council's Pollution Control Manager has been consulted about these particular aspects of the proposal. However, as the applicant controls the upper parts of the application building it is likely that a suitable ventilation system, with high level release, is able to be installed at the rear of the building. An appropriate condition can be imposed on any grant of consent in order to require noise insulation measures as well as an extraction system in order to safeguard the existing/future residents living either side or above the restaurant.

The Highway Authority indicates that there is no on-site parking proposed for either the restaurant or flats above. Nor is it possible to make such provision. However, as noted by the Principal Highway Engineer (Planning), the application site is relatively close to the town centre and associated public transport facilities, both for staff and patrons of the restaurant, together with the residents of the proposed flats, and their visitors. As such, users of the proposed conversion scheme should be able to access the site by a variety of transport modes, thereby reducing any dependence on the private motor car.

With regard to the above, the proposed Class A3 related change of use and residential conversion of the upper floors, of the application building, is considered to be acceptable.

HUMAN RIGHTS IMPLICATIONS

Providing the proposed change of use and conversion scheme is carried out in accordance with appropriate conditions the above noted Rights of local residents are unlikely to be infringed.

RECOMMEND: Permission be granted subject to the following conditions

1. D1.1 Commencement of development within 5 years;
2. C5.1 Hours of operation between 9 am and midnight;
3. C9.3 Provision of sound insulation between the restaurant and all adjoining flats;
4. D6.2 Submission and details of storage of refuse;
5. C10.2 Provision of restaurant extract vent/flue system;
6. Before the first occupation of the flats, hereby approved, the doorways for the new basement access and access to the flats, on to Pevensey Road, shall be fitted with matching traditional timber four panelled entrance doors with fan lights above, to a design that has previously been approved in writing by the Head of Planning.

HAMPDEN PARK WARD

3) CLIFTON NURSERY AND 252 KINGS DRIVE Erection of twenty detached houses and garages together with roads, sewers and all ancillary works. EB/2002/0739, MAP J4. HAMPDEN PARK

SITE LOCATION

The Clifton Nursery occupies an extensive area behind residential properties in Kings Drive, Decoy Drive, Park Avenue and Clifton Close and abuts Hampden Park on its eastern side. The application site also includes the bungalow at 252 Kings Drive.

The site which has an area of approximately 1.1 hectares has a maximum width of 210 metres and a maximum depth of 95 metres.

The Nursery is accessed along a concrete driveway between Nos. 252 and 256 Kings Drive and by a track from Hampden Park.

PLANNING HISTORY

Outline planning permission for residential development on the site was granted at your meeting held on 11 September 2001, subject to legal agreements relating to off-site highway works. Other matters, such as the payment of commuted sums for compensatory flood storage, affordable housing and open space provision were dealt with by condition, as the Council was the applicant. Plans submitted in support of the application showed a layout for 21 dwellings with access from Kings Drive, following demolition of No. 252.

CURRENT APPLICATION

The current application seeks full planning permission for the erection of 20 detached dwellings, in a broadly similar layout to the previous outline scheme, also with access in the same position from Kings Drive.

The layout comprises six different house types, with 11 five-bedroom and 8 four-bedroom two-storey houses and one 3/4 bedroom bungalow with rooms in the roof. This last property will be on the Kings Drive frontage of the site (currently part of the curtilage of 252) between the new access road and No. 256.

PLANNING POLICY

The Adopted Borough Plan Proposals Map identifies the site as being within Eastbourne Park and the Willingdon Levels Drainage Catchment Area. The site is also shown as being within an Archaeologically Sensitive Area.

The following Borough Plan policies are considered relevant to this application:

- Policy CT1 - New development to harmonise with existing
- Policy CT2 - Height of new development to be similar to existing
- Policy NE24 - Criteria for landscaping schemes and designs
- Policy NE25 - Landscaping conditions
- Policy HT4 - Restriction of new accesses
- Policy HT5 - Design of new residential roads
- Policy DA3 - Accessible housing
- Policy DA4 - Wheelchair housing
- Policy US6 - Compensatory drainage provision in Willingdon Levels
- Policy LE2 - Standards for open space in new residential developments
- Policy HO4 - Mix and high density of dwellings
- Policy HO5 - Affordable housing
- Policy HO18 - Design criteria for new residential development

In the Revised Deposit Draft Borough Plan Proposals Map the site is shown within allocated as being within an Archaeologically Sensitive Area.

The following policies are particularly relevant to the proposal:-

- Policy UHT1 - Design of new development
- Policy UHT2 - Height of development to harmonise
- Policy UHT4 - Visual amenity
- Policy UHT8 - Landscaping
- Policy UHT21 - Archaeological sites/Scheduled monuments
- Policy HO2 - Predominantly residential areas
- Policy HO7 - Redevelopment
- Policy HO12 - Residential densities

- Policy HO14 - Affordable housing
- Policy HO19 - Wheelchair housing
- Policy HO20 - Residential amenity
- Policy LCF4 - Outdoor playing space contributions
- Policy TR11 - Car parking standards
- Policy US3 - Flood protection and surface water disposal

CONSULTATIONS

The application was advertised in the local newspaper and a site notice was displayed. In addition letters were sent to more than 80 local residents. In response 11 letters of objection have been received from the occupiers of properties in Kings Drive (nine letters) and Clifton Close (two letters). The principal concern expressed by Kings Drive residents relates to the new access, in view of the heavy volume of traffic in Kings Drive, the speed of traffic, difficulties experienced by residents in turning into and out of their driveways and the potential dangers on this bend in the road. There is also criticism from some residents that the design of the access junction, including right turn lane, is excessive for the type of road proposed and that no consideration has been given to the existing cycle lane. Some residents suggest that access should be from the Park or from Clifton Close.

Other more specific concerns have been raised by individual residents about the impact of some of the new buildings on their properties and these will be considered in the "Appraisal" section of the report.

(Letters dated between 7 October 2001 and 7 January 2003 – background papers).

An adjacent resident in Decoy Drive raises no objection to the development but requests that a suitable fence be erected along the boundary (letter received on 2 January 2003 – background paper).

An additional letter of objection has been received from a resident from outside the local area, expressing concern that the proposed development does not comply with the Borough Plan as the density is below that required by the Plan and therefore the proposal does not make best use of urban land. A higher density could also secure more affordable housing, none of which is indicated in the application (letter dated 24 December 2002 – background paper).

The County Archaeologist has confirmed that the site is considered to be of potential archaeological importance and as such should be subject to a thorough archaeological evaluation. However as the current intensive use of the site would make it difficult to undertake an evaluation at this stage, it is accepted that an evaluation can take place after a decision on the outline application has been made (letter dated 19 December 2002 – background paper).

Southern Water has confirmed that there is inadequate capacity in the local sewers to serve the development and that the development should be drained to a point in the existing sewerage system where spare capacity exists. They also state that the local surface water sewers do not have adequate capacity to accommodate the additional storm flow from the development. Surface water will need to discharge to an outfall to a local land drainage watercourse. Finally, a public sewer crosses the site, and no development or tree planting should take place within 3.25m of the sewer. Southern Water requests conditions in respect of drainage details and protection of the public sewer (letter dated 7 January 2003 – background paper).

In a subsequent letter Southern Water state that they do not seek to delay consideration of the application but merely to ensure that adequate conditions are in place to ensure the protection of future occupants and existing residents. They confirm that they would be content with a condition requiring the submission of details of foul and surface water disposal prior to the commencement of the development (letter dated 24 January 2003 – background paper).

The Environment Agency has no objections in principle to the proposed development, but recommends that if planning permission is granted a number of conditions should be attached to prevent the increased risk of flooding and to prevent pollution of the water environment (letter dated 10 December 2002 – [background paper](#)).

The Crime Prevention Design Adviser at Sussex Police does not identify any concern with the cul-de-sac layout, as this is capable of providing excellent defensible space for future residents. He also recommends that external lighting and security features should comply with “Secured by Design” (letter dated 24 December 2002 – [background paper](#)).

The Council’s Pollution Services Team has commented on the implications of traffic noise and contaminated land issues and has requested that conditions be imposed in respect of both areas of concern (internal memorandum dated 15 January 2003 – [background paper](#)).

The Council’s Arboricultural Officer has commented in detail on the existing trees in and around the site and has made certain recommendations in respect of each, but none score highly in terms of retention (internal memorandum dated 20 January 2003 – [background paper](#)).

The Council’s Principal Highway Engineer has confirmed verbally that the Highway Authority has no objections to the proposal. Full written comments from the Highway Authority will be reported at the meeting.

APPRAISAL

The principle of the redevelopment of this site for residential purposes has already been established by the outline consent referred to earlier in the report. The outline application indicated a similar density of development to that now proposed and it also included approval for the new access to the site from Kings Drive.

The main issues to consider in respect of the current application are therefore the impact of the proposed layout on the amenities of adjoining occupiers and on the character of the area in general and whether the proposal complies with Borough Plan policies. It will also be important to ensure, through a legal agreement, that all off-site highway works are carried out strictly in agreement with the Highway Authority.

Effect on adjoining residents

As previously stated, the application site is surrounded on three sides by existing residential properties and therefore any development on the site will have an effect on adjacent occupiers.

With the exception of the proposed dwelling on the Kings Drive frontage (Plot 1, which will be discussed separately, below), the remaining 19 dwellings are all full two-storey height. Plots 2-7 and 17-20 are at the rear of existing properties in Kings Drive, Plot 8 (and part of Plot 7) are at the rear of Decoy Drive properties, Plots 13-16 are adjacent to dwellings in Clifton Close and (Plot 16 is partly at the rear of Clifton Close and partly behind adjacent properties in Park Avenue and Plot 17 has a similar relationship with Park Avenue/Kings Drive). Plots 9-12 back onto the Park.

The majority of the proposed dwellings on the above plots are sited an acceptable distance away from the boundary with neighbouring properties and will not have a significant impact on existing residents in respect of overlooking, overshadowing or loss of outlook.

Three of the properties (with the exception of Plot 1) are located close to the site boundary. These are:

Plot 6 – the corner of the proposed dwelling (which is located at the rear of Nos. 262 and 264 Kings Drive) is sited approximately 2.5m from the boundary, but the orientation of the dwelling has been set at an angle to help reduce the visual bulk of the building when viewed from the rear gardens of these two adjacent properties. The property type has also been carefully chosen so that there are only two obscure glazed windows at first floor level in the main elevation facing towards Kings Drive. The other rear elevation does contain bedroom

windows but these will not have such a significant impact due to the angle of the property. Plot 6 is located to the north east of the adjacent gardens and therefore will not cause any overshadowing. The existing properties have generous sized rear gardens of about 23m length, and at this distance the proposed dwelling will not, in my opinion result in a significant loss of outlook.

Plot 7 – is similar in distance to and in its relationship with the adjacent property in Kings Drive (Nos. 268 and 270) as Plot 6 to Nos 262 and 264. It is also to the north east side and a similar distance away and therefore the above comments in respect of overshadowing and loss of outlook are equally applicable. Again the main elevation to adjacent properties has only a bathroom window at first floor level, with the main elevation angled to minimise overlooking.

Plot 8 – located to the rear of 2 and 4 Decoy Drive, is less than 2m from the boundary at the corner of the dwelling. There is, however, a belt of trees just inside the boundary of No. 4 which will substantially screen the new dwelling and significantly limit any overshadowing or overlooking from first floor bedroom windows.

Plot 17 – the rear corner of which is only 1.5m from the boundary with ‘Park View’ a block of flats in Park Avenue. However, the flats are sited almost 40m from the rear boundary and are also separated from the proposed dwelling by their own garage court. The dwelling on this plot will therefore have little impact

On Plots 13-15 the properties have detached garages located between 1m and 3m from the rear boundary with properties in Clifton Close. These garages have pitched roofs which increases their height and, consequently, they will be clearly visible from the rear of both 16 and 17 Clifton Close. The garages are located to the south west of these adjacent properties and may create some overshadowing, although in my opinion this is not likely to be so significant as to cause serious harm to the amenities of the neighbouring residents.

As stated above, Plot 1 is adjacent to the access road on the Kings Drive frontage and, as such, will be read as part of the main road street scene. This property is a bungalow with rooms in the roof served by two dormer windows in the front elevation, a small bathroom window at first floor level in the gable facing the adjacent property at No. 256 and a further window in a half-hipped gable at the rear. The dwelling has been designed to harmonise with the scale and style of other neighbouring properties along this side of Kings Drive, which it will achieve successfully.

The property projects some 4m to the rear of No. 252, although there will be a gap of over 4.5m between the two properties. Having regard to the scale and height of the new dwelling I am satisfied that it will not have an overbearing impact on the neighbouring property.

Having regard to all the above points, it is considered that the proposed development complies with Policy HO18 of the Adopted Plan and Policy HO20 of the Revised Deposit Draft Plan.

Effect on the character of the area

The application is for a development of 20 dwellings in a site area of 1.14 hectares, which equates to only 17.5 dwellings per hectare or just over 7 dwellings per acre. This relates well to the character of the surrounding area, which is also at a very low density. The large detached dwellings proposed are of comparable size to properties in the surrounding locality and therefore it is considered that the development will harmonise with the character of the local environment and be appropriate in scale, form and layout. The proposal therefore accords with Policies CT1 and CT2 of the Adopted Plan and Policies UHT1, UHT2 and UHT4 of the Revised Deposit Draft Plan.

Highway considerations

Local residents have expressed concerns about the increased traffic likely to be associated with the proposed redevelopment of the site and the problems of having an additional access onto Kings Drive, which is already a very busy main road into and out of the town centre.

The concerns about vehicle movements and highway safety in general were considered carefully in liaison with the Council's Principal Highway Engineer and the County Council as Highway Authority in respect of the outline application. The current proposal follows closely the detailed highway works approved at the outline stage, which involved the construction of a new right-turn lane on Kings Drive, to include a new pedestrian refuge (or refuges). In addition, visibility splays of 4.5m x 120m will have to be provided either side of the new access road at the junction with Kings Drive. All of the proposed off-site highway improvement works which are shown on the site layout drawing will have to be secured by a S.106 agreement with the County Council and will be the subject of a Safety Audit, as was the case at the outline stage.

Affordable Housing

In developments of 20 dwellings or more (Adopted Plan) or 15 dwellings or more (Revised Deposit Draft Plan), it is Council policy to seek to negotiate a proportion of affordable housing. The site layout plan shows 20 detached properties, which would require the provision of 5 (Adopted Plan) or 6/7 (Revised Deposit Draft Plan). Having regard to the very low density and nature of the development proposed it is considered that the provision of affordable housing on site would not be appropriate in this case. Therefore the payment of a commuted sum will be sought towards its provision elsewhere, through a Section 106 legal agreement.

This was accepted in principle at the outline stage, although the payment of a commuted sum for affordable housing as secured by condition at that time as the Council was the applicant. This would comply with the Policies HO5 and HO14, respectively in the Adopted and Revised Deposit Draft Borough Plans.

Access for the Disabled

The proposed development would also be subject to policies relating to access for the disabled including the provision of up to 5% of units to be designed to be capable of use by people in wheelchairs without further structural alteration or adaptation (Policies DA4/HO19). Such provision should therefore be sought by a condition attached to any grant of planning permission, as was the case at the outline stage.

Open Space

In residential developments of 15 or more dwellings open space will be sought together with a commuted sum for future maintenance. If such provision is not feasible within the site, a financial contribution will be sought towards the cost of providing or upgrading facilities elsewhere in the vicinity (Policies LE2/LCF4).

Density

In order to make the most efficient use of residential land, in accordance with government guidance on new housing development (PPG3), one of the emerging policies in the Revised Deposit Draft Borough Plan (Policy HO12) requires density of new residential development to be between 30 and 50 dwellings per hectare, with even higher densities encouraged where there is good public transport accessibility. The policy allows densities of between 25 and 30 dwellings per hectare in exceptional circumstances where the character of the area would be detrimentally affected by higher density development, but the policy does not permit densities of less than 25 dwellings per hectare.

As stated above, the density of the current scheme is only 17.5 dwellings per hectare which is well below that allowed by Policy HO12. However, there is an extant outline permission for the site which indicates a similar density (18.4 dwellings per hectare) which was considered appropriate, having regard to the character of the surrounding area. I am also mindful of the fact that the proposed development complies with the other policies referred to above, especially those relating to urban heritage and townscape considerations. Having regard to all the above factors, it is considered that it would be appropriate in this particular case to make an exception to this policy.

Effects on flood storage

The application site is within the Willingdon Levels Drainage Catchment Area. It will therefore be necessary to secure a financial contribution towards compensatory flood storage. This will be achieved through a legal agreement.

CONCLUSIONS

Having regard to all the points made above it is considered that the proposed redevelopment of the site for residential purposes in the manner indicated in the application is acceptable.

A legal agreement under Section 106 of the Town and Country Planning Act will be required to secure a financial contribution towards compensatory flood storage and commuted sums for open space and affordable housing provision. It will also be necessary to enter into a S.106 agreement (to include East Sussex County Council, as Highway Authority) to secure the proposed off site highway works.

HUMAN RIGHTS IMPLICATIONS

For the above reasons it is not considered that the proposed residential development of the site would infringe the rights conferred by the above legislation, in respect of the right to the peaceful enjoyment of possessions and protection of property, and rights to respect for private and family life, home and correspondence.

RECOMMEND: Permission be granted subject to the prior conclusion of a legal agreement in respect of off-site highway improvement works and contributions towards affordable housing, open space and flood storage, and subject to the following conditions:-

1. D1.1 Commencement of development within five years;
2. A2 Submission of samples of facing materials;
3. A9.1 Submission and approval of landscaping scheme;
4. That the site layout and proposed buildings shall conform to the General Mobility Housing Standard as set out in Table 1 of the Sussex Coast and Countryside Access Guide;
5. That at least 5% of the dwellings hereby approved shall be designed to conform to the Wheelchair Housing Standards set out in Table 2 of the Sussex Coast and Countryside Access Guide;
6. That no building operations shall take place except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and 8.00 am and 1.00 pm on Saturdays and that no works in connection with the development shall take place on Sundays or public holidays;
7. B11 Hardstanding for washdown facilities;
8. The development hereby approved shall not commence until details of the proposed means of foul and surface water disposal have been submitted to and approved by the Local Planning Authority in consultation with Southern Water Services;
9. That no development approved by this permission shall be commenced until a scheme for disposal of foul and surface water including the provision and implementation of a surface water regulation system has been approved by and implemented to the satisfaction of the Local Planning Authority;
10. The extent of the 1 in 100 year floodplain associated with the watercourses which flow through or adjacent to the site shall be established. The calculations shall include an allowance of 20% on peak flows, for this return period, to allow for global warming and changing weather patterns. All development, including fencing and landscaping, shall be located outside of the identified floodplains;
11. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically

linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging into the ground. Associated pipework shall be located above ground where possible and protected from accidental damage;

12. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained;

13. Finished floor levels should be set at least 600mm above the 1 in 100 flood level of 2.3 metres above Ordnance Datum;

14. That prior to commencement of any development on site, details of the measures for the protection/diversion of the public sewer that crosses the site, shall be submitted to and approved by the Head of Planning in consultation with Southern Water Services;

15. D3.3 Access for record purposes;

16. That prior to commencement of any development on site, 2 metre high close boarded fences shall be erected along the boundaries of the site and shall thereafter be maintained;

17. Assessment of traffic noise and mitigation measures (wording to be agreed);

18. Measures for dealing with any land contamination (wording to be agreed).

MEADS WARD

4) LAND AT BEACHY HEAD, ADJACENT TO THE COASTGUARD STATION, BEACHY HEAD ROAD. Installation of three additional antennae to existing radio mast. EB/2003/0006, MEADS

SITE LOCATION

Members will be aware of the existing mast at Beachy Head, between the Coastguard Station and the Countryside Centre, in an Area of Outstanding Natural Beauty on the South Downs.

-

PLANNING HISTORY

The existing mast was a replacement erected at the time of the construction of the Beachy Head Hotel, Countryside Centre and Coastguard Station. Planning permission was granted in November 2001 for the installation of a colinear antenna on the top of the mast for the RNLI.

(EB/2001/0554 – background papers)

CURRENT APPLICATION

Planning permission is now sought to install 3 additional antennae on top of the mast, involving the relocation of the RNLI antenna further down the mast. Each antenna is 3m in length, which would result in an overall increase in height (the mast being 20m high) of 700mm to 23.5m. Most of the ancillary equipment required for

the operation of the system can be located within the Coastguard Station, however technical constraints necessitate the meter cabinet being situated outside the building, and this is to be concealed within a small brick housing attached to the flank elevation facing the mast. The application is submitted on behalf of Airwave O2, the radio communications service for police forces in the UK; Sussex Police are the owners of the existing mast.

PLANNING POLICY

The following policies are relevant to this application:

Adopted Borough Plan

Policy US8 - Restriction of masts on the Downland

Revised Deposit Draft

Policy US5 - Masts on the Downland

Policy US7 - Health risk considerations

CONSULTATIONS

The Downland, Trees and Woodland Manager has no objections to the additional antennae and welcomes the provision of a brick enclosure for the meter box. He also confirms that the existing crow's nest at the top of the mast is used and that no works should be carried out during the nesting season (mid March to mid August)

No representations have been received as a result of the statutory notice posted on site at the time of writing this report; I anticipate a response from the Sussex Downs Conservation Board in time for your meeting.

APPRAISAL

There has been a mast in this location for many years, supporting a number of dishes/antennae. Given the size of the additional antennae relative to the existing mast, I consider that the proposal would have little visual impact on the AONB.

HUMAN RIGHTS IMPLICATIONS

None.

CONCLUSION

The proposal represents a minor addition to the existing mast, and complies with approved policies.

RECOMMEND: Permission be granted subject to the following conditions:-

1. D1.1 Commencement of development within five years;
2. That the development hereby approved shall not be carried out during the nesting season (between 15 March and 15 August) unless otherwise agreed in writing by the Head of Planning;
3. A2 Submission of samples of facing materials.

OLD TOWN WARD

5) REAR OF NO. 1 ;UPWICK ROAD. Demolition of existing double garage and erection of new office building. EB/2002/0745, MAP E7. OLD TOWN

SITE LOCATION

The application site comprises part of the rear garden of 1 Upwick Road, where there is a double garage at present. The garage fronts St. Leonards Place, a street of semi-detached residential properties.

PLANNING HISTORY

Planning permission was granted in 1958 for the double domestic garage, which it is proposed to demolish.

CURRENT APPLICATION

The application comprises the demolition of the existing double garage and the erection of a two-storey office building with parking to the front. The office building with a floorspace of 49 square metres would accommodate 3 employees. It has a width of 6 metres, a depth of 5 metres and an average height of 6.2 metres.

PLANNING POLICY

Adopted Borough Plan (1998)

CT1 - New development to harmonise with existing

IC10 - Standards for new commercial development

Revised Deposit Draft (2001-2011)

UHT1 - Design of new development to harmonise with existing

UHT4 - Visual Amenity

BI 6 - Business and Industry in Residential and Tourist Areas

BI 7 - Design Criteria for commercial development

CONSULTATIONS

The Principal Highway Engineer states that current parking standards for the proposed office building based on the available floor area is 2 spaces.

Available parking space at the front of the new building scales off the drawing at approximately 3 metres deep. Clause 4.3.4.8 of the ESCC Manual for estate roads states 'all private drives and accesses should meet the adoptable highway at right angles'. For this condition to be satisfied the parking area would need to be at least 5 metres deep which would necessitate the proposed building being relocated. It will also be necessary to demonstrate how access can be gained to the offices if cars were parked across the whole frontage. (Internal memo dated 2 January 2002 – background paper).

20 letters of objection have been received in response to a site notice and neighbour notifications letters.

The main points of objection are:

- St. Leonards is totally residential and predominantly mid-Victorian in architecture. Any business or commercial premises such as an office building would fundamentally change the character of the area.
- This proposed development of two floors and a roof is not in keeping with any other premises along the end of the properties in Upwick Road, which face on to St Leonards Place. The proposed slate hung frontage would be inappropriate and out of keeping with the predominant architecture of the area.
- Establishment of an office in this road would greatly increase noise and disturbance from comings and goings of extra traffic.
- A successful application would set a precedent for further similar developments in the back gardens of other houses in Upwick Road.
- St Leonards Place could not cope with the anticipated extra volume of parked cars. Parking is already difficult as residents of Victoria Drive park their cars either in St Leonards Place or Upwick Road.
- Concerns regarding the removal of trees

(Letters dated 29 December 2002 – 28 January 2003 – background papers).

The immediate neighbour at 3 Upwick Road states that the top windows on the north-west elevation would seriously overlook her property. She also comments on the material used for cladding. (Letter dated 3 January 2003 – background paper).

APPRAISAL

The main issues to consider in this case are whether the principle of commercial development is appropriate for this site and the effect of the proposed development on the amenities of adjacent residents and the streetscene.

It is considered that the proposed commercial building in this residential area would adversely change the character of the area and lead to an increase in traffic and parking requirements, which cannot be accommodated satisfactorily given the constrained position and location of the site.

The proposed office building would adversely affect the neighbour's amenity at 3 Upwick Road by overlooking the main part of the garden nearest to the house.

To comply with the Highways standards the building would have to be moved back a further 2 metres.

This would further worsen the situation for the neighbours who would not only have their garden overlooked by a building, which is sited at a higher level, but the first floor windows of the proposed office building would also face their rear bedroom windows at a distance of approximately 16 metres.

A two-storey office building at the rear of a domestic garden facing St Leonards Place would constitute an incongruous and inharmonious feature and therefore have a detrimental effect on the streetscene.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development would adversely affect the rights of adjoining residents to the peaceful enjoyment of possessions and protection of property.

RECOMMEND: Permission be refused on the following grounds:-

1. That the proposed development would adversely affect the amenities of the occupiers of adjacent properties by reason of loss of privacy and overlooking of rear gardens. That the nature of the use would lead to an increase in traffic and car parking requirements. The proposal would thereby be contrary to Policy IC10 of the Adopted Local Plan (1998) and Policy BI 6 of the Revised Deposit Draft Borough Plan (2001-2011).

2. That the proposed building by reason of the siting, design, size and appearance would be detrimental to the visual amenities of the area and would be in conflict with Policy CT1 in the Adopted Local Plan (1998) and Policy UHT1 in the Revised Deposit Draft (2001-2011).

**6) CAVENDISH SCHOOL, ELDON ROAD. Retention of a single mobile classroom unit.
EB/2003/0032(CC), MAP F6. OLD TOWN**

SITE LOCATION

Members will be aware of the location of Cavendish School in Eldon Road.

PLANNING HISTORY

Planning permission was granted in 1989 for the siting of the unit adjacent to the boundary wall with 6 and 8 Glendale Avenue despite objections from residents and this Council. The permission was renewed in 1995, after the Planning Committee again voiced its concern regarding the proximity of the unit to properties in Glendale Avenue, especially as a major extension to the school was constructed in 1993.

CURRENT APPLICATION

Permission is sought to retain the unit for a further five year period. In a supporting memo, the Director of Education states that:

“The capacity of Cavendish School is 953. The school currently has 1010 students on roll and numbers are expected to be maintained at that level over the next five years.

Given the current limited funding available in the capital programme to tackle all basic need issues across the county it is unlikely that the Education department will be in a position to provide permanent accommodation at the school in the near future.”

(memo dated 7 January 2003 – background papers)

PLANNING POLICY

The following policies are relevant to this application:

Adopted Borough Plan

Policy CT1 - New development to harmonise with existing

Revised Deposit Draft

Policy UHT4 - Visual amenity

CONSULTATIONS

None received at the time of writing this report.

APPRAISAL

The unit is largely concealed from public view by dint of the extensive grass bank at the front of the school, however it is partially visible from Eldon Road. The elevation facing Eldon Road has an especially shabby appearance and the whole unit is in need of redecoration/maintenance on the outside at least. I remain concerned about the retention of the unit in this location, given its appearance, although I am not aware of any complaints from local residents.

In conclusion, I consider that, if permission is granted for a further period of retention, it should be subject to a condition that the unit is painted.

HUMAN RIGHTS IMPLICATIONS

None.

RECOMMEND: That this Council remains concerned about the siting of the unit in close proximity to residential properties and that if permission is granted, a condition should be imposed requiring the redecoration of the exterior.

RATTON WARD

7) 14 PARKWAY. Two-storey side extension. (Amendment to previously approved scheme EB/2001/0213) EB/2002/0668, MAP H2. RATTON

Members will recall that this application was deferred at the Committee meeting on 10 December 2002 for further negotiations regarding the shape of the roof.

The drawings submitted at the December Committee meeting showed a hipped barn end roof for approximately 1/3 of the top end of the roof. In this version a considerable part of the side wall at first floor level was visible from the adjoining residential property.

The new amended drawings were received on 19 December 2002 and show an enlarged barn end roof for approximately 2/3 of the roof. This reduces the impact of the side wall for the neighbouring property and increases the gap between the two houses at first floor level. The gap at ground floor level will be wider than the existing situation, where the existing single-storey garage is closer to the boundary wall.

The objectors at the neighbouring property 12 Parkway were re-consulted and a letter of objection was received (Letter dated 19 January – [background paper](#)).

The occupiers of 12 Parkway do not feel that the amendment is ‘a significant enough alteration to the previous proposal.’ Their original concerns remain and they would wish to object to the revised application on that basis (Letter dated 5 December 2002 – [background paper](#)).

It is considered that the latest revision with a ¾ hipped barn end is an acceptable design, which provides sufficient space between the application site and the neighbouring dwelling.

RECOMMEND: Permission be granted subject to the following conditions:-

1. D1.1 Commencement of development within five years.
2. A3 Use of matching materials
3. That the proposed window in the first floor elevation shall be glazed in semi-obscured glass and shall subsequently be maintained as such to the satisfaction of the Head of Planning.

**8) SOUTH COAST CATERING, 1 SPRING CLOSE. Installation of open sided canopy.
EB/2002/0712, MAP II. RATTON**

SITE LOCATION

The premises are located on the north side of Spring Close, a short distance from the junction with Wish Hill and comprise a two-storey building on the road frontage with an open yard and other miscellaneous single-storey buildings at the rear.

PLANNING HISTORY

South Coast Catering Equipment Limited have traded from the premises for more than 25 years. By the mid-1990's several applications had been submitted in respect of replacement windows, provision of a pitched roof and retention of a covered lean-to at the rear (EB/92/0120, EB/94/0535 and EB/92/0352 respectively – [Background papers](#)). In November 1999 planning permission was granted for the installation of an open sided canopy, covering part of the rear yard (EB/1999/0367 – [Background paper](#)).

CURRENT APPLICATION

Permission is sought to erect an open sided mono-pitched canopy measuring some 10.2 metres by 6.1 metres, with a maximum height of 3.0 metres to cover an open storage area adjacent the eastern side of an existing single-storey workshop.

PLANNING POLICY

Relevant policy contained in the adopted Borough Plan 1998:

IC10 – Standards for new commercial development.

Relevant policy contained in the draft replacement Borough Plan 2001-2011:

BI7 – Design criteria for new commercial development

CONSULTATIONS

The Principal Highway Engineer (Planning) has advised that the Highway Authority does not wish to restrict the grant of consent (Memo dated 30 January 2003 – Background paper).

The Environment Agency was consulted on 17 January 2003. Any response will be reported to Members verbally.

REPRESENTATIONS

Residential properties surrounding the application site were notified by letter. In response, at the time this report was prepared two letters of objection have been received from residents living to the north and east of the application site expressing the following concerns:

- Residents have watched with dismay the increase in commercial activity at these premises over the last ten years or so.
- There will be an increase in noise and disturbance in what is otherwise a picturesque residential area.
- This canopy is quite ugly and overshadows my property
- The new canopy should have adequate provision for waste water

(Letters dated 12 and 28 December 2002 – Background papers).

APPRAISAL

The application site is at present used to store cooking equipment in the open adjacent to a single storey workshop immediately to the west. The purpose of the application is to cover this open-air storage area. This would keep the goods dryer and also screen such items from the residents of Dorchester Court, who overlook the application site. Given the height and design of the canopy, together with the appearance of the adjoining industrial buildings, I do not consider that the proposal will be either unsightly or out of keeping. In addition, the proposed glass reinforced plastic roof sheeting, to be used for the canopy, is likely to suppress the noise of any that takes place under it.

HUMAN RIGHTS IMPLICATIONS

The proposed canopy is unlikely to infringe upon the above noted Rights of local residents.

RECOMMEND: Permission be granted subject to the following conditions:

1. D1.1 Commencement of development within five years.
2. That the open sided canopy hereby approved shall only be used for storage and shall not be used for any form of industrial process.

Together with such conditions as recommended by the Environment Agency and considered to be appropriate

by the Head of Planning.

9) 14 BUCKHURST CLOSE. Two storey extension at side. EB/2002/0699, MAP H2. RATTON

SITE LOCATION

This detached chalet style bungalow is situated on a large, almost triangular plot at the end of Buckhurst Close.

PLANNING HISTORY

The property was constructed in 1963; the porch was enlarged in 1966 under permitted developments rights.

CURRENT APPLICATION

Planning permission is sought to construct a two storey extension at the side of the property; the footprint would measure 7m wide by 7.1m deep, with the first floor contained within the roof slope 6.6m high to the ridge. A dormer 1.3m high and 4.9m wide is proposed on the front elevation together with a velux window, and a dormer 2.4m high and 7.2m wide is proposed at the rear. The windows in the front dormer are to be obscure glazed with only the narrow top sashes capable of being opened. All materials would match those on the existing building. The existing building is at right angles to its neighbour at 15 Buckhurst Close, with the dividing boundary almost equidistant between them, therefore the extension would come to within approximately 1.7m of the boundary at the front, whilst at the rear the distance would increase to 5m.

The plans as originally submitted indicated a smaller dormer at the rear and larger clear glazed windows at the front. The current scheme has been negotiated by the case officer to eliminate overlooking of part of the garden of the adjoining property.

PLANNING POLICY

The following policies are relevant to this application:

Adopted Borough Plan

Policy CT1 - New development to harmonise with existing

Policy HO19 - Criteria for extensions

Revised Deposit Draft

Policy UHT 1 - Design of new development

Policy UHT 4 - Visual amenity

Policy HO20 - Residential amenity

CONSULTATIONS

Letters of objection have been received from the occupiers of 10, 13,15 and 16 Buckhurst Close and an agent acting on behalf the occupiers of 15 Buckhurst Close. The objections are summarised below:

- the proposal would change the property from a two bedroom retirement dwelling to a five/six bedroom family home out of keeping with adjacent properties and effectively doubling the size of the dwelling
- there is insufficient parking provision on site which will cause problems
- no.15 will lose their view of the Downs and will have to put up with an overshadowing two storey brick wall
- the revised plans have partially obviated the overlooking of part of 15 Buckhurst Close, but the extension remains bulky, overbearing and would overshadow no.15 as it is perilously close to the boundary
- the increase in the size of the rear dormer will make it appear to be two storeys high and will increase the overshadowing effect and would be unneighbourly.
- It is clear the applicant has taken the opportunity, having been asked to revise the plans, to enlarge the first floor accommodation by substantially increasing the rear dormer, being the equivalent of a two storey building. The result is unsightly and out of scale. The room sizes are extremely generous and the extension could be replanned to move it away from the boundary, otherwise it should be recommended for refusal.

(Letters dated 27 November 2002 to 27 January 2003 – background papers).

APPRAISAL

The main issues to take into account are the impact of the proposal on visual and residential amenity and the character of the area.

There are several different styles of bungalow in Buckhurst Close, none of which are particularly related to each other in any cohesive design; the most recently constructed dwellings (circa 1990) at nos. 16a,17 & 17a are considerably larger than those of an earlier date. I do not consider that the proposal would be out of character with other dwellings in the area.

Whilst the proposed extension is certainly substantial, I am mindful that this is a large plot, as is its neighbour at no.15, and that only a small part of the garden would be taken up by the extension. As the two properties are at right angles to each other, only a small patio area at the side of no.15 would be affected by the proposal, since there is only a landing window on the flank elevation; the windows on the front of the extension have been changed to a velux and obscure glazing to prevent any direct view of this patio, which I consider to be acceptable. I also consider that the extension has been set back far enough to maintain an adequate gap between the two properties and to avoid any undue overshadowing of the patio. The objectors have referred to the proximity of the extension to the boundary, and whilst it is acknowledged that this 1.7m at its closest point, the gap on the other side of the boundary (i.e. to the flank wall of the neighbours property) is 8m. I acknowledge that the design of the rear dormer has not been a change for the better, however, this has come about as a result of the bedrooms being moved to the rear of the property to overcome the issue of overlooking; the dormer would be at the rear and 5m away from the boundary, and therefore I do not consider that it would have a particularly adverse impact on the adjoining dwelling taking into account that the two properties are at right angles to each other. I cannot agree that the size of the rooms is particularly generous, they are compatible with the scale of the dwelling; furthermore, I see no fundamental objection in planning terms to the provision of a family home in this location. The applicants are elderly, and the extra accommodation is required for their son who is wishing to live with them to provide their care.

An extension at the rear of the property has been discussed, however this would involve extensive reorganisation of the internal structure, and, in my opinion, would have a serious and unacceptable impact on 13 Buckhurst Close given the relationship between the two properties.

HUMAN RIGHTS IMPLICATIONS

For the reasons given above, it is considered that the extension as proposed would not have a significant impact on the residents of the adjoining properties.

CONCLUSION

In conclusion, it is considered that the extension, in its revised form, is acceptable and would not have a significant impact in terms of visual or residential amenity on adjoining properties or the area in general.

RECOMMEND: Permission be granted subject to the following conditions:-

1. D1.1 Commencement of development within five years.
2. A2 Submission of samples of facing materials.
3. A4.2 Semi-obscure glazing in front dormer (same pattern as existing).
4. That the development hereby approved shall be carried out in accordance with revised plan no. 02.26.1 Rev A received on 14 January 2003.

ST. ANTHONY'S WARD

10) ST. PHILIPS PARISH CHURCH, ST. PHILIPS AVENUE. Demolition of existing church and hall and the erection of new church hall and community facilities, together with 16 flats and six houses. EB/2002/0465, MAP J10. ST. ANTHONYS

SITE LOCATION

St Philips Church is situated on the western side of the junction of St Philips Avenue and Whitley Road. Although the surrounding area is characterised in the main by residential properties, the Fire Station is on the opposite side of Whitley Road facing the application site.

PLANNING HISTORY

The existing church was built in the early part of the last century and the adjoining hall and Vicarage sometime thereafter.

CURRENT APPLICATION

Planning permission is sought, by the James Butcher Housing Association, to re-develop the existing church, adjoining church hall and part of the rear garden of "The Vicarage" to provide a new parish centre, together with 16 one-bedroom flats, 6 three-bedroom houses and associated car parking.

The proposed community and worship hall, with its contemporary design and striking mono-pitched roofline, is to be situated on the corner of St Philips Avenue and Whitley Road, with 4 flats (under an amended double-pitched roof) over the proposed community room/playgroup. To the rear there is to be a 3-storey block of 12 flats and a curved terrace of 2-storey houses at the back of the site, adjoining the existing 2-storey vicarage.

In a letter submitted with the application, it is stated, inter alia, that:

"The existing church is a substantial building equivalent in height to a 5-storey building, and is no longer suitable for the parish needs. The proposal will provide a realistically sized and maintainable multi-user building, comprising a worship space and range of meeting rooms for church based and other local groups. This will enable the church to provide a revitalised focus for the local community. The development is enabled by the provision of houses and flats.

The development is arranged with a higher focal point building on Whitley Road frontage and the church on the corner. To the rear of the site 2-storey housing forms a crescent to link to the existing vicarage, which will remain. The proposal provides a contemporary addition to the street scene, and the bulk of the development is throughout substantially less than that of the existing building.

There has been extensive consultation on this proposal with neighbours and the wider community; and the design of the flats in particular has been developed to respect of the privacy of the adjacent house both in the orientation of the main rooms and the provision of screening to windows and gardens.

The car parking provision provides 10 spaces for the church, 1 space per dwelling and 2 further visitor spaces. The access is as currently located".

(Letter dated 24 July 2002 - Background paper).

In a subsequent letter the applicant's agent confirms that "the church's brief is to accommodate a maximum of 100 seats in the worship place. At present their congregation is much less than this" (Letter of 14 August 2002 - Background paper).

The Parish Priest has written in respect of the proposal and states:

"I wish to emphasise that the redevelopment of St Philip's is based on serving the local community. St Philip's is a parish church and as such seeks to serve the area defined by its ecclesiastical boundaries, or more realistically the immediate area in which it is set. In retail terms, we are a corner shop, rather than a supermarket. St Philip's will remain a parish church, and that means that it will remain a church serving the local community. We therefore hope to continue to draw our membership from the streets surrounding St Philip's church centre. This will mean that the majority of worshippers will arrive at church on foot or by bicycle.

I would also like to emphasise that the seating arrangement as it appears on the plans is misleading. This is for illustrative purposes only, and is meant to represent the maximum capacity of the worship space. We estimate a regular weekly congregation of 50-60 communicants, drawn from the local community, and we shall be using other seating arrangements in addition to the one shown"

(Letter dated 13 November 2002 - Background paper).

PLANNING POLICY

The following policies, contained in the adopted Borough Plan, are considered to be of particular relevance to the current proposal.

Policy CT1 - New development to harmonise with existing

Policy CT2 - Height of new development to be similar to existing

Policy HO18 - Design criteria for new residential development

Policy HT7 - Car and cycle parking standards

Attention is drawn to the following policies, contained in the emerging Borough Plan 2001 - 2011, as such draft

policies carry some weight in the determination of a planning application and any subsequent appeal.

Policy UHT1 - Design of new development

Policy UHT2 - Height of development to harmonise

Policy HO20 - Residential amenity

Policy UHT4 - Visual amenity

Policy TR6 - Facilities for cyclists

Policy TR11 - Car parking standards

Policy LCF19 - Community facilities

CONSULTATIONS

The Council's Housing Strategy & Development Manager supports the provision of 22 units of affordable housing within a mixed community of single person flats and family houses as the units will make a significant contribution to the Council's targets for increasing the supply of affordable housing, and the unit types are those in the highest demand (Memo dated 11 October 2002 - [Background paper](#)).

The agent has confirmed, on behalf of the joint applicants, that they are prepared to enter into a Section 106 legal agreement in order to secure affordable housing as part of the overall re-development scheme (Letter dated 23 January 2003 – [Background paper](#)).

The Council's Access Officer advises that to accord with the relevant policies in the adopted Borough Plan various provisions needed to be included including level approaches, minimum door widths, accessible toilets and car parking spaces for use by people with disabilities (Memo of 31 October 2002 - [Background paper](#)).

The Principal Highway Engineer (Planning) advises that the Highway Authority does not wish to restrict the grant of consent subject to the following points:

The proposed number of parking spaces is short of the Supplementary Planning Guidance standard. Given the location of the site, for the houses and flats, the Supplementary Planning Guidance requires a minimum of 27 spaces but there are only 24 proposed. For the church element of the proposal, the SPG requires 13 spaces, based on 100 seats that are indicated. The proposed number of spaces is 10, a shortfall of 3. If a satisfactory number of parking spaces cannot be fitted in, the number of proposed units should be reduced.

In addition, the Highway Authority considers that various changes should be made in respect of pedestrian routes, radius kerbs and access road width (Memo dated 13 November 2002 - [Background paper](#)).

Amended drawings reflecting the above noted requirements are to be displayed at the Committee meeting.

The Environment Agency has no objections, in principle, to the proposed development but recommends the imposition of conditions in order to prevent the pollution of the water environment and to ensure adequate drainage of the site (Letter dated 15 November 2002 – [Background paper](#)).

The Crime Prevention Design Adviser, on behalf of Sussex Police, does not identify any major concerns with the proposals but believes that attention to some details, such as secure storage in the community building, adequate lighting and gated pedestrian route between the church and the flats, will help to create a more crime resistant development (Letter dated 21 November 2002 – [Background paper](#)).

A copy of the letter has been sent to the applicant for further consideration.

The Council's Arboricultural Officer advises that there are a number of trees on this site. The application indicates that most of the trees are marked for removal. However, from the plans available it is likely that the development would result in the loss of all trees on site.

He states that the Elms on the Whitley Road boundary provide significant visual amenity and are worthy of retention. However, to be successfully retained any new development should be a minimum of 6 metres from these trees. However, the proposed church and hall are only 3 metres away from the tree trunks.

The Holm oaks adjacent the present church also provide significant visual amenity and should be retained as a feature of any new development. However, they are presently marked for removal. If retained any new development should be in excess of 10 metres from these trees. If the trees are to be removed replacement planting should be required.

He considers that it is imperative that a landscape scheme is provided as a planning condition.

(Memo dated 22 November 2002 - Background paper).

The applicant has been made aware of the above comments and intends to submit a comprehensive landscaping scheme for consideration by Members.

The application was advertised in the local press as a "Major Development". In addition, letters of notification were sent to local residents and two notices displayed at the front of the site. In response, at the time this report was prepared (30 January) four letters of objection had been received, the contents of which can be summarised as follows:

- There will be a considerable intensification of use and noise
- There should be no windows overlooking the adjoining rear garden
- As a minimum a 6 foot high screen fence should be provided on the boundary
- The provision of 24 parking spaces is not enough for the church, play group, residents and visitors
- Street parking along both Whitley Road and St Philips Avenue is difficult
- The access to the development is very close to a difficult junction
- Too many dwellings for this small site
- The style and appearance of the proposed buildings are not in keeping
- The loss of another traditional old church is not appropriate
- There is a risk of flooding to adjoining properties

(Letters dated 1 - 21 November 2002 - Background papers).

APPRAISAL

The main issues to consider in the determination of the application are: the replacement of the existing St Philips Church together with a mix of community facilities; the design of the proposed scheme in relation to the established character of existing development in the area; the number and position of the new residential units; the access and car parking arrangements to serve the church, community and residential uses; the loss of mature trees, and the possible effect on established residential amenity.

St Philips Church has been a feature building, in a prominent position, since it was built in the early part of the

last century. Prior to the current application discussions took place with the applicant to investigate the possibility of utilising the existing building to provide a mixed community and residential use, with living accommodation in the upper part of the structure. However, such a conversion scheme was held not to be financially viable as it was not possible to combine a sufficient number residential units with the desired type and size of community uses. Rather only a new build scheme, of the church site and adjoining land, is able to achieve the applicant's aspirations of providing modern facilities for the local community, in the form of a worship area, community hall and play group.

A significant element of the proposed development is the provision of 22 units of affordable housing, in the form of 16 one-bedroom flats and 6 three-bedroom houses, in a style that relates well to the design of the new church, which itself should become a landmark building both in terms of its prominent position as well as a focal point for the local community. As indicated in the "Consultations" section of this report, the proposed units will make a significant contribution to the Council's targets for increasing the supply of affordable housing.

Local residents have raised concern about the proposed parking provision, to be accessed via the existing entrance of the driveway serving the Vicarage. The Highway Authority has confirmed that there is a potential shortfall of parking for both the residential and community elements of the re-development scheme. Whereas the parking standards require 40 spaces only 34 have been shown on the plans submitted with the application. Nevertheless, given the local orientation of the religious and other community activities, such as a playgroup, together with the provision of individual cycle parking storage for each of the 16 flats and the close proximity of a bus route, it is likely that non-motorised forms of travel will make a significant contribution to the travel patterns of church goers, community hall users and residents alike. On such a basis, the proposed car parking, which allows for dispersed tree planting to screen parked cars, is considered to be adequate.

The Council's Arboricultural Officer has expressed concern that the development would result in the loss of all trees on site, including the Elms on the Whitley Road frontage and the Holm oaks at the corner of the existing church. The applicant has been made of aware the need to soften the visual impact of the new buildings and has commissioned a detailed landscape scheme, which is to be displayed at the meeting for Members' consideration.

Some of the local residents have raised a number of concerns in respect of additional noise, disturbance, flooding and overlooking, which could arise. However, given the existing church, hall and playgroup related uses, the site already generates noise and disturbance. Further, the design of the flatted element of the proposal, incorporating angled windows and amenity screens, should restrict the potential for any overlooking of the adjoining residential properties, fronting Whitley Road. In addition, 1.8 metre high brick walls are to be built or retained, and close-boarded fencing is to be erected, along the boundaries of the site. With regard to possible flooding, the Environment Agency has recommended conditions to ensure that the site is drained adequately.

With regard to the above, the proposed mixed use re-development of the site is considered to make a positive contribution in terms of affordable housing units, improved community facilities and the creation of a landmark building. On such a basis the scheme is acceptable.

HUMAN RIGHTS IMPLICATIONS

The proposed mix of community and residential development is unlikely to have an adverse affect upon the above noted Rights of local residents.

RECOMMEND: Permission be granted subject to the prior conclusion of a Section 106 legal agreement in order to secure affordable housing as part of the overall re-development scheme, together with the following conditions:

1. D1.1 Commencement of development within 5 years
2. A2 Submission of details of facing materials
3. A9.3 Submission and approval of landscaping scheme

4. B8.1 Proper construction of car parking spaces
5. C5.3 Hours of demolition and building operations
6. C6.2 Restriction of 6 children in playgroup play area
7. Provision shall be made to prevent the discharge of water from the proposed site onto the public highway and, similarly, to prevent the discharge of surface water from the highway onto the site
8. The finished surface of the private drives, hardstanding or forecourt shall not result in loose material being deposited onto the public highway
9. Before the commencement of the development, hereby approved, details of site drainage shall be submitted to and approved by the Local Planning Authority
10. Prior to being discharged into any system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies to BS 5911:1982, with an overall capacity compatible with the site being drained
11. No material shall be deposited at the site other than clean, uncontaminated naturally occurring excavated material, brick and concrete rubble only.
12. Soakaways shall only be used in areas on site where they would not present a risk to groundwater. If permitted their location must be approved in writing by the Local Planning Authority. As this site lies within a SPZ 1 (inner) only clean uncontaminated roof water shall discharge direct to soakaway via a sealed drainage system (capable of preventing accidental/unauthorised discharge of contaminated liquid into the soakaways) without passing through either trapped gullies or interceptors.
13. Details of secure cycle parking facilities to serve the church, community centre and play group shall be submitted to and approved by the Head of Planning. The approved scheme shall be installed before the building is first used.

Together with such conditions as recommended by the Arboricultural Officer, in respect of the above noted landscaping scheme, and considered appropriate by the Head of Planning.

11) LANGNEY COUNTY PRIMARY SCHOOL CHAILEY CLOSE. Retention of single storey link between existing mobile units. EB/2003/0033(CC), MAP R9. ST. ANTHONYS

SITE LOCATION

Members will be aware of the location of the school at the rear of the houses in Etchingham Road and adjacent to Bishop Bell School.

PLANNING HISTORY

The two existing mobile classrooms were granted deemed consent in 1972, and planning permission was granted in 1991 for the existing link between them; this was renewed in 1998.

CURRENT APPLICATION

Consent is sought to renew the permission for a further five year period. In a supporting memo the Director of Education states that:

“The capacity of Langney Primary School is 406. The school is currently operating at 402 with numbers expected to gradually fall over the next five years.

However, the Eastbourne Borough Council draft Local Plan provides for an additional 4,176 homes to be allocated in the period 2002-2011. The local plan recognises the possible need for two new primary schools in the area, if housing developments occur to the extent envisaged.

Until confirmation is given from developers on how many new homes will be built, we are unable to seek funding to provide permanent accommodation or make a decision on whether or not to remove the temporary classrooms. I am therefore seeking a temporary consent for a period of five years (2007), after which time the long-term accommodation requirements for this school and others in the area should be clearer”

(memo dated 7 January 2003 – background papers)

PLANNING POLICY

The following policies are relevant to this application:

Adopted Borough Plan

Policy CT1 - New development to harmonise with existing

Revised Deposit Draft

Policy UHT4 - Visual amenity

CONSULTATIONS

None received at the time of writing this report.

APPRAISAL

The infill is constructed of the same materials as the adjoining mobile units and is in a better condition. In the circumstances, it would be difficult to sustain an objection to the link.

HUMAN RIGHTS IMPLICATIONS

None.

RECOMMEND: That this Council raises no objection to the retention of the link for a further temporary period.

12) 62 BRIDGEMERE ROAD. First floor addition at rear. EB/2002/0722, MAP K9. ST. ANTHONYS

SITE LOCATION

This two storey semi-detached dwelling is situated on the south-east side of Bridgemere Road; the Horsey Sewer runs along the rear of the property.

PLANNING HISTORY

Planning permission was granted in 1987 for the erection of a two storey extension at the front. A further permission was granted in 2000 for a single storey extension at the side and rear, however this permission has not been built in accordance with the approved plan, in that the rear extension has a not insubstantial tiled upstand and the roof is being used as a balcony accessed by doors from the rear bedroom.

(EB/87/0392 & EB/00/0120 - [background papers](#))

CURRENT APPLICATION

Permission is now sought to construct a first floor addition over part of the ground floor extension. It would measure 2.7m by 2.7m under a pitched roof 2.75m above the tiled upstand, or 6.2m above ground level; the flank wall of the extension would be 0.35m from the boundary with 64 Bridgemere Road (to which the application premises is attached). The extension would be finished in matching concrete roof tiles and vertical tile hanging.

PLANNING POLICY

The following policies are relevant to this application:

Adopted Borough Plan

Policy HO19 - Criteria for extensions

Policy CT1 - New development to harmonise with existing

Revised Deposit Draft

Policy HO20 - Residential amenity

Policy UHT1 - Design of new development

CONSULTATIONS

No representations have been received as a result of neighbour notifications.

APPRAISAL

The main issues to take into account in determining this application are the impact of the proposal on the visual amenities of the area and the amenities of the adjoining residents.

The design of the extension is appropriate to the style of the building and would not have an adverse impact on the visual amenities of the area.

I am, however, concerned about the impact of the proposal on the amenities of the occupiers of the adjoining property at 64 Bridgemere Road. The orientation of the two dwellings already results in some limited impact on the neighbours conservatory from the existing extension, and I consider that an extension at first floor level would result in an unacceptable degree of overshadowing and loss of outlook. I acknowledge that no objections have been received from the occupiers of 64 Bridgemere Road, however I consider that a grant of permission would make it difficult to resist proposals for similar developments.

HUMAN RIGHTS IMPLICATIONS

For the reasons given above, it is considered that the proposed extension would have an adverse impact on the residential amenities of the adjoining occupiers.

RECOMMEND: Permission be refused on the following grounds:-

That the proposed first floor extension would have a detrimental impact on the residential amenities of the adjoining occupiers in terms of loss of outlook and overshadowing by reason of its height and massing in close proximity to the boundary, and therefore would be contrary to Policy HO19 of the Adopted Borough Plan and Policy HO20 of the Revised Deposit Draft.

13) 43 GREAT CLIFFE ROAD. Raising of ridge height of roof and construction of rear dormer. EB/2002/0729, MAP.Q10. ST. ANTHONYS

SITE LOCATION

This two-storey mid-terrace property is situated on the north-west side of Great Cliffe Road.

PLANNING HISTORY

None.

CURRENT APPLICATION

Planning permission is sought to raise the ridge of the roof by 0.3m and to construct a rear dormer extending the full width of the property; the dormer would be 5.5m wide and 2.5m high, covering the entire rear roof slope, and finished in tile hanging.

PLANNING POLICY

The following policies are relevant to this application:

Adopted Borough Plan

Policy CT1 - New development to harmonise with existing

Policy HO19 - Criteria for extensions

Revised Deposit Draft

Policy UHT1 - Design of new development

Policy HO20 - Residential amenity

CONSULTATIONS

No representations have been received as a result of neighbour notifications.

APPRAISAL

The main issues to take into account in determining this application are the impact on residential amenity and visual amenity.

On the first issue, I do not consider that the proposal would result in any detrimental impact on the residential amenities of adjacent occupiers.

Turning to the second issue, I consider that the raising of the ridge of a mid-terrace property would have an adverse impact on the streetscene to the detriment of the visual amenity of the area. In addition to the increase in height of the ridge, I am of the opinion that the construction of the box dormer level with the new ridge height would be visible from a considerable distance, and would be an incongruous and undesirable feature in the terrace and the street. The agent disagrees with this view and maintains that the alterations to the roof would be barely noticeable from street level. However, I remain convinced that it would be visible, given the small scale of these dwellings and their relatively shallow roof pitches.

HUMAN RIGHTS IMPLICATIONS

None.

CONCLUSION

In conclusion I consider that the proposal is unacceptable in terms of its impact on the appearance of the building and the visual amenities of the area in general.

RECOMMEND: Permission be refused on the following grounds:-

That the proposed alterations to the roof would result in an incongruous and prominent feature which would be detrimental to the appearance of the building and the streetscene in general, and therefore would not comply with Policy CT1 and Policy HO19 of the Eastbourne Borough Plan (1998) and Policy UHT1 of the Revised Deposit Draft (2001-2011).

SOVEREIGN WARD

14) 2 BARRIER REEF WAY. Conversion of four bedroom dwellinghouse to form surgery for a single general medical practitioner, together with car park (for ten vehicles) off Pacific Drive (situated opposite the application site). EB/2002/0760, MAP T11. SOVEREIGN

SITE LOCATION

The site comprises a detached 2-storey dwellinghouse situated at the entrance of Barrier Reef Way, which in turn leads to Coral Reef Close, on the south-eastern side of Pacific Drive.

PLANNING HISTORY

This estate, built by Persimmon Homes (South Coast Ltd), is covered by the original outline planning consent for the comprehensive development of Sovereign Harbour (EB/1986/0431 (OL) – [Background paper](#)).

Changes to the configuration of the North Harbour led to a further outline application relating to the “Proposed use of land for residential development comprising houses and flats and construction of North Harbour”, which was approved in August 1997 (EB/1995/0267(OL) – [Background paper](#)).

In March 1999, reserved matters consent was granted for the erection of 119 three and four-bedroom dwellings, together with sub-station, promenade, access roads and associated public open space (EB/1999/0005 – [Background paper](#)).

CURRENT APPLICATION

Planning permission is sought for the change of use of the 4-bedroom residential property (Class C3) to that of a doctor’s surgery (Class D1). It is proposed to convert the integral garage into a waiting room, replacing the garage door with new brick cill and half-glazed panel above. On the remainder of the ground floor there is to be a reception/office, together with two rooms, at the rear, for a doctor and a nurse. On the first floor, to replace the four bedrooms, it is proposed to have a practice manager’s office, a staff room, a minor operations room and a district nurses & health visitors general office. The entrance to the surgery would be via the existing front door of the property.

A letter submitted with the application states that the proposed change of use is “for a temporary period until the Health Centre is built in the area”. (Letter dated 4 December 2002 – [Background paper](#)).

The applicant also states, inter alia, that:

“The need for a GP surgery (at Sovereign Harbour) has been highlighted several times by the residents themselves and featured in the local press. Residents have had to travel to other parts of Eastbourne to find GPs... To alleviate the problem, the GP management body (the Primary Care Trust) hopes to be able to build a surgery in the harbour sometime in the future.

This is unlikely to happen for another two to three years... A lot of new growth is happening in the Harbour area and it is there that the highest number of requests for new patient registration has been coming... My proposal is tailored to:

- (a) help the residents by providing a GP service on their doorstep and
- (b) alleviate the pressure on the town’s GP service”.

(Letter dated 15 January 2003 – [Background paper](#)).

PLANNING POLICY

Relevant policies contained in the adopted Borough Plan 1998:

IC10 – Standards for new commercial development

HT7 – Car and cycle parking standards

US22 – Criteria for doctors' and dentist's surgeries

Relevant policies contained in the draft replacement Borough Plan 2001-2011:

HO20 – Residential amenity

TR6 - Facilities for cyclists

TR11 – Car parking standards

LCF19 – Criteria for community facilities

CONSULTATIONS

The Principal Highway Engineer (Planning) advises that the Highway Authority does not wish to restrict the grant of consent subject to the following:

- The applicant will be expected to enter into a legal agreement with the Borough Council to secure the use of the temporary car park. The legal agreement would ensure that the surgery cannot operate without a car park.
- Signing to be provided to make clear that the temporary car park is intended for patients visiting the surgery.
- Low boundary fencing to be provided at the back of the footway along the frontage of the temporary car park to prevent vehicles overhanging the footway.
- Loose material from the rolled gravel surface of the car park must be prevented from spreading onto the carriageway at all times.
- Pedestrian crossing facility to be provided in the form of dropped kerbs and tactile paving. The legal agreement will include a requirement for the pedestrian crossing to be removed and the areas reinstated when the surgery use ends.

(Memo dated 3 January 2003 – Background paper).

Site notices were displayed in Pacific Drive and Barrier Reef Way. In addition, letters of notification were sent to residents in Barrier Reef Way. In response, at the time this report was prepared (30 January) 24 letters of objection, together with a petition containing 38 names, had been received, the contents of which can be summarised as follows:

- Our small road is a quiet and safe residential area
- Parking in and around the area is seriously restricted

- The proposed change of use will require a lot of parking
- The value of our home will be reduced
- The proposal is totally out of keeping with the area
- The proposed car parking is totally insufficient for the conversion
- There will be an increase in noise, traffic and congestion on the roads
- The application is in breach of the covenants on the property
- The ten parking spaces in Pacific Drive only cater for staff
- A private practice will not be beneficial to local residents
- A doctors practice is a business and therefore has no place in this area
- Total strangers could visit the area, which is of concern particularly in the light of ever-increasing number of child abductions reported in the news
- There is a need for a doctor's surgery in the harbour but not here
- With 8 practice rooms there will be a significant number of staff and visitors
- The overflow parking (on Pacific Drive) is probably not for the long term
- Further applications for extensions, fire escapes, etc can be expected
- A comprehensive medical centre is required in an appropriate location with adequate access and parking
- The application is opportunistic given the current debate regarding health provision, or lack of it, at Sovereign Harbour.
- Any additional traffic using Pacific Drive, a bus route, is not acceptable.
- The applicant should negotiate a lease in vacant commercial accommodation on the harbour
- A surgery and community centre could be provided on the B&Q site
- I will be over-looked by non-residents from the rear upper floors
- Unsocial hours of working of a business with a residential area
- The ten space car park will be too far away from the surgery
- The application discriminates against the disabled and old
- Changes to the garage into a waiting room will spoil the look of the house

(Letters dated 22 December 2002 – 9 January 2003 (Background paper)).

The applicant has considered the contents of the above letters and advises that:

- The practice will be a normal NHS GP practice, specifically aimed at serving the needs of local residents

primarily

- There will only be one registered practitioner
- Although there are 8 rooms, they will not all be filled by doctors and nurses
- On a typical day there will be a doctor, a nurse and one or two reception staff
- The surgery will be open to the public between 8:30 – 12:30 and 14:30 – 18:00 on Mondays, Tuesdays, Thursday and Fridays. There will no activity in the evenings or weekends
- Being a single-doctor practice, the patient list will be small and there will be an appointment system, with no more than 6 patients waiting at any time
- The amount of car parking far exceeds the number required for planning purposes. Patients will be encouraged to use the ten place car park
- Given the size of the practice, there will be no large deliveries of medicines or large surgical/medical waste disposal issues
- It is not planned to store controlled drugs on-site
- The Primary Care Trust are fully aware and support this proposal
- The proposed practice is a temporary measure until a permanent GP surgery is built. When that happens, the property will be re-converted
- There are no plans to extend or to build onto the property
- Temporary release from the restrictive covenant has already been obtained
- The aim is to achieve a high-quality practice rather than “getting rich quick”

(Letter dated 15 January 2003 – [Background paper](#)).

APPRAISAL

The main issues to consider in the determination of the application are: the proposed change of use of a residential property; the affect such a conversion would have on the appearance of the building and the amenity of surrounding residential properties, and the parking provision to serve the proposed surgery.

2 Barrier Reef Way was built and subsequently occupied as a four-bedroom dwelling, fronting an estate road of similar proportioned detached properties. However, given this position, at the entrance to the estate, the side of the application property adjoins Pacific Drive, the main distributor road serving Sovereign Harbour North. Although the proposed conversion of the existing dwellinghouse, to form a doctor’s surgery, would introduce a non-conforming (Class D1) use into an established residential (Class C3) area, this is not in itself sufficient reason to prevent the creation of a GP’s surgery. Rather, it is the impact that the change of use would likely to have on the surrounding area that needs to be considered.

At present, there are no doctors practising in the northern part of Sovereign Harbour, a developing residential area with an ever-increasing population. Other parts of Eastbourne have such medical facilities, which results in many Sovereign Harbour residents having to visit a doctor elsewhere in the town. This is an unsatisfactory situation for many of the people concerned, adding to traffic flows in the town. Although there is a possibility of a medical centre being provided at Sovereign Harbour, this is unlikely to be open to the public for at least two or three years, possibly longer. As such, the proposed GP surgery, which the applicant acknowledges will only be for a temporary period before a permanent medical centre is able to be built, would provide a useful facility

for residents of the local area.

The proposed change of use would require a limited amount of adaptation to the existing building, with external alterations to the front of the existing integral garage. The removal of the garage door and its replacement with a window is not considered to have any adverse affect on the established street scene. Further, the applicant has confirmed that there is no intention to extend the building as there is already sufficient space for his purposes.

The use of the application site would, compared to a residential unit, result in an increase in the number of people attracted to the property, in terms of staff, patients and other visitors. However, given that the property is in an end-of-row location, situated at the entrance to Barrier Reef Way, most people attending to the surgery will arrive from Pacific Drive and will not need to pass along the remainder of Barrier Reef Way.

Concern has been expressed by an adjoining neighbour with regard to potential overlooking from the upper (first) floor windows at the rear of the property. The application drawings indicate that the first floor back rooms are to be used as a minor operations room, a staff WC and a district nurses & health visitors general office. As patients will use the former room, rather than only staff, semi-obscure glazing applied to the window of the minor operations room would avoid any occurrence of overlooking of the neighbouring property.

The Highway Authority recommends that the applicant enters into a legal agreement in order to secure the use of the temporary ten-space car park, with access off Pacific Drive, directly opposite the proposed surgery. In addition, various boundary treatment, signage and pedestrian crossing facilities are required to ensure the safe use of the available parking provision. On such a basis it is considered that there would be adequate car parking arrangements to serve staff, patients and other visitors to the proposed surgery. Further, given the intended catchment area of the surgery, secure bicycle parking, at the front of the building, would enable some patients and possibly staff to cycle to the surgery rather than to be reliant upon the private motor car.

With regard to the above, the proposed change of use of 2 Barrier Reef Way, to that of a surgery for a single general medical practitioner for a temporary period, is considered to be acceptable but only after adequate car parking facilities have been provided off Pacific Drive.

HUMAN RIGHTS IMPLICATIONS

The provision of the proposed medical facilities is not likely to infringe the above noted Rights of local residents.

RECOMMEND: Permission be granted subject to the prior conclusion of a Section 106 legal agreement with the Borough Council in order to secure the provision of the temporary car park, and associated fencing, surfacing, signage and pedestrian crossing facility, before the surgery is first used, together with the following conditions:

1. D1.1 Commencement of development before 5 years
2. C1.4 Restriction of use to that specified in the application
3. D5.2 Temporary permission until 28 February 2005
4. Before the property is re-used as a dwellinghouse, the integral garage shall be re-instated to the satisfaction of the Head of Planning
5. A4.1 Semi-obscure glazing in the minor operations room
6. That before the surgery is first used, secure cycle parking shall be provided at the front of the premises, to a design and specification that has previously been approved by the Head of Planning

15) DUKE'S QUAY, SITE 'X', SOVEREIGN HARBOUR. Erection of 4 timber bin stores to serve

SITE LOCATION

The application comprises timber bin stores, placed at four locations to serve different blocks of apartments at the Duke's Quay residential development. Site 1 adjoins a garage block near to the North Harbour; site 2 is adjacent a boundary wall fronting Pacific Drive; site 3 is at the end of Long Beach View and site 4 is on a corner of Long Beach Close.

PLANNING HISTORY

Dukes Quay is part of the area covered by the original outline planning consent for the comprehensive development of Sovereign Harbour,

(EB/1986/0431 (OL) – [Background paper](#)).

Changes to the configuration of the North Harbour led to a further outline application relating to the "Proposed use of land for residential development comprising houses and flats and construction of North Harbour", which was approved in August 1997 (EB/1995/0267(OL) – [Background paper](#)).

In August 1999, reserved matters was granted for the erection of 97 and 20 apartments, together with associated roads, garages, parking spaces and harbour walkway (EB/1999/0178(RM) – [Background paper](#)). This application was varied in October 2000 and thereafter constructed so as to substitute 41 dwelling houses with 42 dwelling houses and 12 flats together, with the provision of associated car parking for Phase III of Duke's Quay (EB/2000/0454 – [Background paper](#)).

CURRENT APPLICATION

Permission was originally sought, by White Oak Developments, to retain the four bin stores, identified above. Although each of the bin stores is of a slightly different design, their main feature is the use of ranch style or 'hit and miss' slatted horizontal timber boarding on wooden posts, with a height of some 1.8 metres and a length of approximately 4.7 metres. None of the bin stores, as built, has a roof or a door.

Following protracted discussions with the applicant, sites 2, 3 and 4 of the scheme have been amended, so as to use brick and timber roof members, as well as incorporating lockable doors. Copies of the amended drawings were sent to the local residents, who had commented on the original application (Details of responses given below).

PLANNING POLICY

Relevant policies contained in the adopted Borough Plan 1998:

CT1 - New development to harmonise with existing

Relevant policies contained in the draft replacement Borough Plan 2001-2011:

UHT1 – New development to harmonise

HO20 – Residential amenity

CONSULTATIONS

The Principal Highway Engineer (Planning) advises that he has no objections to the location of the bin stores (Memo dated 27 March 2002 – Background paper).

The Council's Cleansing Manager advises that all waste should be stored on a hard surface (Sites 1 and 2 both have a gravel base and Site 4 only has a grass base) to stop leachate contamination of the ground. Further, steps should be taken so that the stores are not left open to be accessed by the public, in order to stop fly-tipping, all waste must be contained and preventative measures should be taken to stop the escape of any waste or from scavenging animals and birds (Memo dated 15 May 2002 – Background paper).

Original application

A total of four site notices were displayed in respect of the original scheme, one on each of the bin stores, and letters of notification were sent to surrounding residents. In response, six letters of representation were received, the contents of which can be summarised as follows:

- The bin stores are a health hazard as they are full of refuse bags not bins
- The bin collection structure is very tall and out of character with the area
- The open nature of the stores results in the risk of odours, flies and seagulls
- Rotting matter on the grass base could give rise to a health hazard
- Not only the residents of the flats use the stores, other householders as well
- The number of bin stores exceeds that required to serve the apartments
- The outlook from both the kitchen and living room windows is undesirable
- The way the refuse box/wooden crate is designed makes it look a tip

(Letters dated 28 March 2002 – 17 July 2002 – Background paper).

Amended application

Local residents were advised, by way of a letter, of the amended scheme. In response, at the time this report was prepared (30 January) three further letters of representation had been received, the contents of which can be summarised as follows:

- We are pleased with the look of the amended store
- Will the bin store be lockable?
- The bin stores should be for the exclusive use of the flats as currently about 95% of the deposited waste originates from the surrounding houses
- Bin stores should not be in front of the entrance, kitchen or lounge windows
- Site 4 is too close to the parking space at the front of the property

- The stores should be 2 metres high to avoid any risk of head injury to users
- Site 3 should be used to provide an enlarged store, similar to the ones recently built to serve Pacific Heights, so that site 4 can revert to being a grassed corner
- Enlarge bin store 3 to accommodate the rubbish from the flats using store 4

(Letters/e-mail dated 14 and 20 January 2003 – [Background paper](#)).

APPRAISAL

The main issues to consider in the determination of the application are the visual impact of each of the four stores/sites and their affect on the residential amenity of nearby residents.

As indicated in the “Current Application” section of this report, the four bin stores have already been constructed on four separate sites throughout Duke’s Quay to serve various blocks of flats. Although the location of site 1, which is immediately adjacent a garage block, site 2, next to the boundary wall/railings with Pacific Drive and site 3, at the end of Long Beach View, are considered to be appropriate locations, the open front and roofless design of each of the identified stores give rise to concern, especially with regard to fly-tipping and scavenging animal or birds. Indeed, the Cleansing Manager advises that each store must be contained and incorporate measures to prevent unauthorised use or to stop the escape of any waste. Site 4, on the corner of Long Beach Close, with its grass base and communal use by many householders in the surrounding area, rather than only the six adjoining flats it is intended to serve, is completely unsuitable for a number of reasons including the prominence of any store on a landscaped corner, the adverse affect the structure has upon the outlook from the lounges of adjoining flats, and the vermin that have be attracted to nearby residential properties.

Following several meetings with the applicant, over many months, the original, that is as built, proposal has been revised to provide enclosed and secure bin storage for sites 2, 3 and 4. However, following a further round of notification, it is considered that the following amendments are still required in order that an adequate provision for the storage of rubbish bins can be achieved.

Site 1 – The existing store is adapted and fitted with lockable doors and a roof

Site 2 – The existing structure is removed and replaced by the already submitted revised design in order to provide an enclosed and secure bin store

Site 3 – The existing structure is removed and replaced by a purpose built, enclosed and secure, timber bin store, similar in size and design to that recently provided at the Pacific Heights development also by White Oaks.

Site 4 – Given the prominence and problems associated with this location, the existing structure is removed and the site is reinstated as a landscaped corner feature.

The applicant has been advised of the above and further amended drawings have been requested for consideration by Members. Providing the further amended drawings are able to accord with the above points, the scheme is likely to be acceptable.

HUMAN RIGHTS IMPLICATIONS

The provision of adequate bin stores solely to serve the flat dwellers of Duke’s Quay is unlikely to infringe the above noted Rights of other local residents.

RECOMMEND: Permission be granted subject to the receipt of a suitable amended scheme, which utilises only sites 1,2 and 3, together with such conditions as considered appropriate by the Head of Planning.

UPPERTON WARD

16) TAXI OFFICE, 2 OLD ORCHARD ROAD. Display of an internally illuminated fascia sign. EB/2002/0761(ADV), MAP G11. UPPERTON

SITE LOCATION

This single storey building is situated on the corner of Old Orchard Road and Southfields Road.

PLANNING HISTORY

The original taxi office was constructed in the early 1960's, and permission was granted to extend it in 1990. Consent to display an internally illuminated fascia sign was granted at the same time.

(EB/90/268 & ADV 90/22 - background papers)

CURRENT APPLICATION

Permission is now sought for a larger internally illuminated fascia sign, which has been displayed since October 2002. The application was sought following the receipt of a complaint regarding the size of the new sign.

The previously approved sign, which also extended to the full width of the building, had a depth of 0.3m and sat neatly under the coping of the flat roof; the fascia was black with yellow lettering, lit internally so that only the lettering was illuminated.

The existing sign has a depth of 0.54m and protrudes above the roof of the building; the supporting brackets are particularly visible when travelling

down Old Orchard Road towards the station. The whole of the sign is coloured white, with red and blue lettering, and therefore the entire sign is illuminated.

PLANNING POLICY

The following policies are relevant to this application:

Adopted Borough Plan

Policy CT9 - Advertisements to be sensitive to location

Revised Deposit Draft

Policy UHT13 - Advertisements to be sensitive to location

-

CONSULTATIONS

One letter has been received from the proprietor of the Meads School of English, who strongly objects to the sign and considers that it is out of character with its location, that the illumination is far too bright and that the size and supporting structure increases the massing and bulk to an unacceptable degree, especially when viewed from the windows of the school.

(Letter dated 2 January 2003 – background papers)

APPRAISAL

The main issue to take into consideration is the impact of the sign on the visual amenities of the area.

The existing sign is almost double the depth of the previously approved sign, and every part of it is now fully lit, rather than just the lettering as before. The background colour has changed from black to white, which makes the sign appear bigger, even when it is not illuminated. The supporting structure and the top of the sign projects above the roof of the building and is clearly visible from Old Orchard Road, particularly as the road slopes down to this point and the roof is so low. I can also confirm that the sign is over prominent after dark, and is very highly visible from a considerable distance.

Documents submitted with the application indicate that the previous sign was of the same dimensions, however these are computer generated photographs and are clearly false. There is an example on file of the originally approved sign in situ. In any event, such a comparison would be irrelevant as no consent has been granted for the alleged sign.

I am mindful that this is a commercial building, however it is very small scale and Old Orchard Road is primarily a residential street. The signage on the adjacent school building is very reserved by comparison, and is not out of context with the domestic appearance of the host building; whilst the application site is on the edge of a busy commercial area, there is a clear physical separation between the commercial area and the residential street in which the taxi office is situated. The office provides administration facilities and a rest room for drivers, and there is no need to attract members of the public to the building; drivers feed onto the station rank from the Old Orchard Road rank, so that passengers are picked up from the most convenient point and do not have to cross over the junction to get a taxi, therefore in practice the station rank is always used first and is rarely left empty. There is no overriding need to advertise the location of the building with the size and impact of this particular sign.

In conclusion, I am of the opinion that the sign is excessive in its size and illumination in the context of the host building and its location, and represents a discordant feature in an otherwise restrained streetscene to the detriment of the visual amenities of the area.

HUMAN RIGHTS IMPLICATIONS

None.

RECOMMEND: Permission be refused on the following grounds:-

That the sign, by reason of its size, illumination and location in a primarily residential street, is severely detrimental to the visual amenities of the area and the appearance of the building, and is contrary to Policy CT9 of the adopted Borough Plan(1998), Policy UHT13 of the Revised Deposit Draft Borough Plan(2001-2011) and Guideline SA13 of the Eastbourne Townscape Guide (Draft).

17) PRIDEAUX HOUSE REST HOME, 21 PRIDEAUX ROAD. First floor extension at rear to provide five additional bedrooms and a lift. EB/2002/0674, MAPI8. UPPERTON

SITE LOCATION

This large detached period dwelling is situated on the south side of Prideaux Road.

PLANNING HISTORY

The property was converted from a flat and a maisonette to a residential care home in 1974. Planning permission has been granted for various extensions since that time, which has resulted in a very substantial increase in the floor area at ground level. Planning permission was refused on appeal in 1992 for a further addition at the rear which would have extended another nine metres into the garden.

(EB/92/0151 - [background papers](#))

CURRENT APPLICATION

Permission is now sought to construct a first floor addition over the collective rear extensions under an arrangement of steeply pitched roofs. The addition would be 17.5m wide with an average depth of 11m; the ridge of the roof would be 9.3m above ground level, which would match that on the main building. The materials proposed are tiles and tile hanging to match.

PLANNING POLICY

The following policies are relevant to this application:

Adopted Borough Plan

Policy HO18 - Criteria for residential development

Policy HO19 - Criteria for extensions

Revised Deposit Draft

Policy UHT1 - Design of new development

Policy UHT4 - Visual amenity

CONSULTATIONS

The National Care Standards Commission has no objections to the proposal.

(letter dated 6 December 2002 – background papers)

Two letters of objection have been received from the occupiers of 23 and 25 Prideaux Road, the contents of which are summarised below:

- the height and massing of the extension are unacceptable, resulting in the size of the original building being doubled
- the projection into the rear garden would result in loss of privacy, loss of outlook and loss of light
- the old people living in the property cry, scream, shout expletives and stare out of the windows causing distress to the occupants and their children
- an increase in the numbers of residents would exacerbate the general noise, smell and disturbance from comings and goings to the property, and increase parking difficulties caused by the home
- the enlargement of a commercial use in a residential area would set a dangerous precedent for the future integrity of a so far unspoilt residential area.

(Letters dated 5 & 9 December 2002 - background papers)

APPRAISAL

The agent has submitted a statement in response to the objections, which is reproduced in part below:

“The home is registered for 20 elderly mentally infirm residents, and there is currently an under provision for this type of accommodation in Eastbourne. The upper floors are not served by a lift which presents difficulties in moving some residents; it is likely that a lift will be required by future standards. The installation of a lift in the original part of the building would result in the loss of three bedrooms, which together with the costs involved would affect the viability of the home.

The extension would provide a lift and seven additional bedrooms with en-suite facilities; at ground floor level, the dining room would be enlarged resulting in the loss of two bedrooms; the net gain of five bedrooms is necessary to finance the project and make it viable.

The extension has been designed to be sympathetic with the original building in terms of design and materials, and the existing unsightly flat roof will go. It is accepted that the extension would have an impact on the adjoining property by reason of its bulk, however it is considered that this will be minimal and offset by the improvement in the appearance of the building. There would be no bedroom windows on the elevation facing 23 Prideaux Road.

It is considered that 25 Prideaux Road is too far away to be affected by the proposal, and that the proposal would result in the screening of some windows from 23 Prideaux Road.

The applicants absolutely deny that any nuisance is caused by residents screaming and crying.

There are four off street parking spaces provided on site, and there are no parking restrictions adjacent to the property. The only parking problems appear to be caused by parents of pupils at Thomas a Becket school.

In conclusion, the scheme has been very seriously considered in terms of design and the standards required to meet future legislation whilst providing an improved environment for the residents. The proposal does away with the unsympathetic flat roof and replaces it with a design that is in keeping with the existing building. It is respectfully requested that the application be presented to the Planning Committee with a recommendation for approval.”

(Letter dated 23 January 2003 - [background papers](#))

The main issues to take into account when determining this application are the impact on visual and residential amenity.

I agree that the proposed extension has been well designed and in one respect does improve the appearance of the building. However, I am mindful that the immediate locality retains much of its original character, and that part of this character derives from the spaciousness at the rear of the properties. I consider that the proposed first floor addition would have a very significant and detrimental impact on the outlook from many adjoining properties in the vicinity, given its size, massing and projection (11m) into the rear garden. There are no other examples nearby of any development of this nature, and it is quite clear when standing in the rear garden that all the properties on this side of the road follow clear lines in terms of built development, although they are not rigid. In my opinion, the extension would also be visible from Prideaux Road.

Turning to residential amenity, I have been unable to confirm any of the reported problems in respect of noise, smell and parking difficulties. From my officers visits to the home, it would appear that it is well run, clean, well maintained (inside and out), quiet and with no evident parking problems. I do not consider that an increase in the number of residents from 20 to 25 would have any significant impact on the adjoining residents given the nature of the use involved. I also consider that the only loss of privacy would come from a first floor bedroom window directly facing into the garden of 19 Prideaux Road, which is also in use as a care home for the elderly; given the use of the property, I would not regard this as a serious issue in this instance and I am also mindful that there have been no objections from the home.

I consider that the only impact would be on the outlook from the rear windows of the adjacent property at 23 Prideaux Road; the extent and massing of the building only 800mm from the boundary would be seriously detrimental to the amenities of the residents of that property.

HUMAN RIGHTS IMPLICATIONS

For the reasons given above, it is considered that the proposed development would seriously affect the occupiers of 23 Prideaux Road.

CONCLUSION

In conclusion I consider that, whilst the extension is well designed and would provide some benefits for the residents of the home, the impact on the visual amenity of the area and the adjoining residents in particular are unacceptable.

RECOMMEND: Permission be refused on the following grounds:-

1. That the proposed extension, by reason of its size, height, extent and massing, would result in an incongruous feature out of character with the surrounding properties and would be seriously detrimental to the visual amenities of the area.

2. That the proposed extension, by reason of its size, height, extent and massing in close proximity with the boundary would be seriously detrimental to the amenities of the adjacent residents in terms of loss of outlook.

3. That further to Reasons 1 and 2 above, the proposal would conflict with Policies HO18 and HO19 of the Adopted Borough Plan, and Policies UHT1, UHT4 and HO20 of the Revised Deposit Draft.

T. C. E. Cookson

Head of Planning

31 January 2003