

12 DENTON ROAD. REMOVAL OF REAR CHIMNEY STACK AND RE- INSTATEMENT OF ROOF. EB/2001/0621. MAP D11. MEADS.

SITE LOCATION

This large detached property, converted into 5 flats, is located on the northern side of Denton Road, within the Meads Conservation Area.

PLANNING HISTORY

Planning permission was granted in 1973, for a single-storey extension at the rear and conversion of a single private dwelling into 4 two-bedroom and 1 one-bedroom flats, all self-contained, with parking for six cars at rear (EB/1973/0201 – background paper).

Permission was granted in 1979 for the erection of a block of five domestic garages at the rear (EB/1979/0414 – background paper).

CURRENT APPLICATION

The stack to be removed is at the rear, with bricks matching the rest of the building. There are two other stacks on the property, one positioned on either side of the roof ridge, and the other within the front roof slope. The applicant states that water is leaking via the chimney into the top floor flat (Flat 5) (letter dated 16 October 2001 – background paper).

PLANNING POLICIES

Guideline R7: On unlisted buildings in Conservation Areas the Council will normally expect the retention of the principal chimney stacks and pots as well as decorative stacks visible from public areas. However the removal of secondary chimney stacks and pots on hidden elevations will normally be permitted, subject to conservation area consent.

CONSULTATIONS

The Historic Buildings Advisor comments that ‘this is a rear stack on the property that has very little impact on the streetscene. The property has other more prominent stacks which will remain visible. I therefore have no objection to the loss of this stack and it will have no significant impact on the Conservation Area’ (memo dated 13 November 2001 - background paper).

The Conservation Area Advisory Group raised no objections to the proposal at the meeting held on 23 October 2001.

REPRESENTATIONS

One letter has been received, from the occupiers of 14 Denton Road, as a result of two site notices placed to the front of the property (one on each side of the road), and an advertisement placed in a local newspaper. They are of the opinion that a project such as this will spoil the character of the property concerned and the neighbourhood, pointing out that ‘the chimney stacks of most of these properties are visible not only as you drive down the road but also from Beachy Head Road and to deface such an elegant property we feel would be out of keeping with the other buildings on this side of the road.

They question why remedial action has not been tried in the first instance, as leaks on their roof have been mainly owing to lead needing replacing. In a conservation

area they 'believe that it is important to retain the character of these buildings' adding that 'if planning permission is granted, this may set a precedent which could lead to further deterioration in the character of an important period area of Eastbourne' (letter dated 4 December 2001 - [background paper](#)).

HUMAN RIGHTS ACT 1998

It is considered that the proposal would not infringe the rights conferred by the above legislation, in respect of right to peaceful enjoyment of possessions and protection of property, and right to respect for private and family life, home and correspondence.

APPRAISAL

I note the concerns of the objector regarding the effect of the proposal on the visual character of the building, and surrounding area. However, the majority of the stack is shielded from most public vantagepoints, and I do not consider the effect of the visibility of the proposal in long range views from the Downs and Beachy Head Road to be significant enough to warrant refusal. Viewed from Denton Road, though parts of it can be seen, much of the stack is blocked by the roof, by trees, and from some angles, by other properties. In addition, the structure is not notable for any particularly special features, such as decorative brickwork. The other two stacks are more prominent features, and will not be removed.

As such, the proposal is compliant with Guideline R7 of the Eastbourne Townscape Guide, and the Historic Buildings Advisor raises no objections, as stated in the consultations section of this report. On the issue of precedent, future applications will be considered in relation to the Townscape Guide policies, and as such I do not consider that allowing the removal of this secondary stack would prevent applications in respect of more notable structures being refused in the future.

Overall, whilst I consider that in many cases in Conservation Areas, the loss of chimney stacks should be resisted, I consider that in this case, the nature and position of the stack is such that the effect on the character of the building, and surrounding area, would be limited.

RECOMMEND: Permission be granted subject to the following conditions:

1. D1.1 Commencement of development within five years.
2. That, within three months of the commencement of development, the removal of the rear chimney hereby authorised, as indicated in the drawing and photograph submitted with the application, shall be completed to below roof level, and all areas of roof exposed made good with roof tiles to match the type, texture and colour of the existing roof tiles.