Eastbourne Borough Council

Planning Committee

2 October 2007

Report of the Head of Planning

List of Planning Applications for Consideration

1) FORT DEPOT, 59-61 PEVENSEY BAY ROAD, EASTBOURNE
Reserved Matters application for demolition of existing depot and erection of two-storey office (class B1) building together with 6 three/four-bedroom dwelling houses with garaging and parking facilities.
EB/2007/0454(RM), ST. ANTHONYS Page 5
RECOMMENDATION: Permission be granted subject to conditions.

2) LAND ADJACENT TO HOCKINGTON HOUSE, HOCKINGTON LANE, EASTBOURNE
Erection of a four bedroom detached dwelling with double garage accessed from Crouch Close, involving demolition of existing garage..
EB/2007/0479(FP), RATTON Page 9
RECOMMENDATION: Permission be granted subject to conditions.

3) 34 DILLINGBURGH ROAD, EASTBOURNE
Erection of single-storey extension at side to form one self-contained flat.
EB/2007/0522(FP), OLD TOWN Page 15
RECOMMENDATION: Permission be refused.

4) ALL SAINTS HOSPITAL SITE, 22 DARLEY ROAD, EASTBOURNE
Temporary sales and marketing suite (two years), pedestrian access, and landscaping (retrospective application)..
EB/2007/0523(FP), MEADS Page 19
RECOMMENDATION: Permission be granted subject to conditions.

5) ALL SAINTS, 22 DARLEY ROAD, EASTBOURNE
Display of externally illuminated fascia signs, and non-illuminated banners and hoarding.
EB/2007/0525(ADV), Page 23
RECOMMENDATION: Permission be granted subject to conditions.

6) FLAT 2, 33 UPPERTON GARDENS, EASTBOURNE
Installation of new UPVC vertical sliding box sash to replace old timber box sash.
EB/2007/0534(FP), UPPERTON Page 27
RECOMMENDATION: Permission be refused.

7) LAND WITHIN THE CURTILAGE OF 2 AND 4 ST ANTHONYS AVENUE, EASTBOURNE

Erection of a detached two storey dwelling with separate garage using existing access (Reserved Matters).

EB/2007/0536(RM), SOVEREIGN Page 29

RECOMMENDATION: Permission be granted subject to conditions.

8) 39 ST PHILIPS AVENUE, EASTBOURNE

Two-storey extension at side of house to provide garage and utility room on ground floor and granny annexe on first floor.

EB/2007/0537(FP), Page 33

RECOMMENDATION: Permission be refused.

9) TESCO STORES LTD, 21 LOTTBRIDGE DROVE, EASTBOURNE

Re-site existing recycling area including replacement of existing recycling units with a single tomra recycling unit together with associated enabling works. Existing recycling area to be re-instated with 7 additional parking bays..

EB/2007/0540(FP), ST. ANTHONYS Page 35

RECOMMENDATION: Permission be refused.

10) LAND TO REAR OF 38 & 40 OCKLYNGE ROAD, EASTBOURNE

Demolition of storage building and erection of a two-storey house.

EB/2007/0555(FP), OLD TOWN Page 39

RECOMMENDATION: A) Planning permission for re-development of the site with a two-storey house be refused.

11) LAND TO THE REAR OF 38 & 40 OCKLYNGE ROAD, EASTBOURNE

Demolition of ancillary storage building.

EB/2007/0556(CA), OLD TOWN Page 39

RECOMMENDATION: B) Conservation Area consent be approved for the demolition of the single-storey building.

12) LAND WITHIN THE CURTILAGE OF, 14 RAVENS CROFT, EASTBOURNE

Erection of an attached dwelling with integral garage and two parking spaces..

EB/2007/0558(FP), MEADS Page 43

RECOMMENDATION: Permission be refused.

13) 6 FRIDAY STREET, EASTBOURNE

Retention of existing dwelling and residential redevelopment to provide 4 two and three bedroom bungalows and dormer bungalows with associated parking..

EB/2007/0559(FP), LANGNEY Page 47

RECOMMENDATION: Permission be granted subject to conditions.

14) 1 LANGNEY COTTAGES, LANGNEY RISE, EASTBOURNE
Proposed three new dwellings with parking.
EB/2007/0564(OL), LANGNEY Page 53
RECOMMENDATION: Permission be refused.

15) 59 FRIDAY STREET, EASTBOURNE
Proposed conversion and alterations to existing bungalow to form two dwellings.
EB/2007/0596(FP), LANGNEY Page 57
RECOMMENDATION: Permission be refused.

J. F. Collard
Head of Planning

24 September 2007

Planning Committee

2 October 2007

Report of the Planning Manager

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/ODPM Circulars
10. DoE/ODPM Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs)
11. East Sussex and Brighton & Hove Structure Plan 1991-2011
12. Eastbourne Borough Plan 2001-2011
13. Eastbourne Townscape Guide 2004
14. East Sussex County Council Manual for Estate Roads 1995 (as amended)
15. Statutory Instruments
16. Human Rights Act 1998
17. The Planning and Compulsory Purchase Act 2004

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 Economy, Tourism and Environment 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 Committee

2 October 2007

Report of the Planning Manager

List of Planning Applications for Consideration

1) FORT DEPOT, 59-61 PEVENSEY BAY ROAD, EASTBOURNE Reserved Matters application for demolition of existing depot and erection of two-storey office (class B1) building together with 6 three/four-bedroom dwelling houses with garaging and parking facilities EB/2007/0454(RM), ST. ANTHONYS

EXECUTIVE SUMMARY

The application which seeks the approval of certain details in connection with the outline consent, granted in 2002, for a mixed business/residential development. Consent was given, in principle, for offices at the front and residential units to the rear of the Sita site, with the siting and means of access being approved at the same time. The reserved matters, the subject of this application, in respect of design, external appearance and landscaping, are considered to be acceptable.

RECOMMENDATION: Permission be granted subject to conditions.

SITE LOCATION

The site, covering some 0.41 hectares, is situated on the western side of Pevensey Bay Road, opposite Asda and the Crumbles Retail Park.

PLANNING HISTORY

In 2002 Outline Consent EB/2002/0288 was granted for siting and means of access in respect of the mixed redevelopment of the then waste transfer site, operated by Sita, for a mixed a business/residential use.

In 2006 planning permission EB/2006/0303 was granted to extend the period for submission of reserved matters by an additional year.

CURRENT APPLICATION

Reserved matters approval is sought in connection with the provision of six residential units (two detached houses and two pairs of semi-detached houses) at the rear of the site, with a 2-storey office building fronting the public highway. Such a mix, access and layout of uses has been established by the outline consent referred to above.

The Design and Access Statement states, with in part, that:

"… The design format for the replacement offices is to provide a headquarters' building to meet the demands for the expansion of local businesses, and with the flexibility of being able to be divided into smaller units.

Located immediately opposite the Asda Shopping Centre, the modern style of the architecture forms both the character and setting for other commercial buildings. It is therefore considered that the fenestration for the proposed new offices will be more appropriate as an alternative to traditional construction methods.

Access to the development is via the existing adopted road to the entrance to the depot, with a new access road serving both the proposed offices and adjoining residential development. The car parking standards for both the commercial and residential elements are in accordance with the advice given by the Highways Department, including the provision of secure cycle storage facilities."

(Statement dated 18 September 2007)

PLANNING POLICY

Relevant policies in the Eastbourne Borough Plan 2001-2011

HO7	Redevelopment
HO20	Residential amenity
BI7	Design Criteria
UHT1	Design of New Development
UHT2	Height of Buildings
UHT7	Landscaping
TR6	Facilities for cyclists
TR11	Car Parking
NE5	Minimisation of Construction Industry Waste
US4	Flood Protection and Surface Water Disposal

CONSULTATIONS

Southern Water has no objections to the application (Letter dated 10 August 2007)

The Principal Highway Engineer advises that as the application site falls within Zone 4 of the ESCC Parking Standards there should be no more than 14 car parking spaces for the residential properties, with the standard for the Class B1 office element being 17 spaces. However, as a total of 44 spaces are proposed this is an overprovision and a revised scheme is required. The cycle parking provision is acceptable although the shelter should be moved closer to the office buildings and covered as it is for long term, i.e., all day storage (Memo dated 10 August 2007).

With regard to the above comments, the scheme has been amended so as to reduce the amount of car parking to 14 spaces for the residential and 14 spaces for the business elements of the proposal.
In addition, the area of land on the right hand side of the site, which had been intended for car parking provision, will now be extensively planted with trees.

The Environment Agency has no objection in principle to the proposal as submitted (Letter dated 16 August 2007).

The Economic Development Officer is familiar with this site, and the previously approved outline planning application. He advises that there is an identified lack of B1 space in the Borough, as confirmed in the Step Ahead Research report commissioned by EBC in July 2005.

"From an Economic Development perspective therefore this case has my full support, as the mix of purpose built office accommodation, together with quality residential is an ideal replacement for the redundant depot".

(Memo dated 18 September 2007).

REPRESENTATIONS

Notices were displayed at the front of the site and letters of notification sent to the occupiers of surrounding properties. In response, three e-mails of representation, including one objection, were received, the contents of which can be summarised as follows:

- The Fort Depot building needs to be removed safely, with care
- The gated residential development would add to security
- I am concerned that domestic properties are to be built on a commercial site near to my cattery in use all the time

(e-mails sent 30 July – 15 August 2007)

APPRAISAL

As the siting and means of access elements of the redevelopment scheme were previously approved by the outline consent, the main issues to consider in the determination of the reserved matters application are related to design, external appearance and landscaping. As indicated in the "Planning History" section of this report, the principle of residential development, the general layout of the development, the highway access and effect of the proposal on the amenities of surrounding residential properties have all been considered as being acceptable, including the relationship of the new houses to the nearby cattery, the subject of a written objection summarised in the "Representations" section of this report.

It is proposed to erect a 2-storey office building, with facing brickwork, opaque panels with contrasting colour trim and coloured metal profiled roof sheeting, of a contemporary design which would make a positive contribution to the street scene.

The two detached dwelling houses would be brick faced with plain roof tiles and the semi-detached houses would in addition have a painted cement render finish at first floor. The design and external appearance are considered to be suitable for the development site.

With regard to landscaping, it is proposed to provide additional trees and hedges within and to the boundaries of the site to both soften and screen. Such planting is considered to be sufficient. However, as less land will be required for car parking, as referred to in the Highway Authority's consultation response it could be utilised to strengthen the proposed landscaping scheme.

HUMAN RIGHTS IMPLICATIONS

The proposed development will not adversely infringe the above noted Rights of Local residents.

RECOMMEND: Permission be granted subject to the following conditions:

(1) The conditions attached to planning permission EB/2006/0303, dated 21 August 2006, are reiterated and should be complied with in full in order to ensure the validity of the permission.
Reason: For the avoidance of doubt.

SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reasons:

It would have no harmful effects on the character and appearance of the locality or the amenities of occupiers of surrounding residential properties and would therefore be in accordance with the relevant policies of the Eastbourne Borough Plan 2001-2011.

2) LAND ADJACENT TO HOCKINGTON HOUSE, HOCKINGTON LANE, EASTBOURNE
Erection of a four bedroom detached dwelling with double garage accessed from Crouch Close, involving demolition of existing garage. EB/2007/0479(FP),RATTON

EXECUTIVE SUMMARY

The proposed dwelling and garage are considered to be acceptable in terms of the impact on visual and residential amenity, and on highway safety.

RECOMMENDATION: Permission be granted subject to conditions.

SITE LOCATION

The application site is located between 11 Crouch Close to the north and Hockington House, Hockington Lane and a vacant building plot (accessed from Crouch Close) to the south. The plot measures 45m in depth with an average width of 15m; there is a significant change in ground level toward the Hockington Lane side of the site, partially retained by the existing garage with a steep slope adjacent to it.

PLANNING HISTORY

The site has a long established use as a builders yard, although it has been barely used in recent years. Permission was granted in 1953 for the erection of a garage. The only other building currently on the site is a small stable block, the rear wall of which forms the boundary with Hockington Lane, and which dates from between 1900-1910.

Planning permission was granted in 1973 for the development of what is now Crouch Close for residential development, which included the application site, as well as the adjacent vacant site (an outline permission was granted in 2006 for one dwelling here).

CURRENT APPLICATION

It is proposed to demolish the garage building, whilst retaining the stable (annotated on the submitted plan as a barn), and to erect a four bedroom detached dwelling with a double garage accessed from Crouch Close. To take advantage of the change in ground level, the proposed dwelling would be three storeys at the rear and two storeys at the front. The accommodation would be arranged as a garden room and bedroom in the basement, a living room, dining room, kitchen and utility room on the ground floor, and three bedrooms and a bathroom on the first floor. The materials would be render and timber cladding under a natural slate roof. The garage is to be sited forward of the dwelling and adjacent to the north boundary, in order to provide an adequate access and turning area for the dwelling; this is necessary to maintain vehicular access to the adjacent vacant building plot.

The scheme as originally submitted was very similar to that now proposed, however the dwelling was sited slightly further towards the rear of the site and included a first floor balcony and large deck at the rear. The revised scheme has been submitted as a result of negotiation with the applicant to reduce the impact on adjoining residents.

PLANNING POLICY

UHT1	-	Design of development
UHT2	-	Height of buildings
UHT4	-	Visual amenity
HO2	-	Predominantly residential areas
HO6	-	Infill development
HO7	-	Redevelopment
HO20	-	Residential amenity
TR11	-	Car parking
NE28	-	Environmental amenity
US4	-	Flood protection and surface water disposal

CONSULTATIONS

The original scheme attracted five letters of objection from residents of Crouch Close and Hockington House, which are summarised thus:

- overlooking and loss of privacy from the terrace and balcony
- a four bedroom, three storey house is far too big for the plot, a bungalow would be more in keeping
- the barn might be converted to a dwelling, resulting in more traffic
- Crouch Close is too narrow to take additional traffic, access should be from Hockington Lane which would be easier and safer
- Crouch Close must be kept free of site traffic, mud and chalk
- the design is alien and out of character
- possible loss of trees

The Principal Highway Engineer has no objection to the scheme, subject to the boundary with the adopted highway being delineated.

At the time of writing this report, two responses have been received as a result of the revised scheme, from the occupiers of 9 and 11 Crouch Close, who still object to the proposal. They consider that it does nothing to overcome their concerns regarding size, overshadowing, overlooking or the design, and that the application is misleading, implying that the access will be from Hockington Lane, and that permission should only be granted if the garage is relocated to the rear and access is only from Hockington Lane.

APPRAISAL

The main issues to take into account in determining this application are whether the principle of residential development is acceptable, whether there would be any adverse impact on visual or residential amenity, and the impact on highway safety.

The site is located in an area allocated for residential use, and indeed the 1973 permission established the principle of residential development. The permission was for 12 dwellings, however only 10 were built; the 2006 permission on the adjacent site and this application would bring the total to 12. It is considered therefore that the principle of residential development is acceptable.

The size of the plot is comparable to the other properties in Crouch Close, as is the scale of the proposed dwelling in terms of footprint and height. The provision of a basement floor at the rear, which is only half the footprint of the ground floor, takes advantage of a natural change in ground levels, and is not unacceptable in its self. The existing dwellings in Crouch Close are very much of their time (1970's) and are of no particular architectural style. The design of the proposed dwelling takes its cue more from Hockington House, with its slate hipped and pitched roof and rendered walls. The use of horizontal timber cladding would compliment the barn/stable building at the rear. The building would have a traditional form, particularly the front and side elevations, but with a modern twist, mainly on the rear elevation in terms of the amount of glazing used, albeit still with a vertical emphasis. The revised scheme has adequately dealt with the issues of overlooking and loss of privacy by deleting the balcony and decked area from the rear; the few windows that are on the side elevations are all secondary windows and are a sufficient distance from neighbouring properties not to result in any loss of privacy.

Access to the site is from Crouch Close, and this is considered to be the only acceptable access. Hockington Lane is a steep, single width drive, which is unsuitable to serve more than one dwelling. Whilst historically this has also been the access to the builders yard, it is clear that this has not been used for some considerable time. Furthermore, Hockington Lane is a public right of way to Melvill Lane used by walkers, with no possibility of providing a proper footpath; the provision of a frequently used vehicular access with no visibility splays (unless the barn is demolished) would represent an unacceptable hazard to pedestrians. The highway in Crouch Close is more than adequate to accommodate the additional vehicular movements associated with the development, and was clearly constructed in anticipation that the land at the end would be developed in line with the 1973 permission. There is a double garage proposed together with a turning area, with the potential for additional hardstanding, if needed, which would provide adequate space for vehicles associated with a dwelling of this size.

The site would attract a financial contribution towards compensatory flood storage, and this has been agreed with the applicant.

HUMAN RIGHTS IMPLICATIONS

It is considered that the impact of the proposed development on adjoining residents would be within acceptable limits.

RECOMMEND: Permission be granted subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) No development shall take place until samples of the materials to be used in the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To secure that the development is in harmony with the neighbourhood.

(3) That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place on Sundays or Bank/Public Holidays.
Reason: In the interests of the amenities of the locality in general and adjoining residential properties in particular.

(4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no windows, dormer windows, doors or openings of any kind (other than those expressly authorised by this permission) shall be constructed in the side (north and south) elevations or roof slopes of the development.

REASON: To safeguard the privacy of the occupiers of adjoining properties.

(5) The existing trees on the west boundary of the application site and the trees overhanging from Hockington House adjacent to the southern boundary shall be fully safeguarded during the course of the site works and building operations (see guidance notes enclosed and BS 5837: 1991). No work shall commence on site until the trees to be protected are fenced along a line to be agreed with the Local Planning Authority with 2.4m minimum height heavy-duty hoardings securely mounted on scaffold poles. Such fencing shall be inspected and approved by the Local Planning Authority before any works commence on site, and maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area.
Reason: To ensure that the trees are adequately protected from damage to health and stability throughout the construction period in the interests of amenity.

(6) No bonfires or burning of materials shall take place within 6 metres of the furthest extent of the spread of the canopy of any tree or tree group on or overhanging the site.

Reason: To protect the health of trees to be retained in the interests of amenity.

(7) The existing access from Hockington Lane to the site shall be closed by means of a wall or fence at a height of a minimum of 1.8 metres before the development hereby permitted is occupied or brought into use and retained thereafter.
Details of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development.
Reason: To avoid a proliferation of access in order to prevent danger to pedestrians and other road users.

(8) That there shall be no means of vehicular access for construction or any other traffic to the development hereby authorised from Hockington Lane.
Reason: To avoid a proliferation of access in order to prevent danger to pedestrians and other road users.

(9) That the development shall not be occupied until the vehicular access from Crouch Close together with the drive and hardstanding have been surfaced in a material to be agreed in writing with the local planning authority, and shall include a line of granite setts to delineate the boundary with the public highway.
Reason: In the interests of the visaul amenities of the area.

SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reason:

There would be no adverse impact on visual or residential amenity, or on highway safety, and it therefore complies with the relevant policies in the Eastbourne Borough Plan 2001-2011.

3) 34 DILLINGBURGH ROAD, EASTBOURNE
Erection of single-storey extension at side to form one self-contained flat
EB/2007/0522(FP),OLD TOWN

EXECUTIVE SUMMARY

The proposed development would be detrimental to the visual amenities of the area.

RECOMMENDATION: Permission be refused.

SITE LOCATION

This semi-detached two-storey dwelling is located on the northern corner of the junction of Dillingburgh Road and Dacre Road, and backs onto a service road which serves properties in Dillingburgh Road and Victoria Drive.

PLANNING HISTORY

The property was constructed around 1927. Permission was granted in 1960 for the use of the property as two non-self contained units, subject to a condition that the arrangement would enure for the benefit of the applicant only, and the dwelling would be returned to single occupation. The applicant applied for the self containment of the units in 1970, and this appears to have been granted on compassionate grounds (against officer advice).

Planning permission was refused in 1988 for the erection of a detached bungalow in the rear garden, and this was dismissed on appeal. (EB/1988/0447).

A further two applications were submitted in 2003, one for a bungalow which was withdrawn, and one for a chalet bungalow which was refused for the following reasons:

1. That, the proposed dwelling would be out of keeping with established building pattern of the surrounding area and would comprise an alien and intrusive form of development, in an area characterised by semi-detached dwellinghouses with deep rear gardens. As such the proposal would conflict with Policy UHT1 of the Eastbourne Borough Plan.

2. That the proposal would adversely affect the amenities of the occupiers of adjacent properties by reason of loss of privacy and overlooking of rear gardens. The proposal would therefore be contrary to Policy HO20 of the Eastbourne Borough Plan.

(EB/2003/0515)

CURRENT APPLICATION

Planning permission is now sought to construct a single storey extension at the side of the existing dwelling to provide an additional dwelling unit.

The extension would measure 3.7m wide and 12.7m deep, with a height of 2.5m to the eaves under a concealed flat roof with a tiled upstand 1m high. A gap of 1.9m would remain between the extension and the boundary wall facing Dacre Road. The extension would provide a bedroom, bathroom and a kitchen/living room. The submitted plans show a small private garden for each of the ground floor flats, together with a secure cycle store (although no elevational details are given) and wheelie bins in the front garden.

PLANNING POLICY

HO2	-	Predominantly residential areas
HO7	-	Redevelopment
HO20	-	Residential amenity
UHT1	-	Design of development
UHT4	-	Visual amenity
TR11	-	Car parking

CONSULTATIONS

The Principal Highways Engineer states that the site lies within Zone 4 of the ESCC Parking Standards at Development, and therefore on site parking should be provided.

Four letters and emails have been received from nearby residents of Dillingburgh Road, containing the following comments:

- a minimum of 1.5 bays per flat should be provided to prevent further parking congestion
- the conversion 34 Dillinburgh Road into flats has resulted in noise and disturbance and a further flat will increase this
- using the precedent of the extension at the opposite property is not comparable as this remains as a single dwelling
- the design statement contains various mistakes, and is therefore misleading
- if consent is granted a precedent would be set and every corner house with a garden could apply to build a self-contained flat on it.
- the extension on the house opposite was approved whilst the writer was out of the country, and he would have strongly objected to it if he had the opportunity; it should not be used as a precedent, but as an example of how not to do it, as in "two wrongs don't make a right"
- the Council should take a stand on this matter, after all these are peoples gardens, not building plots, and we trust and rely on the Council to look after the area we live in.
- most of the rear garden has been fenced off, left to grow uncontrolled and is a dump for passers by – it almost looks like a building plot.

(Letters/emails 19 August to 4 September 2007)

APPRAISAL

The main issues to take into account in determining this application are the impact of the proposed development on the character and appearance of the area, and the impact on the amenities of adjoining residents.

This part of Old Town is characterised by an attractive uniformity created by the straightness of the roads, the predominantly two-storey buildings on generous plot sizes, regular building lines and consistent spacing between dwellings. This has been breached relatively rarely, and, as one of the objectors' has pointed out, the extension on the opposite side of Dillingburgh Road (no.33) should not be used as a precedent, as it forms an incongruous and obtrusive form of development. The current proposal, because of its size, design (concealed flat roof) and proximity to the boundary with Dacre Road, would not relate well to the existing building or the general pattern of development in the surrounding area and would therefore represent an overdevelopment of the site and would be an alien feature in the streetscene.

The application states that there are no trees on the site, however there are a number of elms along the boundary, which would not survive the construction process, if consent were to be granted. The loss of these trees would have an adverse impact on the visual amenities of the area, and although they do not merit a tree preservation order, there would be insufficient space to replant with anything that would adequately screen the development whilst permitting use of the garden area. This also demonstrates that the proposal is an overdevelopment of the site.

The conversion of the existing property into two flats occurred in 1970 and was granted on compassionate grounds, against officer advice; it remains the only property in the street which has been converted into flats. The current proposal would see an increase of the footprint of the existing building by 50%, but only provides a small flat with no separate kitchen and a bedroom which is only 2.2m wide. It is considered that the proposal would not only be out of character with the type of accommodation in the locality, but the size of the flat would be at odds with the existing flats (which are two bedroom) and demonstrates that the site is too restricted to develop further.

HUMAN RIGHTS IMPLICATIONS

It is not considered that the proposal would have any adverse impact on residential amenity.

RECOMMEND: Permission be refused for the following reason:

That the proposed development would, by reason of its size, siting and design, result in an incongruous and intrusive feature in the streetscene which would be out of keeping with, and detrimental to the character and appearance of the area. As such the proposal would conflict with policies UHT1 and UHT4 of the Eastbourne Borough Plan 2001-2011.

4) ALL SAINTS HOSPITAL SITE, 22 DARLEY ROAD, EASTBOURNE
Temporary sales and marketing suite (two years), pedestrian access, and landscaping (retrospective application).
EB/2007/0523(FP),MEADS

EXECUTIVE SUMMARY

The structure is situated to the south of the All Saints Hospital Site within the Meads Conservation Area. It is considered that the appearance of the building, which has been arrived at in consultation with the Council's Consultant Historic Buildings Advisor, would not be significantly detrimental to the visual amenities of the surrounding Conservation Area. Furthermore, as the building is only proposed for two years there would not be significant long term effect on the Conservation Area or the Listed Building.

RECOMMENDATION: Permission be granted subject to conditions.

SITE LOCATION

The application site comprises the All Saints Hospital site located on the northern side of King Edwards Parade. It is situated within the Meads Conservation Area and is a Listed Building.

PLANNING HISTORY

All Saints Hospital is currently being redeveloped for residential use which was approved under reference EB/2006/0418. Permission was granted earlier this year, EB/2007/0126, for a marketing suite that was to be located within the proposed public park area. This building was to be 20 metre wide, 15 metres deep and an overall height of 5.7 metres.

CURRENT APPLICATION

The current application seeks permission retrospectively for the retention of a marketing suite in an area to the south of the site for a period of two years. The footprint of the building measures 8.5 metres wide and 12.5 metres deep. It is a temporary structure to be in place for two years.

PLANNING POLICY

The following policies of the Eastbourne Borough plan 2001-2011 are considered relevant to the determination of this application:

UHT1 Design of New Development
UHT4 Visual Amenity
UHT15 Protection of Conservation Areas
UHT17 Protection of Listed Buildings
HO20 Residential Amenity
TR11 Car Parking

CONSULTATIONS

Letters of notification were sent to the occupiers of neighbouring properties and to the Meads Community Association. A site notice was also placed to the front of the application site. As a result six letters of objection have been received. The majority of the representations that have been received object to the fact that this application is seeking retrospective permission. However, each application has to be assessed on its merits and the fact that the structure is already in place can not be used as a reason for refusal. Objections have also been raised with regard to the appearance of the building, stating that it does not fit in with its surroundings and exhibits a complete disregard for conservation principles.

The Council's Conservation Officer has stated that due to the temporary nature of the marketing suite and its distance from the Listed Building the application is acceptable.

APPRAISAL

The main issues to consider in the determination of this application are the effects the proposed development will have on the visual amenities surrounding conservation and the residential amenities of the residents who occupy the surrounding properties.

The marketing suite is situated to the south of the All Saints Hospital Site with the access utilising the new pedestrian access that will ultimately serve as the public park. It is clad using cedar boarding and has a felt flat roof and is smaller than the building that was approved under EB/2007/0126. This building was to be located within the proposed garden area; however its relocation will allow Berkeley Homes to commence works on the laying of the public park at an earlier stage. In its location it is situated approximately 40 metres from the nearest residential property. As such it is considered that the impacts on residential amenities are minimal.

The design of the structure has been arrived at in consultation with the Council's Consultant Historic Buildings Advisor and it is considered that its location and appearance is not significantly detrimental to the visual amenities of the surrounding conservation area or the Listed Building. Furthermore, the proposal is to have the building in place for two years will not have a long term impact on visual amenity.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development would not affect the rights of occupiers of surrounding residential properties to the peaceful enjoyment of possessions and protection of property.

RECOMMEND: Permission be granted subject to the following conditions:

(1) The marketing suite, electric lights on the entrance pillars and the pathways hereby approved shall be removed and the landscaping plan, approved under condition 8 of permission EB/2006/0418, for the area implemented on or before 30 September 2009.
Reason: The building, by reason of its construction, is inappropriate as a permanent development of the site.

SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reasons:

It would have no harmful effects on the character and appearance of the locality and the amenities of occupiers of surrounding residential properties and would therefore be in accordance with the relevant policies of the Eastbourne Borough Plan 2001 2011.

5) ALL SAINTS, 22 DARLEY ROAD, EASTBOURNE
Display of externally illuminated fascia signs, and non-illuminated banners and hoarding
EB/2007/0525(ADV),

EXECUTIVE SUMMARY

The signs that form part of this application are a reduction in the original scheme which was achieved through consultation with the Council's Historic Buildings Advisor. The purpose of the signs is to advertise the residential properties that are currently under construction and as such will only be displayed for a temporary period. Therefore, it is considered that any impacts on the visual amenities of the surrounding conservation area and the listed building will not be permanent.

RECOMMENDATION: Permission be granted subject to conditions.

SITE LOCATION

The application site comprises the All Saints Hospital site located on the northern side of King Edwards Parade. It is situated within the Meads Conservation Area and is a Listed Building.

PLANNING HISTORY

All Saints Hospital is currently being redeveloped for residential use which was approved under reference EB/2006/0418. Permission was granted earlier this year, EB/2007/0126, for a marketing suite that was to be located within the proposed public park area. This building was to be 20 metre wide, 15 metres deep and an overall height of 5.7 metres.

CURRENT APPLICATION

The current application seeks permission to display externally illuminated fascia signs on the marketing suite, 6 Banners (1 either side of the entrance to the marketing suite, 2 on King Edwards Parade elevation and 2 on Chesterfield Road elevation) and hoarding on the corner of King Edwards Parade and Chesterfield Road.

PLANNING POLICY

The following policies of the Eastbourne Borough plan 2001-2011 are considered relevant to the determination of this application:

UHT1	Design of New Development
UHT4	Visual Amenity
UHT12	Advertisements
UHT15	Protection of Conservation Areas
UHT17	Protection of Listed Buildings

CONSULTATIONS

A site notice was placed to the front of the application site and as a result six letters of objection have been received. The majority of the representations that have been received object to the fact that this application is seeking retrospective permission. However, each application has to be assessed on its merits and the fact that the advertisements are already in place can not be used as a reason for refusal. Objections have also been raised with regard to the appearance of the building, stating that it does not fit in with its surroundings and exhibits a complete disregard for conservation principles.

The Council's Conservation Officer has stated that there are no objections to the proposal in principle.

APPRAISAL

The main issue to consider in the determination of this application are the effects the signage will have on the appearance of the surrounding conservation area.

The application seeks permission to display a sign lit by spotlights on the marketing suite with a banner either side of the entrance and hoarding along the top of the walls to King Edwards Parade and Chesterfield Road with four further banners and a triangular hoarding board. This scheme has been arrived at in conjunction with the Council's Historic Buildings Consultant and Planning Officers, which is a reduction in the original strategy.

The signs to be displayed are for the purpose of advertising the residential properties that are currently under construction. Therefore they will be displayed for a temporary time limit only. As such, it is considered that there will not be a permanent impact on the visual amenities of the surrounding conservation area of the listed building.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development would not affect the rights of occupiers of surrounding residential properties to the peaceful enjoyment of possessions and protection of property.

RECOMMEND: Permission be granted subject to the following conditions:

(1) That the sign(s) shall be removed before or on 30 September 2009.
Reason: The sign(s) is/are unsuitable for permanent display by reason of its/their construction and content.

(2) Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

(3) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

(4) Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority

(5) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(6) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reasons:

It would have no harmful effects on the character and appearance of the locality and the amenities of occupiers of surrounding residential properties and would therefore be in accordance with the relevant policies of the Eastbourne Borough Plan 2001 2011.

6) FLAT 2, 33 UPPERTON GARDENS, EASTBOURNE
Installation of new UPVC vertical sliding box sash to replace old timber box sash
EB/2007/0534(FP),UPPERTON

EXECUTIVE SUMMARY

The property is situated within an Area of High Townscape Value and as such the Council's policy is to retain traditional windows and doors, in terms of design and material, where they are in the majority on the building or terrace. There are only a few examples on the terrace that the application site forms part of, of UPVC replacement windows and therefore the change in material on the application site to an unsympathetic material would be contrary to adopted policy.

RECOMMENDATION: Permission be refused.

SITE LOCATION

The application site is a four-storey mid-terrace building situated on the western side of Upperton Gardens, in an Area of high Townscape Value. The application relates to the first floor flat.

PLANNING HISTORY

Planning permission was granted in 1957 for the conversion of the property into 3 self-contained flats and in 2004 permission was granted for the installation of conservation area style roof lights.

CURRENT APPLICATION

The current application seeks permission to install replacement UPVC sash windows to the front elevation.

PLANNING POLICY

The following policies in the Eastbourne Borough Plan 2001-2011 are considered relevant to the determination of this application.

UHT 1 Design of New Development
UHT 16 Protection of Areas of High Townscape Value
HO 20 Residential Amenity

The following guidelines of the Eastbourne Townscape Guide are also considered relevant.

WD3 Windows in Areas of High Townscape Value

CONSULTATIONS

Letters of notification were sent to the occupiers of the surrounding properties and a site notice was placed to the front of the application site. No representations have been received.

The Council's Conservation Officer has stated that the loss of traditional features and fabric on visible elevations within Areas of High Townscape Value contravenes current planning policy.

APPRAISAL

It is considered that due to the nature of the proposed development the resultant effects on the occupiers of the surrounding properties would be minimal. The application therefore falls to be determined on its impact on the visual amenities of the area.

The application site is situated in a late Victorian terraced block. To the front elevation there are three large vertical sliding sash windows that appear to be in good repair bar flaking paint. The style of the replacements will match those existing, including method of opening, however, it is intended to use unsympathetic materials, namely white PVC, for the frames.

Policy UHT16 of the Eastbourne Borough Plan 2001-2011 states "proposals within Areas of High Townscape Value will be required to generally preserve the character and appearance of the area. Development shall … not allow the loss of traditional materials and features…" These issues are detailed further in Guideline WD3 of the Eastbourne Townscape Guide. The guideline states that where original windows and doors are in the majority on visible elevations the Council will normally expect there retention.

There are instances of UPVC windows in the immediate vicinity, for example the top floor flat of the application building, however, original windows are in the majority across the terrace. Due to the small amount of PVC present within the building and the terrace it is considered that replacement with such a material would have an adverse impact on the building and would be contrary to approved policies.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development would not affect the rights of occupiers of surrounding residential properties to the peaceful enjoyment of possessions and protection of property.

RECOMMEND: Permission be refused for the following reason:

That, by reason of their material, the proposed replacement windows would be detrimental to the character and appearance of the building, and the surrounding Area of High Townscape Value. As such, the proposed development would be contrary to policy UHT1 and UHT16 of the Eastbourne Borough Plan 2001-2011.

7) LAND WITHIN THE CURTILAGE OF 2 AND 4 ST ANTHONYS AVENUE, EASTBOURNE
Erection of a detached two storey dwelling with separate garage using existing access (Reserved Matters)
EB/2007/0536(RM),SOVEREIGN

EXECUTIVE SUMMARY

The reserved matters are acceptable in terms of the impact on visual and residential amenity.

RECOMMENDATION: Permission be granted subject to conditions.

SITE LOCATION

The application site comprises part of the rear gardens of 2 and 4 St. Anthonys Avenue, adjacent to 1 Queens Crescent. The plot measures 15m in wide, with a depth varying between 18m and 19m. There is currently a double garage/workshop on the plot.

PLANNING HISTORY

The garage was erected in 1960, and permission was granted on appeal in 1995 for its enclosure by a 2m high fence.

Planning permission was granted in outline on 27 January 2007 for the erection of a two storey dwelling with access from Queens Crescent, involving the demolition of the existing garage. Conditions were attached to restrict permitted development rights in respect of curtilage buildings, walls/fences and windows.
(EB/2007/0911)

CURRENT APPLICATION

Permission is now sought for the reserved matters, which comprise the layout, scale, appearance and landscaping.

The submitted plans show a detached two storey dwelling with a detached single garage, which follows the general layout shown at the outline stage. The dwelling would be sited 5.2m from the front boundary, and 4.6m from the side boundary with 1 Queens Crescent. The garage would be sited in the rear corner of the plot, on the site of the existing double garage.

The footprint of the dwelling would be 8.9m wide and 7.3m deep, with a height of 5m to the eaves and a hipped and pitched roof 7.8m to the ridge. The dwelling would be constructed of brick and render, with a traditional square bay with a gable at the front and tiled porch roof over the front door. The single garage would also have a hipped and pitched roof.

The existing 1.8m high fence between the application site and 1 Queens Crescent would remain, and further 1.8m fences would be provided on the rear and side boundary, whilst the front boundary would be formed by a 1m high brick wall. As the plot is small, there is little scope for major landscaping such as trees, and therefore most of the garden is laid to lawn, with a patio at the rear.

PLANNING POLICY

UHT1	-	Design of development
UHT2	-	Height of buildings
UHT4	-	Visual amenity
HO20	-	Residential amenity
TR11	-	Car parking

CONSULTATIONS

The Principal Highways Engineer has no objections to the proposal, subject to the redundant crossing being reinstated to footpath.

The occupier of 1 Queens Crescent objects to the development, and considers that the site is too small to develop without affecting her privacy and light to windows; the building would be within six feet of the side wall of her house and four windows would overlook her property; whilst the side wall facing her property has four windows, the other side (facing the vendors property) would have none, and yet that property is much further away.
(Letter dated 13 September 2007)

APPRAISAL

The principal of developing the site with a single dwelling has been established by the outline permission. At the outline stage, the objector specifically asked for the existing garage to be retained, as she considered that this afforded her some privacy, whilst allowing light into her kitchen and landing window. Whilst the garage cannot be retained because of its structural condition, the applicant nevertheless amended the scheme to resite the proposed garage to the same location, and the current scheme follows the same layout. It is considered that this arrangement provides adequate space between the two dwellings.

The windows on the flank elevation serve a toilet, an understair cupboard and a staircase; three are on the ground floor, and would therefore not result in any overlooking, since the boundary fence would prevent this; the fourth window serves the half landing on the staircase, and this could be obscure glazed. The flank wall of 1 Queens Crescent does not have any windows serving habitable rooms, only a staircase and kitchen.

The design of the proposed dwelling would blend in well with both Queens Crescent and St. Anthonys Avenue. The dwelling is sited approximately 0.5m forward of the adjacent property, but as the gap between them is 5.5m, this would not be prominent in the streetscene.

It is considered that the siting of both the dwelling and the garage would have no adverse impact on adjacent residents, and would not result in any direct overlooking.

The provision of one garage with a tandem parking space is considered adequate in this location.

HUMAN RIGHTS IMPLICATIONS

It is considered that there would be no adverse impact on residential amenity.

RECOMMEND: Permission be granted subject to the following conditions:

(1) No development shall take place until samples of the materials to be used in the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To secure that the development is in harmony with the neighbourhood.

(2) That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place on Sundays or Bank/Public Holidays.
Reason: In the interests of the amenities of the locality in general and adjoining residential properties in particular.

(3) That the proposed landing window in the south east (flank) elevation shall only be glazed in semi-obscure glass and incapable of being opened and shall be permanently maintained as such thereafter.
Reason: To safeguard the privacy of the occupiers of adjoining properties.

(4) That the redundant vehicular crossing shall be reinstated as a footpath and verge to the satisfaction of the Highway Authority before the dwelling hereby approved is first occupied.
Reason: To prevent danger to pedestrians.

SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reason:

There would be no adverse impact on visual or residential amenity, or on highway safety, and it therefore complies with the relevant policies in the Eastbourne Borough Plan 2001-2011.

8) 39 ST PHILIPS AVENUE, EASTBOURNE
Two-storey extension at side of house to provide garage and utility room on ground floor and granny annexe on first floor
EB/2007/0537(FP),

EXECUTIVE SUMMARY

The proposed extension would not harm neighbouring residential amenity, and provide new residential accommodation for dependent relatives. However, the size of the proposed extension is not considered subservient and the design would be incongruous in the street scene.

RECOMMENDATION: Permission be refused.

SITE LOCATION

The application site is a semi-detached house on the Western side of St. Phillip's Avenue, adjacent to the junction with Ringwood Road. There are no garages at the side of the house, with vehicular access from St. Phillip's Avenue. The house has a hipped roof with slates. The external finish to the walls is rough render painted white, with hanging tiles between the ground and first floor windows of the front bay.

PLANNING HISTORY

1970 – Refused: Erection of a two-bedroom cottage (EB/1970/0581).

1971 – Granted: Erection of a domestic garage at side (EB/1971/0059).

CURRENT APPLICATION

Planning permission is sought to erect a two-storey extension to the side of the house. The extension would be 6.8 metres wide at the front and project 1.2 metres forward of the front building line, be the full depth of the house and 5.2 metres wide on the rear elevation. It would have a hipped roof with gabled windows on the front and side elevations. The external materials of the extension are slates for the roof, vertical hanging tiles on the front and side bays at first floor level, and the remainder being render plus brickwork at low level. The ground floor of the extension would comprise a garage and a utility room for the existing house. The first floor would comprise a "granny annexe", with living room, kitchen, two bedrooms and a shower room. The first floor of the proposed extension would have access separate to the existing house, with a door next to the proposed garage.

PLANNING POLICY

UHT1 – Design of New Development
UHT4 – Visual Amenity
HO2 – Predominantly Residential Areas
HO20 – Residential Amenity

CONSULTATIONS

Occupiers of neighbouring properties notified in writing and a site notice was displayed. No representations have been received.

APPRAISAL

The main issues to consider in the determination of this application are the impacts on neighbouring residential amenity, provision of additional residential accommodation and the appearance of the street scene.

The proposed extension would be located a distance from neighbouring dwelling to prevent loss of light, outlook or overlooking. The proposed extension would not project beyond the rear building line, be some 12 metres from the dwelling to the rear, 88 Ringwood Avenue. It orientation would not result in harmful overshadowing.

The application proposes that the first floor of the extension be used as an annexe to the existing dwelling, but with its own entrance. It is considered that the provision of an annexe to provide accommodation for dependent relatives in acceptable in principle. The site would retain sufficient space for parking and has existing access, and substantial garden space would remain.

The form of the proposed extension for an annexe would, however, result in a discordant feature. It is considered that the scale and bulk of the extension would not be subservient to the existing dwelling. It would be proud of the front building line of the existing house. Also, the gable over the first floor window at the front would be larger than the one on the existing house. Use of vertical hanging tiles on the bays of the extension would emphasise their size and difference from the existing house. The proposed extension does not, therefore, satisfactory relate to the design of the existing pair of semi-detached houses. As the property is at the corner of a road junction, the extension would be quite prominent and be an ungainly feature in the street scene.

HUMAN RIGHTS IMPLICATIONS

It is considered that there are no adverse Human Rights implications.

RECOMMEND: Permission be refused for the following reason:

That the extension would, by reason its design and scale, unbalance the appearance of the pair of semi-detached houses and be an incongruous feature in the esablished street scene. The proposed development is therefore contrary to policies UHT1 and UHT4 of the Eastbourne Borough Plan 2001 – 2011.

9) TESCO STORES LTD, 21 LOTTBRIDGE DROVE, EASTBOURNE
Re-site existing recycling area including replacement of existing recycling units with a single tomra recycling unit together with associated enabling works. Existing recycling area to be re-instated with 7 additional parking bays.
EB/2007/0540(FP),ST. ANTHONYS

EXECUTIVE SUMMARY

Whilst in principle having one recycling unit within the Tesco's car park is acceptable it is considered that the location proposed under this application would be too prominent, effecting the visual amenities of the surrounding area, and too busy, leading to an increase in congestion and a decrease in highway safety.

RECOMMENDATION: Permission be refused.

SITE LOCATION

The application site comprises a large supermarket on the south-western side of Lottbridge Drove. The building is set back from Lottbridge Drove approximately 107 metres which provides space for the car park.

PLANNING HISTORY

Permission was granted in 1988 for the erection of a superstore and since then there have been a number of planning applications in relation to its use as a supermarket. In 1999 permission was granted for a large extension the side of the building.

CURRENT APPLICATION

The current application seeks permission to re-site the existing recycling facility to the northern end of the car park, on the green verge near to the entrance round about. The application also includes the replacement of the existing recycling facility with a single tomra unit which will be 18.056 metres long, 1.35 metres in depth and 3.65 metres high.

PLANNING POLICY

The following policies of the Eastbourne Borough Plan 2001-2011 are considered relevant to the determination of this application:

UHT1 Design of New Development
HO20 Residential Amenity

CONSULTATIONS

A site notice was placed near to the entrance of the supermarket and no representation has been received.

The Council's Senior Waste Awareness Officer has stated that if the bring site was to be located in any other area of Tesco's car park it would render the banks unserviceable for several reaons:

- The collection vehicles require spce in which to turn and to load the materials. The present site was chosen by both Tesco and the Council to allow easy access;
- The proposed location would be inaccessible to certain collection vehicles and other vehicles would disrupt traffic as the new site is in a busier location - namely blocking the access road. Residents dropping off recycling would also be likely to cause this problem.
- The location is also within a busier pedestrian area which is likely to be dangerous to the public.

The Local Highways were consulted and at the time this report was completed no response had been received. Any response will be reported verbally to the committee.

APPRAISAL

The main issues to consider in the determination of this application are the effects the new tomra unit and its proposed location would have on the visual amenities of the surrounding area and whether the proposed location would have an effect on highway safety.

The supermarket is located approximately 45 metres from the road which provides space for the car park. The current recycling facility is situated in an area that has been agreed by the Council's Cleansing Department and Tesco. The existing location, to the southern end of the car park, provides a quite, large area for both residents to unload their recycling and for service vehicles to access the bins. There is also a sufficient amount of screening, in the form of mature vegetation along the boundary with Lottbridge Drove. This results in a minimal impact on both highway safety and visual amenities.

The proposed location of the tomra unit is near to the entrance roundabout to the site, on an existing grass verge that is used by pedestrians. Being visible from other units on the Retail Park and Lottbridge Drove it is considered to be a prominent position with little opportunity for screening. Therefore it is considered that the proposed tomra unit, in the proposed location would be detrimental to the visual amenities of the surrounding area.

Being the entrance road for the Retail Park the proposed position for the unit is a busier location with little room for residents to stop and unload their recycling or for service vehicles to empty it. This is likely to lead to the blocking of the entrance road and an increase in congestion. Considering that the grass verge and pathway are regularly used by pedestrians and the volume of traffic that uses the entrance road it is considered that any type of recycling facility in the location proposed would be detrimental to highway safety.

The applicant's agents have been informed of the issues with this application. They have confirmed that they are looking into a more suitable location and any change to the application details will be reported verbally to committee.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development would not affect the rights of adjoining residents to the peaceful enjoyment of possessions and protection of property.

RECOMMEND: Permission be refused for the following reason:

That, due to its position, the proposed structure would lead to an incongruous feature within the street scene which would cause harm to the visual amenities of the surrounding area and highway saftey. Therefore it would be contrary to policies UHT1 and UHT4 of the Eastbourne Borough Plan 2001-2011.

10) LAND TO REAR OF 38 & 40 OCKLYNGE ROAD, EASTBOURNE
Demolition of storage building and erection of a two-storey house
EB/2007/0555(FP),OLD TOWN

11) LAND TO THE REAR OF 38 & 40 OCKLYNGE ROAD, EASTBOURNE
Demolition of ancillary storage building
EB/2007/0556(CA),OLD TOWN

EXECUTIVE SUMMARY

The existing single-storey building is not a historic building and does not contribute to the visual amenity of the area. Its demolition would not harm the Old Town Conservation Area. The proposed re-development of the site with a two-storey house would increase residential accommodation without harming neighbouring residential amenity, or car parking policy. The design of the proposed house would, however, have a harmful effect on the character and appearance of the Old Town Conservation Area.

RECOMMENDATION: A) Planning permission for re-development of the site with a two-storey house be refused.

B) Conservation Area consent be approved for the demolition of the single-storey building.

SITE LOCATION

The application site comprises the single-storey building at the rear of 38 – 40 Ocklynge Road. Nos 38 and 40 comprise a restaurant and a therapist's office on the ground floor, and flat on the first floor. The building is currently unoccupied.

PLANNING HISTORY

1961 – Granted: Change of use of store to chiropodist surgery (EB/1961/0433).

1983 – Granted: Conversion of 38 Ocklynge Road to form shop on ground floor and two-bedroom on first floor (EB/1983/0431).

1988 – Granted: Change of use 40 Ocklynge Road from coffee shop/patisserie to a licensed restaurant (EB/1988/0251).

CURRENT APPLICATION

Consent is sought under the Planning (Listed Buildings and Conservation Areas) Act 1990 for the demolition of the vacant single-storey building that has previously been used as storage for 38 and 40 Ocklynge Road. The existing flint wall along the side boundary of the site and Brodie Place car park would remain.

Planning permission is also sought to re-development the land at the rear of 38-40 Ocklynge Road with a two-storey house. The proposed house has a pitched roof with slates and flint work for the external finish of the walls. The habitable rooms (dining room and lounge on the ground floor and the two bedrooms on the first floor) would have windows in the south elevation. A vertical window in the south elevation would also provide light for the stairs. The entrance to the house would be in the north elevation. A first floor bay overhanging the entrance door is proposed, and would be clad with vertical hanging tiles. Pedestrian access would be along the existing passageway between 40 and 44 Ocklynge Road.

PLANNING POLICY

Relevant Borough Plan policies:-

UHT1 – Design of New Development
UHT4 – Visual Amenity
UHT15– Protection of Conservation Areas
BI1 – Retention of Class B1, B2 and B8 Sites and Premises
HO2 – Predominantly Residential Areas
HO20 – Residential Amenity
TR11 – Car Parking

CONSULTATIONS

Occupiers of neighbouring properties were notified in writing, site notices displayed and a notice placed in the local newspaper. One letter of objection has been received from an occupier in Brodie Place:-

- I object to the building of a two-storey house in the confined space behind 38 – 40 Ocklynge Road.
- While it is being demolished and the new being built where will all the lorries and materials get in?
- They will not be allowed on any part of our car park, as it is in use and is the only entrance for ambulances and fire engines. The road is so full of cars residents cannot see to get out in their own cars safely.

(Letter received 14 September 2007).

Historic Buildings Advisor:- The information submitted does not identify the existing building either in scale or form. Both plans and elevations as existing or at very least a series of photographs should be submitted.

The footprint identified on the drawing appears to suggest that the store room is greater than the proposed dwelling.

There are some concerns regarding the proposed scheme:

- The position of the building on the plot results in no real external space
- The cantilevered first floor may make the entrance dark/oppressive
- The proposed openings and their position dominates Elevation A-A
- Whilst the traditional materials of the Conservation Area have been incorporated generally the concern is that the overall design is

compromised by the size of the plot although it may be able to achieve a design more comparable to a traditional (workers) cottage.
- A design may wish to consider a stepper pitched roof, possibly with dormer windows to the first floor.

Whilst the principle of creating a separate dwelling may be considered in terms of conservation and design the present scheme could not be considered as making a positive contribution to the special character of the area and therefore the recommendation is for refusal.
(Memo dated 28 August 2007).

Environment Agency: No objections. Groundwater should be protected from contamination from the building works and there should be satisfactory surface water disposal. (Letter dated 6 September 2007).

Eastbourne Archaeological Society: The Society suggest that any consent should be subject to a condition requiring a watching brief, including plans of the proposed ground works and trenches (Letter received 10 September 2007).

APPRAISAL

The main issues to consider in the determination of these applications are the impacts on the provisions of residential accommodation, neighbouring residential amenity, car parking and the character and appearance of the Old Town Conservation Area.

The proposed re-development would result in an additional unit of residential accommodation within the built up area of the Borough. It therefore complies with policy HO2 of the Borough Plan and national planning guidance. Furthermore, the existing single-storey building at provides kitchen and storage space for the restaurant and office at 38 – 40 Ocklynge Road. The building is not considered to be an identifiable employment unit, is presently in poor condition and enclosed by residential dwellings. Therefore, the proposal does not breach policy BI1.

The single-storey building at the rear of 38 and 40 Ocklynge Road is not a historic structure. It has been constructed with breeze blocks which have been rendered externally and built against the flint boundary wall. As it set behind the boundary wall, only the edging of the felt roof is visible from a public area. Its removal will not have an adverse impact on the character and appearance of the Old Town Conservation Area.

The proposed replacement building is similar to the height of the two-storey buildings at 38, 40, 42A and 42B Ocklynge Road. The proposed building would replicate the shape of No42A, but the external material would be flint rather than brick. Due to site constraints, the proposed house would have windows in the long side elevation facing Brodie Place, rather than the flank elevations, as is found at Nos 42A and 42B. It is considered that the design of the southern elevation does not sit comfortably in the situation.

There is another building which borders the Brodie Place car park, but has the first floor within the roof space and has small dormer windows. The southern elevation, with the amount of fenestration visible above the boundary wall, would appear discordant in the setting. Furthermore, the first floor bay overhanging the main entrance is not typical of the cottage dwellings in this location. It would be the main feature visible when entering the site. Although the proposal is for a building with traditional materials, it is considered that the overall design would have a detrimental impact on the character and appearance of the Old Town Conservation Area.

The proposed building would be situated close to neighbouring dwellings. However, it would not breach a 45-degree of the windows at the front and rear of 42A Ocklynge Road. It is considered that there would be sufficient space to retain light to the first floor windows at the rear of 38 – 40 Ocklynge Road, which serve a kitchen and stairs. The windows in the southern elevation of the proposed building would be some 14 metres from the nearest dwelling in Brodie Place. This is a similar distance between 7 Crown Street and Brodie Place, and it is considered that the current situation would not be worsened.

Car parking cannot be provided on site. However, with the current parking standards being maximums and public transport available nearby, this arrangement is considered acceptable.

HUMAN RIGHTS IMPLICATIONS

It is considered that there are no adverse Human Rights implications.

RECOMMENDATION A: Permission be refused in respect of EB/2007/0555 for the following reason:

The proposed development, by reason of its design, would have a harmful impact on the character and appearance of the Old Town Conservation Area, contrary to policies UHT1, UHT4 and UHT15 of the Eastbourne Borough Plan 2001 - 2011.

RECOMMENDATION B: Conservation Area consent be granted in respect of EB/2007/0556(CA) subject to following condition:

That the development and works hereby permitted shall be begun not later than five years from the date of this consent.
Reason: To comply with Section 18 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.

SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reasons:-

Demolition of the single-storey building will not harm the character or appearance of the Old Town Conservation Area, complying with policy UHT15 of the Eastbourne Borough Plan 2001 - 2011.

12) LAND WITHIN THE CURTILAGE OF, 14 RAVENS CROFT, EASTBOURNE
Erection of an attached dwelling with integral garage and two parking spaces.
EB/2007/0558(FP),MEADS

EXECUTIVE SUMMARY

The proposed development would have an adverse impact on the character and appearance of the conservation area.

RECOMMENDATION: Permission be refused.

SITE LOCATION

The application site is located on the south side of Ravenscroft, at the end of the terrace of 10 to 14, and adjacent to the public footpath which runs from South Cliff into the close. It lies within the Meads Conservation Area.

PLANNING HISTORY

The development of Ravenscroft dates from the 1960's, and was built on the site of the former Ravenscroft School.

Planning permission was refused for the erection of a two storey attached dwelling on the opposite end of the terrace (facing St. Johns Road) in September 2007.

Planning permission was granted in 2005 for the erection of an attached dwelling on the end of the terrace (15 to 21) facing the seafront, on the corner with Mount Road. This permission has been implemented.

CURRENT APPLICATION

Permission is sought to erect an attached three storey dwelling on the side garden of 14 Ravenscroft. The building is an exact replica of the existing dwelling (without the conservatory), providing a three bedroom dwelling with an integral garage. The siting of the dwelling does not, however, follow the line of the terrace, which is staggered; each of the five dwellings in the terrace is set forward of its neighbour by 3m as it progresses towards the seafront. The proposed dwelling is set *back* by 3m. The existing vehicular access would be utilised to provide access to the integral garage and a large area of hardstanding.

PLANNING POLICY

The following policies are relevant to this application:

UHT1	-	Design of new development
UHT2	-	Height of buildings
UHT4	-	Visual amenity
UHT7	-	Landscaping

UHT15	-	Protection of conservation areas
HO2	-	Predominantly residential areas
HO11	-	Residential areas
HO20	-	Residential amenity
TR11	-	Car parking

CONSULTATIONS

At their meeting on 28 August 2007, the Conservation Area Advisory Group raised no objections to the proposal.

Sixteen letters and emails of objection have been received from residents of Ravens Court and Rustington Court, St. Johns Road. The objections are summarised thus:

- the proposed development would be out of keeping with the carefully planned layout of Ravens Croft, which is symmetrical and balanced
- the proposal is even more obtrusive than the application for a dwelling adjacent to no.10, as it is in a more elevated position, thereby crowding the landscape and blocking the skyline, and an obtrusive feature on a landscaped area
- loss of amenity and outlook, the open space should be preserved
- overdevelopment
- additional traffic in the close
- loss of trees

(Letters dated 6 to 17 September 2007)

APPRAISAL

The main issues to take into account in determining this application are the impact of the proposal on the character and appearance of the conservation area, the amenities of adjacent residents and highway safety.
The development of Ravenscroft is characterised by terraces of buildings set in open, landscaped gardens which promote a feeling of spaciousness. The application site has a very large open plan side garden, which is retained by a brick wall which forms the boundary with public footpath. The whole site is retained by a substantial brick wall 1.5m high adjacent to the pavement in South Cliff, and the footpath cuts through this to the footpath in Ravenscroft.

The garden is well maintained and comprises grass, borders and a small number of shrubs and a conifer tree. The proposed dwelling would occupy a substantial part of this open garden area, and whilst there would still be a significant area remaining, the corner of the dwelling would come within 2m of the public footpath. Because of its height above the level of the footpath, this would have an overbearing impact, detrimental to the spacious layout of the whole development. Although the plans do not identify which trees would be lost, it is considered that the proposed development would result in the loss of the tree and shrubs along the boundary, which, although none are worthy of a tree preservation order, would be regrettable.

The design of the dwelling, as an exact replica of the existing units in the terrace is acceptable, and is the correct approach. The realignment of the proposed dwelling to follow the regular staggered layout of the dwellings would be physically possible, however this would result in the corner of the dwelling being located on the edge of the footpath, which is considered unacceptable. The architect has clearly given this some consideration, and has therefore staggered the dwelling back rather than forward, but this has resulted in a disruption to the regular layout of the terrace. The development of the whole site was conceived in the late 1960's, before this part of Meads was included in the conservation area. It could be argued that that as the Ravenscroft development is out of keeping with the general character of the Meads Conservation Area, the addition of a further dwelling is of no concern; nevertheless, the fact is that the proposed development *is* in the conservation area, and therefore due weight must be given to ensuring that any new development is compatible with the principle of preserving or enhancing the character and appearance of the conservation area. It is considered that, in this instance, the siting of the proposed dwelling would have an adverse impact on the character and appearance of the original planned layout of the development.

There is more than adequate on site parking provided as part of the application, and it is considered that the vehicle movements associated with one additional dwelling would not have an adverse impact on residential amenity or highway safety. The area of hardstanding would, however, intrude into the green open space at the side of the existing dwelling right upto the public footpath, adding to the disruption of the green setting of the whole development.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development would not result in any adverse impact on residential amenity.

RECOMMEND: Permission be refused for the following reason:

That the proposed development, by reason of its siting, would have an adverse impact on the setting and layout of Ravenscroft, to the detriment of the character and appearance of the Meads Conservation Area, and would therefore conflict with policies UHT1 and UHT15 of the Eastbourne Borough Plan 2001-2011.

13) 6 FRIDAY STREET, EASTBOURNE
Retention of existing dwelling and residential redevelopment to provide 4 two and three bedroom bungalows and dormer bungalows with associated parking.
EB/2007/0559(FP),LANGNEY

EXECUTIVE SUMMARY

The rectangular shaped application site, fronting Friday Street, is surrounded on three sides by existing residential properties as well as being occupied by one bungalow. The proposed detached bungalow would complete a gap in the street scene and the terrace of three bungalows would not harm the area's established residential amenity.

RECOMMENDATION: Permission be granted subject to conditions.

SITE LOCATION

The rectangular shaped site, measuring some 50 metres long and 34 metres wide, is situated on the north-east side of Friday Street, nearly opposite the junction with the Old Drove.

PLANNING HISTORY

Planning permission EB/1982/0263 was granted for the continued use as a nursery for garden produce and construction of parking space area for six cars.

In February 2007 outline application EB/2006/0461, for the demolition of existing bungalow and erection of seven dwelling houses together with car parking provision, was withdrawn following concerns expressed about the number, form and layout of the proposed residential development.

CURRENT APPLICATION

Planning permission is sought for residential redevelopment by way of four 2 and 3-bedroom bungalows with associated car parking.

The Design and Access Statement submitted states, in part, that:

"The application site is essentially on a level plateau and benefits from mature screening along all of its boundaries, which are intended to be retained and strengthened where required.

The application would provide for the retention of 6 Friday Street and the provision of four 2 and 3-bed bungalows and dormer bungalows parking facilities for two cars to each dwelling. This would increase the density to 27.5 dwellings per hectare, which is slightly below the national minimum advocated in Planning Policy Statement 3 but there are other overriding factors to be taken into account.

Whilst the building design will not be a direct replication of the immediate surrounding grain, it does pay respect to the scale, mass, height and simple understated forms of traditional proportion and design, to provide a connection and reflection to the existing street grain.

The proposed housing layout would be in keeping with the mixed character of housing in the locality which includes not only dwellings along road frontages but also cul-de-sac development. The proposed dwellings will be of a form and design which will be compatible and would not give rise to any harmful impact upon the amenity of neighbouring properties".

(Statement received 21 August 2007)

PLANNING POLICY

Relevant policies in the Eastbourne Borough Plan 2001-2011

UHT1	Design of New Development
UHT2	Height of Buildings
UHT5	Protecting Walls/Landscape Features
HO2	Predominantly Residential Areas
HO7	Redevelopment
HO11	Residential Densities
HO20	Residential Amenity
TR11	Car Parking

CONSULTATIONS

The Local Highway Manager, The Downland, Trees and Woodland Manager and the Environment Agency were consulted on 30 August. Members will be advised of any response verbally.

REPRESENTATIONS

Notices were displayed at the front of the site and letters of notification sent to the occupiers of surrounding residential properties. In response, at the time this report was prepared (19 September), six representations had been received, the contents of which can be summarised as follows:

- No objection to the planning application
- The boundary fence needs to be replaced
- Friday Street is a dangerous road and more traffic onto the brow of the hill will make this situation worse
- In comparison with the previous application, there are less units and bungalows as opposed to houses
- A 6 foot high boundary fence should be erected
- The existing hedge should be retained
- We are concerned about the proposed new tree planting
- It is unreasonable to bring the proposed building within a few feet of our garden
- We are concerned about the effect of drainage on the area

- The height of the Dorma windows will wash waste water into our garden which is waterlogged in the summer and winter

(Letters dated 6-19 September 2007)

The dead line for third party representations is 22 September 2007. Members will be advised of any further responses verbally.

APPRAISAL

The main issues to consider in the determination of the application are the principle of residential development, the form and number of units proposed, the access and car parking arrangements, and possible impact on the residential amenity of the surrounding area.

The application site forms part of the curtilage of the existing bungalow, 6 Friday Street, and has been used both as a private garden and as a nursery to grow garden produce. Given that the land, in question, is within a predominantly residential area, being surrounded on three sides by dwelling houses, it is considered that, with regard to Central Government guidance, the re-development of the site is acceptable.

It is proposed to erect a total of four bungalows on the site in addition to retaining the existing bungalow. One of the new bungalows would be built fronting Friday Street. This element of the development is considered to make a positive contribution to the street scene by infilling the existing gap. The remaining three bungalows are to be erected in a terrace at right angles behind the existing and proposed bungalows fronting the main road. The height and position of the three bungalows, well away from surrounding residential properties, would have a minimal impact on this part of the site.

It is proposed to create a new driveway off Friday Street to serve the detached garage of the new bungalow fronting the main road. The remaining bungalows would be accessed via the existing vehicular access, next to No. 6, to two pairs of garages and associated car parking areas. Such an arrangement, at the front or side of the terraced dwellings, enables private rear gardens to be provided to each of the proposed terraced properties.

As indicated in the "Representations" section of this report, concern has been raised about the boundary treatment around the development. The existing hedges and trees are to be retained and strengthened by additional fencing. These features can be secured by the imposition of appropriate conditions, which would satisfy the concerns expressed by the occupiers of neighbouring properties. The scale, form and position of the proposed development means that there will be no loss of privacy, no loss of outlook, no loss of light and no overshadowing or unacceptable levels of noise and general disturbance caused by the proposed development.

HUMAN RIGHTS IMPLICATIONS

The proposed development will not infringe the above noted Rights of local residents.

RECOMMEND: Permission be granted subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

(2) That all materials used in the external surfaces of the development hereby permitted shall match those on the existing building in terms of type, texture and colour.
Reason: To secure that the development is in harmony with the existing building.

(3) a) No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:
(i) proposed finished levels or contours;
(ii) means of enclosure;
(iii) car parking layouts;
(iv) other vehicle and pedestrian access and circulation areas;
(v) hard surfacing materials;
(vi) minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting);
(vii) proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc);
(viii) retained historic landscape features and proposals for restoration, where relevant;
(ix) planting plans;
(x) written specifications (including cultivation and other operations associated with plant and grass establishment);
(xi) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
(xii) implementation timetables.
b)All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation
Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

(4) All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on an

immediately adjoining the site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the Local Planning Authority in accordance with its guidance notes and relevant British Standards (BS 5837: 1991). Any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Authority.
Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerows.

(5) That before the development hereby approved is commenced, details of a replacement boundary fence between 4 and 6 Friday Street and a new screen fence along the north-west boundary shall be submitted to and approved in writing by the Local Planning Authority, which shall include the height design, materials and position. The approved wall or fence shall be provided before the development is first brought into use and shall be permanently maintained thereafter.
Reason: To safeguard the visual amenities of the area and to safeguard the privacy of adjoining occupiers.

(6) That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place on Sundays or Bank/Public Holidays.
Reason: In the interests of the amenities of the locality in general and adjoining residential properties in particular.

(7) That any car parking area shown on the approved plan shall be properly constructed with a permanent hard-wearing impervious surface and marked out to the satisfaction of the Local Planning Authority and shall be available for use before the building hereby authorised is brought into use and shall be retained permanently for the accommodation of vehicles of the occupiers and users of and visitors to the premises and shall not be used for any other purpose.
Reason: To avoid the obstruction of surrounding streets by waiting vehicles.

(8) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. 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. The drainage works shall be completed in accordance with the details and timetable agreed.
Reason: To prevent the increased risk of flooding and to prevent pollution of the water environment, by ensuring the provision of a satisfactory means of surface water disposal.

SUMMARY OF REASONS FOR DECISION

The proposed development is considered acceptable for the following reasons:

It would have no harmful effects on the character and appearance of the locality or the amenities of occupiers of surrounding residential properties and would therefore be in accordance with the relevant policies of the Eastbourne Borough Plan 2001-2011.

14) 1 LANGNEY COTTAGES, LANGNEY RISE, EASTBOURNE
Proposed three new dwellings with parking
EB/2007/0564(OL),LANGNEY

EXECUTIVE SUMMARY

The proposed development of a terrace of three 2-storey houses in the rear garden of 1 Langney Cottages, a semi-detached dwelling fronting Langney Rise, would represent a form of over intensive, backland development, which would be served by an inadequate vehicular access, with a likely increased risk and danger for users of the adjoining right of way.

RECOMMENDATION: Permission be refused.

SITE LOCATION

The application site, occupying the end part of an existing rear garden of 1 Langney Cottages, is located next to the petrol filling station fronting Langney Rise, with vehicular access via an existing right of way onto this public highway.

PLANNING HISTORY

There is no relevant planning history for the application site.

CURRENT APPLICATION

Outline consent is sought for the erection of a terrace of three 2-storey houses each with two bedrooms on the first floor. Car parking, for two cars, in a tandem arrangement, would be provided to either end of the proposed terraced, with vehicular access off Langney Rise. Access, appearance, layout and scale are to be considered at this stage, with landscaping being a reserved matter.

In the Supporting Statement submitted with the application states, in part, that:

"The proposed development is considered to comply with the guidance given in Planning Policy Guidance 7 *"Sustainable Development in Rural Areas"* for the following reasons:

- the proposed development makes good use of this piece of underdeveloped land
- the proposal also represents a sustainable form of development that respects and enhances local distinctiveness
- finally, the proposal represents a suitably located and well designed development and will have no detrimental impact on the AONB.

The proposed development is considered to comply with this [Draft Planning Policy Statement: 3 Housing] guidance as it will provide a good sized, well designed two bedroomed houses, in a location that has good access to village services and facilities.

It is considered that the proposed development will both conserve and enhance the character of the locality."

(Statement received 28 August 2007)

PLANNING POLICY

Relevant policies in the Eastbourne Borough Plan 2001-2011

NE5 - Minimisation of Construction Industry Waste
NE28 - Environmental Amenity
UHT1 - Design of New Development
HO1 - Residential Development Within the Existing Built-up Area
HO20 - Residential Amenity
TR11 - Car parking

CONSULTATIONS

The Environment Agency, the Council's Downland, Trees and Woodland Manager and the Local Highway Manager were consulted on 30 August. Members will be advised of any response verbally.

REPRESENTATIONS

Notices were displayed at the site and letters of notification sent to the occupiers of surrounding residential properties. In response, at the time this report was prepared (19 September), one letter of representation had been received.

- In principle this is a reasonable idea but it should only be approved if the proposal fulfils certain criteria These include:
  - the existing right of way between Swanley Close and Langney Rise is maintained;
  - vehicular access through this right of way is not permitted
  - the council fits bollards along Langney Rise adjacent Eastons Cottages to stop persistent illegal parking by residents
  - the vehicular access is made sufficiently wide, and
  - pedestrian safety along Langney Rise is not compromised.

(e-mail dated 8 September 2007)

The deadline for third party representations is 22 September. Members will be advised of any further responses verbally.

APPRAISAL

The main issues to consider in the determination of the proposal are the principle of residential development, the scale and form of the proposed residential units, the proposed vehicular access and parking arrangements and the impact on the established residential amenities of the area.

The application site forms part of a rear garden within a predominantly residential area and, as such, is categorised as previously developed land. Therefore, in line with Central Government guidance, such land can, in principle, be developed provided it does not harm the appearance and character or have an adverse impact on the established residential amenities on the area.

As indicated in the "Current Application" of this report, it is proposed to build a two-storey terrace of three houses. However, each of the dwellings would only be four metres wide and would front the concrete pedestrian pathway linking Langney Rise and Swanley Close. Furthermore, the corner of the terrace nearest to the existing cottage would only be some seven metres away. Given this situation, the proposed development, in both terms of scale and form, is considered to be too cramped in a backland location, at variance with the pattern of surrounding residential properties, which front public roadways.

With regard to access and parking arrangements, it is proposed to utilise the existing right of way along the southern side of the site to enable cars to reach the parking areas assigned to the three houses. However, the identified right of way, at present used by pedestrians, is only some three metres wide. This would likely to result in potential pedestrian/vehicular conflicts and, as a result, increased risk and danger for all users of the right of way.

The backland position and height of the proposed terrace of three houses would result in overshadowing of adjacent residential properties. Furthermore, the proposed massing and close proximity to nearby housing would cause an adverse overbearing impact. These factors would reduce the general amenity of the area contrary to Policy HO20 of the adopted Borough Plan.

HUMAN RIGHTS IMPLICATIONS

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

RECOMMEND: Permission be refused for the following reason:

The proposed terrace of three dwellings would, by reason of its scale, form and backland position, result in an over development of the site, which would be at variance with the surrounding frontage development and would be detrimental to residential amenity.

15) 59 FRIDAY STREET, EASTBOURNE
Proposed conversion and alterations to existing bungalow to form two dwellings
EB/2007/0596(FP),LANGNEY

EXECUTIVE SUMMARY

The proposed enlargement and subsequent sub-division of the host bungalow, originally built with three-bedrooms, to create a pair of two-storey 4-bedroom dwellings, would result in an over intensive use of the site to the detriment of the visual and residential amenity of the surrounding area.

RECOMMENDATION: Permission be refused.

SITE LOCATION

The host bungalow is situated on the south-western side of Friday Street, some 50 metres from the junction with Helvellyn Drive. The site is also served by a vehicular access off Sorrell Drive.

PLANNING HISTORY

Planning permission EB/1886/0356 was granted for the erection of a three-bedroom bungalow, with integral garage, in the then curtilage of 57 Friday Street.

In 2004 application EB/2004/0447 for an extension to the bungalow and its change of use to a nursery school was withdrawn, as was application EB/2004/0761 for the erection of a double garage at rear and extension at side and vehicular hardstanding at the front.

Also in 2004, planning permission was granted for both applications EB/2004/0519 for a side extension and application EB/2004/0867 for an extension at rear with vehicular access and hardstanding at front.

CURRENT APPLICATION

Planning permission is sought to extend and convert the existing four-bedroom bungalow into a pair of four-bedroom two-storey dwellings. Unit 1 would use the existing front car parking area, accessed from Friday Street, and Unit 2 would use the rear car parking area accessed from Sorrell Drive.

In the submitted "Design and Access Statement" it is stated, in part, that:

"The proposed development will comprise the sub-division of the existing bungalow along with the construction of a dormer structure to the rear, the re-pitching of the existing roof at a steeper pitch to accommodate habitable accommodation therein and the extension of the ridge line of the roof to form a gable to the south-east (sic) [the orientation is, in fact, the north-west] *in order to form two dwellings".*

The extensions and external fenestration of the property have been designed to reflect the existing property and is characteristic of the area. The external walls will comprise predominantly stock brickwork to match the existing along with stained timber weatherboarding to the dormer and to the new gable to match the existing gables present. The existing roof tiles will be re-used with matching tiles introduced as necessary to match the existing".

(Statement received on 4 September 2007)

PLANNING POLICY

Relevant policies in the Eastbourne Borough Plan 2001-2011

HO2	Predominantly Residential Areas
HO9	Conversions and Changes of Use
UHT1	Design of New
UHT20	Residential Amenity
TR11	Car Parking

CONSULTATIONS

The Principal Highway Engineer has advised that the Highway Authority does not wish to restrict the grant of consent (Memo dated 19 September 2007)

REPRESENTATIONS

Notices were displayed at the front of the site and letters of notification were sent the occupiers of surrounding residential properties. In response, at the time this report was prepared (19 September) no representations had been received.

The deadline for representations is 30 September 2007. Members will be advised verbally of any responses received.

APPRAISAL

The main issues to consider in the determination of the application are the proposed design and enlargement associated with the conversion scheme, the car parking arrangements to serve the proposal and the likely impact of the proposed development on the established residential amenity of the area.

As indicated in the "Planning History" section of this report, planning permission was granted in 1986 for the erection of a three-bedroom bungalow, with an L-shaped footprint. In 2004 the original dwelling was granted permission, on two

occasions, to extend, first by way of a side extension (fronting No. 61) and thereafter by an extension in the rear most corner next to No. 57 to create a four-bedroom bungalow with a rectangular footprint, measuring some 14 metres wide (fronting Friday Street) and 11.5 metres deep.

Permission is now sought to further enlarge the existing building by raising the height of the main ridge of the bungalow by some 500 mm and extending the roof by way of a gable, with first floor window, facing No. 61. Furthermore, it is proposed to construct a 5.8 metre wide dormer on the rear elevation, with three roof lights and three other first floor windows also being installed, respectively, into the main roof and remaining gables. Such extensions and associated features would, it is considered, create an oversized building that is incongruous in the street scene.

With regard to the proposed sub-division of the enlarged building, to form two 2-storey dwellings, each with four bedrooms, it is necessary to consider the three-bedroom bungalow that was built, following the grant of permission in 1986, within the curtilage of No. 57. The original dwelling, which has a frontage onto Friday Street and backs onto Sorrell Drive, as do the adjoining residential properties, has in recent years been extended to provide a four bedroom unit, which occupies most of the width of the plot. The proposed sub-division would alter the existing pattern of residential development, by introducing a pair of semi-detached dwellings, which would result in a discordant and over intensive use of the site.

As indicated in the "Current Application" section of this report, proposed Unit 1 would use the existing front car parking area, accessed from Friday Street, and Unit 2 will use the rear car parking area accessed from Sorrell Drive. The Highway Authority considers that such an arrangement is acceptable.

With regard to residential amenity, the existing bungalow does not, given its single-floor nature and low roof, which reflects the design of adjoining properties have an adverse impact on the residential amenity of the area. However, the proposed construction of a higher roof, with first-floor windows in the gable and dormer elements in the roof would likely to give rise to a loss of privacy. Furthermore, the more intensive use of the existing property's curtilage, by two instead of one residential units, would increase noise and general disturbance to the detriment of adjoining dwellings.

HUMAN RIGHTS IMPLICATIONS

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

RECOMMEND: Permission be refused for the following reason:

The proposed enlargement and sub-divison of the existing bungalow would, by reason of its scale and design, result in the overdevelopment of the site, which would be incongruous in the street scene and would be detrimental to residentail amenity. As such, the proposal is contrary to Policies UHT1 and HO20 of the Borough Plan 2001-2011.