

APPEALS RECEIVED

- 1. Application no.:** EB/2009/0254(FP)
- Appeal Ref.:** APP/T1410/A/09/2113639/NWF
- Site:** St. Annes Veterinary Group, 6 St. Annes Road, Eastbourne
- Proposal:** Demolition of existing building and redevelopment of site with a two storey building, providing nine self contained flats over three floors together with associated parking.
- Reason for refusal:** The proposed development would result in a building that would be out of character with the established street scene and the general pattern of development in the area by reason of its scale and height; furthermore, its proximity to the boundaries with adjoining residential properties would result in an overbearing appearance and loss of privacy for neighbouring occupiers. The proposal is therefore contrary to policies UHT1, UHT2, UHT4, HO20 of the Eastbourne Borough Plan 2001 - 2011.
- Appeal start date:** 30.09.09
- Appeal procedure:** Written representations
- Officer Rec:** Grant subject to conditions

APPEAL DECISIONS

- 1. Application no.:** **EB/2008/0195(FP)**
- Site:** **Granville Crest, Bolsover Road and 11 Buxton Road, Eastbourne**
- Proposal:** **Retrospective planning application for a letterbox located at the entrance to Granville Crest, Bolsover Road and a second letterbox at the entrance to 11 Buxton Road**
- Officer Rec.** **Refusal (1 May 2009)**
- Appeal Decision:** **Split decision: part dismissed and part allowed (14 October 2009)**

The application was refused on the grounds that the letterboxes have an adverse affect on the visual amenity of the area and are detrimental to character of the Meads Conservation Area.

In considering the appeal, the Inspector found the stone boundary wall around the converted building at Granville Crest and the new-build block at 11 Buxton Road to be attractive in detailing and important to the character and appearance of the area.

The boundary wall at the entrance to Granville Crest curves in towards the recessed gates. Being set against the curve of the wall and close to the back edge of the pavement, the letterbox sited on this frontage is prominent in Bolsover Road. Painted black the letterbox is the same colour as the gates. However, its utilitarian appearance, its prominence and visibility, particularly from the north and the awkward relationship to the curve of the boundary wall combine to ensure that it neither preserves nor enhances the character and appearance of the conservation area. This element of the appeal was accordingly dismissed.

In contrast, the entrance wall leading to the gates at 11 Buxton Road is recessed and straight. The letterbox is set between two pillars. Although the letterbox is visible in Buxton Road because of its position between the pillars its utilitarian appearance is not prominent, and being unobtrusive it preserves the character and appearance of the conservation area. The Inspector therefore allowed the retention of this letterbox.

- 2. Application no.:** **EB/2008/0677(FP)**
- Site:** **2 Poplar Walk, Eastbourne**
- Proposal:** **Retrospective application for the retention of extension to conservatory to the rear and fencing to the side**
- Officer Rec.** **Refusal (2 December 2008)**
- Appeal Decision:** **Dismissed (15 October 2009)**

The application was refused on the grounds that the conservatory extension and fence are incongruous features within the streetscene and do not harmonise with the host building or the character and appearance of the surrounding area.

The Inspector had regard to the character and appearance of the surrounding area and felt that much of this was derived from the open, grassland areas which are generally at road junctions. He considered that enclosing such an open area to the side of the application site would harm the character and appearance of the surrounding area.

With regard to the conservatory extension the Inspector was concerned that the height and pitch of the roof extension didn't relate to the roof of the conservatory or the bungalow. He noted that as the rear garden lies alongside Hazelwood Avenue this awkward relationship is clearly visible so much so that it harms the character and appearance of the area.

- 3. Application no.:** **EB/2008/0589(FP)**
EB/2008/0590(LB)
- Site:** **St Mary's Church, Decoy Drive, Eastbourne**
- Proposal:** **Erection of four bedroom, two storey, detached vicarage in the grounds of Church and Church Hall,**

with additional car parking area to the rear of the Church

Officer Rec. Refusal (16 October 2008)

Appeal Decision: Dismissed (28 September 2009)

Planning permission and listed building consent were sought for the development. Both were refused on the grounds that the proposed dwelling would result in an unacceptable degree of overlooking to adjoining properties and the design of the dwelling and the location of the car park area would be detrimental to the visual amenities of the surrounding area and the special interest and character of the listed building.

In considering the listed building consent the Inspector felt that as the proposal did not involve any works of alteration to the listed building or any related structures that could be regarded as being covered by the listing, consent would not be required.

When considering the planning appeal the Inspector had regard to the impact the proposal would have on the setting of the listed building and on the character and appearance of the area in general; and the effect on the living conditions of neighbouring residents with particular regard to overlooking, visual impact and noise and disturbance.

The Inspector considered that the design of the proposed vicarage would result in an attractive and balanced composition that would reduce the scale of the building adjacent to the site boundary. He acknowledged that the design would not mimic the listed building but he felt that it would be sympathetic to it and due to the set back from the church he considered that it would not be unduly prominent and would not compete visually with the listed building.

The Inspector agreed with the Council that 71 Decoy Drive would be the most affected property. However, he considered that the high level roof lights in the side elevation of the proposed dwelling and the oblique angle and distance from the first floor bedroom window and the rear of 71 Decoy Drive would avoid any harmful overlooking. The Inspector also considered that the design of the building, stepping down towards the boundary, would result in a building that would not be so overbearing as to harm living conditions.

The Inspector did have concerns regarding the impact the proposed parking, which would run along the northern elevation of the church, would have on the listed building. He considered that this would be unacceptably close to the church and would result in the erosion of its green, open setting. He also raised concerns regarding the loss of a multi-stemmed ash adjacent to the boundary with 71 Decoy Drive which he felt performed a useful screening function. He considered that this tree should not be removed unless a suitable replacement, in same position could be provided. However, due to the extent of the hard standing and the limited space between the proposed house and the boundary the Inspector felt that it was unlikely that there would be room for a replacement tree to grow to a comparable size. He therefore concluded that the proposals would fail to preserve the setting of the listed building and would be harmful to the character and appearance of the area.