

Eastbourne Borough Council

Planning Committee

13 July 2010

Report of the Head of Planning

List of Planning Applications for Consideration

1) BEDFORDWELL ROAD DEPOT, BEDFORDWELL ROAD, EASTBOURNE

Residential development to provide 154 new homes, including 47 units of affordable housing, a change of use of part of the existing pump house building (from B1,B2,B8) to Class C3 residential use with ancillary car parking, landscaping with new vehicle and pedestrian access from Bedfordwell Road. EB/2008/0609(FP), UPPERTON Page 5

RECOMMEND: Grant Planning Permission subject to a satisfactory Legal Agreement.

If a satisfactory Legal Agreement cannot be reached within 6 months from the date of this application then the application be refused.

2) INGLEWOOD NURSING HOME, 7 - 9 NEVILL AVENUE, EASTBOURNE

Provision of roof terrace on existing flat roof extension fronting Brassey Avenue by raising height of surrounding false pitch. EB/2010/0186(FP), HAMPDEN PARK Page 25

RECOMMEND: Permission be granted subject to conditions.

3) ALBANY LIONS, GRAND PARADE, EASTBOURNE

Replacement doors to front entrance EB/2010/0198(FP), MEADS Page 29

RECOMMEND: Approved conditionally

4) TREVETHAN, 52 CARLISLE ROAD, EASTBOURNE

Demolition of the existing building and erection of a block of seven flats with associated parking spaces and vehicular access.

EB/2010/0215(FP), MEADS Page 33

RECOMMEND: Refuse

5) DOWNS EDGE, HOLYWELL ROAD, EASTBOURNE

Extension to existing garage by raising height of roof, and forming useable space within roof and installation of rooflights (amendment to planning permission EB/2009/0689).

EB/2010/0233(HH), MEADS Page 43

RECOMMEND: Approve, with conditions

6) 1 GROVE ROAD, EASTBOURNE

Replacement of windows and erection of solar shading to east and south elevations.

EB/2010/0235(FP), UPPERTON

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RECOMMEND: Permission be granted subject to conditions

7) 16 BURROW DOWN, EASTBOURNE

Retrospective application under section 73a for a single storey extension to garage at front, including repositioned garage door.

EB/2010/0265(HH), OLD TOWN

Page 51

RECOMMEND: Approve subject to conditions

8) PUBLIC HIGHWAY IN EAST DEAN ROAD, EASTBOURNE

Installation of telecommunications equipment comprising a 12.5m high replica telegraph pole supporting 6 antennas (to be shared by Vodafone and O2), together with the provision of a radio equipment cabinet and ancillary development.

EB/2010/0284(DET), OLD TOWN

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RECOMMEND: Refuse

J. F. Collard
Head of Planning

06 July 2010

Planning Committee

13 July 2010

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 Permitted Development) Order 1995 (Amendment) (No. 2) (England) Order 2008
7. The Town and Country Planning (General Development Procedure) Order 1995
8. The Town and Country Planning (Use Classes) Order 1987 (as amended)
9. The Town and Country Planning (Control of Advertisements) Regulations 2007
10. DoE/ODPM Circulars
11. DoE/ODPM Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs)
12. East Sussex and Brighton & Hove Structure Plan 1991-2011
13. Eastbourne Borough Plan 2001-2011
14. Eastbourne Townscape Guide 2004
15. East Sussex County Council Manual for Estate Roads 1995 (as amended)
16. Statutory Instruments
17. Human Rights Act 1998
18. 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.

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Planning Committee

13 July 2010

Report of the Planning Manager

List of Planning Applications for Consideration

Committee Report 13 July 2010

Item 1

APPLICATION SITE: BEDFORDWELL DEPOT, BEDFORWELL ROAD		
App.No: EB/2008/0609	Decision Due Date: 09/12/08	Ward: Upperton
Officer: Leigh Palmer	Site visit date:	Type: Major
Site Notice(s) Expiry date: 10/10/08 Neigh. Con Expiry: 11/10/08 Weekly list Expiry: Press Notice(s):- 15/10/08		
Over 8/13 week reason: Over 13 weeks determination due to a number of issues relating to the ESCC 'band of interest' retained along the northern boundary of the application site		
Proposal: Residential development to provide 154 new homes, including 47 units of affordable housing, a change of use of part of the existing pump house building (from B1,B2,B8) to Class C3 residential use with ancillary car parking, landscaping with new vehicle and pedestrian access from Bedfordwell Road. Summary Information: Site Area: 2.3H No. Existing units : 0 No. Proposed units : 154 Net gain/loss of residential units: 154 Proposed density - dwellings/hectare : 67 Number of affordable units proposed: 47 Previous land use :Commercial - Industrial Existing parking spaces : 0 Proposed parking spaces :140 Building Techniques: Modern construction techniques including measures to mitigate CO2 emissions		

Applicant: PLACES FOR PEOPLE HOMES LTD

RECOMMENDATION: Grant Planning Permission subject to a satisfactory Legal Agreement.

If a satisfactory Legal Agreement can not be reached within 6 months from the date of this application then the application be refused.

Reason for referral to Committee:

Given the number of representation letters received; and also due to the number of units and scale of development proposed, submitted by Places for People (partner organisation) it is considered that the application should be reported to Planning Committee.

Executive Summary:

There are two issues to be addressed in the consideration of this application.

1. Principle & Design Standards

The principle of residential redevelopment of the site and testing the scheme against Development Plan policies and standards and

2. Delivery of Link Road

Whether East Sussex County Council wish to retain an interest in the site due to a long standing 'band of interest' along the eastern part of the site.

1. Principle & Design Standards

Application proposes the redevelopment of Bedfordwell Road (SERCO) depot site a former brown field (industrial) site for residential purposes.

The principle of the residential redevelopment of this site has been accepted by virtue of **Policy NE10** of the Eastbourne Borough Plan (2001-2011) which states that subject to the site not being required for continued depot use then it should be redeveloped for residential purposes ensuring that the 'Pump House' is retained.

The scheme follows significant pre application liaison between all interested parties and partners and proposes a scheme that would deliver 154 dwellings including 47 affordable housing units.

The scheme ensures that the Pump House is included within the scheme providing through conversion accommodation for 15 units.

The internal layout of the scheme, the scale of the new buildings, the integral landscaping of the scheme, and the design and appearance of the new buildings are considered to provide an appropriate form of development.

The proposed development addresses all of the constraints on the site as well as ensuring that that the scheme does not adversely affect the amenities of those occupiers – users of those properties – plots that adjoin the site.

As the principle and all of the design standards are acceptable it is recommended there are no objections to this element of the scheme.

2. Delivery of Link Road

East Sussex County Council have maintained a long standing interest (band of interest) in providing a new link road along the eastern part of the application site adjacent to railway line.

Initially ESCC objected to the application as it was considered that the proposed layout would not ensure sufficient land is retained for the construction and delivery of the new link road.

In an email 17/06/2010 ESCC withdrew their objection to the planning application. The implications of rescinding their interest in the band of interest is that they would not be pursuing with implementation of a new link road.

Notwithstanding the above the scheme had been designed around ensuring that the link road 'Band of Interest' along the eastern boundary of the site has not been compromised. Given that County will not be pursuing the new link road it has resulted in the proposed soft landscaping along the eastern boundary of the site being retained in perpetuity.

Given the withdrawal of ESCC objection to the application and that the scheme is acceptable in all other respects it is considered that the scheme should be approved .

Relevant Planning Policies:

Policy NE10 of the Eastbourne Borough Plan (2001-2011) states:

"A site is reserved for the extension of the Bedfordwell Road Depot. In the event that the depot use ceases at this location, the existing or extended depot site should be used for residential purposes with the retention of the engine and boiler house building provided there is no requirement for any other waste use. Satisfactory arrangements to ensure retention, future maintenance and use of this building will be material to favourable consideration of redevelopment of any part of the site.

In addition to Policy NE10, the following Borough Plan Policies are considered relevant to this application:

NE1	Development Outside the Built Up Area Boundary
NE3	Conserving Water Resources
NE4	Sustainable Drainage Systems
NE5	Minimisation of Construction Industry Waste
NE6	Recycling Facilities
NE7	Waste Minimisation Measures in Residential Development
NE10	Bedfordwell Road Depot

NE11	Energy Efficiency
NE12	Renewable Energy
NE14	Source Protection Zone
NE15	Protection of Water Quality
NE17	Contaminated Land
NE21	Nature Conservation in Eastbourne Park
NE22	Wildlife Habitats
NE24	New Development in Eastbourne Park
NE25	Tree and Woodland Planting in Eastbourne Park
NE28	Environmental Amenity
UHT1	Design of New Development
UHT4	Visual Amenity
UHT5	Protection of Walls/Landscape Features
UHT6	Tree Planting
UHT7	Landscaping
UHT18	Buildings of Local Interest
HO7	Redevelopment
HO12	Residential Mix
HO13	Affordable Housing
HO18	Wheelchair Housing
HO20	Residential Amenity
B11	Retention of Class B1, B2 and B8 Sites and Premises
TR1	Locations of Major Development Proposals
TR2	Travel Demands
TR5	Contributions to Cycle Network
TR6	Facilities for Cyclists
TR7	Provision for Pedestrians
TR8	Contributions to Pedestrian Network
TR9	Home Zones
TR11	Car Parking
TR12	Car Parking for those with mobility problems
TR16	A22 New Route
TR17	St Anthony's/Upperton Farm Links
TR18	Bedfordwell Road Gyrotory System
LCF4	Outdoor Playing Space Contributions
LCF17	Educational Requirements
LCF23	Library Requirements
US2	Water Resource Adequacy
US3	Infrastructure Services for Foul Sewage and Surface Water Disposal
US4	Flood Protection and Surface Water
US5	Tidal Flood Risk
US10	Underground ducting
IR2	Infrastructure Requirements

Site Description:

The application site is located to the north of Bedfordwell Road, where the road splits with Whitely Road going east and Upper Avenue, opposite to the South. Access into the site is from Bedfordwell Road.

The surrounding area is predominately residential, however there are various adjoining land uses e.g. industrial area (to the south), allotment gardens (to the north) with the railway line into Eastbourne that runs adjacent to the site (east)

The site contains the 1881 Pumping Station building that is identified as a Building of Local Interest.

The application site is within the ownership of the applicant and has had a number of uses over time the most recent being the Serco depot. The depot is not fully operational and used as a base at the present time for maintenance activities. There are a series of single storey storage buildings located along the western edge of the site together with a two storey brick office building occupied by Serco. The eastern edge of the site is used for storage of segregated loose aggregate in concrete bays with further bays occupying the centre of the site. Most of the site is therefore, covered in either structures or hard standing. To the north of the site there is a disused yard (former Council Depot) with a single storey building and some soft landscaping comprising of a number of trees.

There are marked changes in levels (approximately 6.5m between Bedfordwell Road entrance and the lower site level to 4.5 m around the Pump House.

To the east of the application site is the mainline railway that forms the eastern curved site boundary. The western boundary to the site abuts land that is occupied mostly by allotment gardens and a former nursery while the southern part of the western boundary adjacent to the access road is occupied by residential properties. To the south of the site are the residential properties that run along Bedfordwell Road and to the western boundary with properties in Mayfield Place.

Relevant Planning History:

App Ref: EB/2003/0476	Description: Part change of use and conversion from Class B1 (Business) to form twelve loft apartments, including insertion of two new floors in the upper part of the existing building.
Decision: Approved conditionally	Date: 10-Oct-2003

Proposed development:

The proposal is to erect 154 dwellings, together with the provision of 140 car parking spaces, with the main access road into the site via the current access from the Bedfordwell Road frontage.

The scheme proposes the retention and conversion of The Pump House into residential-commercial use and the redevelopment of the remainder of the site for residential purposes.

The accommodation schedule for the development includes:-

Apartments:- 40 X1 bedroom apartment and 64 X 2 bedroom apartments, these units are apportioned relatively evenly across the apartment blocks within the development. This includes 15 apartments within the pump house building

Dwelling Houses:- 6 X 2 bedroom mews, 15 X 2 Bedroom Terraced, 21 X 3 bedroom Terraced , 8 X 4 Bedroom Terraced. Like the apartments these are spread throughout the development.

The access from Bedfordwell Lane snakes though the application site terminating in the north eastern corner of the plot. The access way opens into courtyards along its route and the new buildings are to be set in apartment blocks and small groupings of dwellings set around the courtyards or facing access way creating new streets.

The scale of the proposed building varies from four-five storey apartment buildings down to two-three storey dwelling houses. The scale of the dwellings cascades down from the east to the western boundary of the plot.

The scheme proposes 140 car parking spaces (91%) and amenity space in the form of private garden and communal space.

The communal space is informal throughout the development (Planting beds etc) with the formal communal space (including trim trail) being along the eastern boundary of the site

The application is accompanied with a number of independent reports covering a number of topic headings these are summarised in no particular order below:-

- **Planning Statement** - The application follows significant consultation with a number of different parties. The resultant scheme proposes a layout, design, scale, massing and amount it reflects a bespoke design led response to the constraints and development potential of the site having regard to the character and context of the site and surrounding area.

The scheme would result in the retention of a significant building with local townscape quality and would also result in the redevelopment of the non-conforming brown field site.

The scheme if supported would provide a number of new dwellings including a significant element of affordable units which represents a major benefit for the Borough.

- **Design and Access Statement** – The application follows significant pre application liaison with all interested partners and interested parties.

The scheme proposes the redevelopment Bedfordwell Road (SERCO) depot site. The site is in the greater part, a 'brownfield' industrial site, and located close to the town centre and also sited to the edge of a predominantly residential area.

The scheme has addressed all of the site constraints (access, band of interest pump house, changes of levels, existing landscaping scale of existing and neighbouring properties) and proposes that the site can accommodate 154 dwellings comprising :-

50 New Build Houses

104 New Build Apartments and Converted Apartments

All the new buildings and the converted buildings will include measures to improve their sustainable credentials such as improved fabric insulation, reduced water consumption, reduced surface water run-off and the use of renewable technologies as appropriate.

The 2.3 hectare site has been designed to accommodate a mix of residential tenure and unit types, comprising in the main new build, but also the conversion of the existing building, within which will also be incorporated a small element of commercial office space (362 sq metres). 30% of the new residential units will be provided for Affordable use.

The scheme aims to reduce the dependence on car usage, due to the site's proximity to the town centre. Therefore, the project will accommodate a level of car parking compatible with its location, with the provision of a Car Club to enable residents to use cars as needed.

The scheme layout delivers a clear hierarchy of transitional spaces across the development with the creation of 'urban' courtyard, public spaces, home zones, and private spaces throughout the development.

The scheme proposes an urban meadow to be planted on the band of interest land to provide a 'green lung for the development.

The proposed scale and massing of the development will vary between the tall retained Pump House building (equivalent to a 4 to 5 storey apartment blocks) and new 2 to 3 storey houses.

The new taller apartment blocks will be generally located by the railway towards the east of the site and the houses generally sited towards the centre and west, being in sympathy in scale with the adjoining houses in Mayfield Place.

- **Sustainability Report** – The layout of the scheme takes advantage of natural daylight and passive solar gain, the construction will incorporate 'Modern Methods of Construction' (off site panels timber panels), renewable technologies are under consideration as are low energy fittings and also low volume water fixtures and fittings.

- **Transport Assessment** – The site is considered to be in a sustainable location and appropriate for residential purposes in terms of layout, access and parking density.
- **Site Waste Management Plan** – This recommends that early in the development process the types and quantities of waste that would be produced should be identified and consideration could be given to on site reuse of off site disposal.
- **Green Travel Plan** – This supports the desire to reduce the reliance – ownership on the motor car. Will promote the use of other modes of transport, walking, cycling, public and also recommends the benefits of a 'car club' operating at the site.
- **Cycle Car and Motorcycle Parking Report** – This report concludes that for each residential unit safe and secure cycle storage will be provided and that cycle stands under cover will be provided for the commercial use. This provision would accord with adopted standards.

The car parking density would be below adopted standards but considered acceptable given the proximity to town centre and public transport links and also with the potential use of a 'car club'.

- **Community Involvement Report** - The applicant has engaged at all key stages with local residents, the Council and other relevant parties. The scheme as submitted follows the parameters outlined and established through these consultation-liaison meetings.
- **Daylight Analysis Report** - A representative example of units were assessed across the development and it was found that all of these units exceeded the minimum daylight levels required by National Guidelines.
- **Geo-Environmental Report** – This is an extensive report that looks into the existing ground conditions at the site. It concludes that given the former uses the site has elements of contamination and that further sampling and information is required. The potential risks have been identified as soil contamination and also hydrocarbons within the groundwater.

The report concludes that a Validation Strategy should be agreed by the Environment Agency and the Councils EHO prior to any works commencing at the site.

- **Noise Mapping Assessment Report** - This report analysed the noise impacts of no link road and also if the link road were to be constructed and used.

The report concludes that if the link road was not built and the scheme incorporated standard construction techniques (double glazing) then the noise levels in the gardens and also within the dwelling would not breach international guidelines.

However if the link road were to be constructed then an acoustic barrier (close boarded fence) would need to be constructed in order to achieve acceptable noise levels.

- **Noise Vibration Assessment Report** - This report looked at measuring the existing noise and vibration at the site, including the impacts of the railway line that adjoins the site. The report concludes that there are no adverse or significant noise or vibration issues at the site.
- **Flood Risk Assessment Report** – This report identifies the site and also the likely sources and threats of flooding. The report outlines a number of design measures that the scheme should implement in order to mitigate the risk and damage from a flood event.

The report also includes a letter from the Environment Agency stating that they would not have any objections to the scheme subject to condition controlling the mitigation measures within the flood risk assessment report.

- **Ecological Assessment Report** – This report focuses on a site ecological survey in 2007 which itself supplements earlier reports and surveys. The survey concluded that no bats were present and that a good population of slow worms, grass snakes and common lizards were identified. A mitigation strategy involving translocation will be needed and implemented prior to the development commencing.

Any new planting should be native species of local provenance to improve the ecological benefits of the site.

The report concludes that subject to mitigation being implemented that there would not be an ecological constraint to the development of the site.

- **Code for Sustainable Homes Ecological Report** - This report concludes that if the recommendations of the report are followed then in terms of the 'Ecological' element of the Code for Sustainable Homes report then the site could be improved from a rating of 2 up to a rating of 5. The recommendations include that the scheme should be developed in partnership with an accredited ecologist and also that the scheme should implement a native planting scheme to increase the biodiversity at the site.
- **Civil Engineering Works Report (Foul and surface water and Highway works)** - The surface water at the site will be managed through a series of storage solutions (pipes and swales) this will reduce the surface water run off from the site to be at a much reduced level. The foul sewers at the site will use the existing system where there is sufficient capacity.

A 'band of interest' has been retained along the eastern boundary of the site for the construction of a link road at some future date.

This report concludes that the sufficient land has been allocated for this and that if the link road were to be implemented then there would not be any need for additional land take from within the scheme in order to facilitate the works.

The roads and access-ways within the development would be designed and constructed to existing adoptable standards.

A safety audit of the site/scheme has been undertaken and the scheme has addressed all of the areas of concern

Consultations:

The County Landscape Architect raises concerns relating to the fact that the proposed landscaping would need to be sacrificed if the link road goes ahead; trees to the northern boundary of the site would need to be removed to facilitate the link road this would be difficult once the residents were in situ as they would see them as permanent fixtures; a permanent and sustainable landscape scheme has not been submitted with the scheme; the landscaping is too close to buildings and would become a nuisance in the future; a 7-10m strip of defensible landscaping is required.

The County Archaeologist confirms that the proposed development is situated within an area of archaeological interest being within an area adjacent to the Willington Levels that was recognised for its Bronze Age period to the current day. In light of the potential archaeological significance of this site and the scale of the proposed development, the County Archaeologist is of the opinion that the area should be subject of a programme of archaeological works and a condition be imposed with the grant of planning permission until the implementation of a programme of archaeological work that is a written scheme of investigation including a timetable for the investigate to be submitted by the applicant and approved in writing by the local planning authority. (Letter dated 26 September 2008)

The East Sussex County Council's Development Contributions Co-ordinator advises that contributions, in addition to any relating to highways are required for the following services:

Early Years Education	£ 14,300
Primary Education	£ 179,300
Secondary Education	£ 191,800
Household Waste	£ 4,000

(Letter dated 14 October 2008)

The East Sussex County Council Highways Manager commented initially on the application and raised a number of concerns focussing on the delivery of the link road 'band of interest', prematurity of the development and also safety issues given the gradient of the proposed access at its junction Bedfordwell Road.

This concern has now fallen away with the withdrawal of their objection (email 17/06/10)

ESCC have recommended that if support is given to the proposed development and Committee are minded to grant planning permission then a S106 agreement should be entered into to secure the following items necessary to mitigate the impact of the development:-

- The Travel Plan provisions including an audit fee of £6000,
- The contribution towards the upgrading of the Firle Road traffic signals.
- The LSIAC contribution of £192,720
- Provision of real time bus information close to the site (£20,000),
- Provision of a bus shelter in Firle Road (£8k)
- Financial contribution towards the provision of off site dropped kerbs and tactile paving necessary in the local area (£3500)

The Conservation Adviser considers that the scheme overall is acceptable in conservation terms but could be improved with refinements. The dominant feature of the site is the Pump House, which is a locally listed building built in 1881, and is an impressive industrial building of imposing scale. It is considered that the scale and design of the new buildings is appropriate and provides a satisfactory new context to the pump house.

In addition, the conversion of the pump house is proposed in a manner which should preserve the buildings essential character. (E-mail dated 6 November 2008)

The Planning Policy Manager advises that the application site is identified on the Eastbourne Borough Plan Proposals Map (2001-2011) as being a housing allocation under Policy NE10 known as Bedfordwell Road Depot. The application would comply with this policy providing a residential development that would meet Eastbourne's housing targets for the period 2001-2011 (East Sussex and Brighton and Hove Structure Plan) and 2006-2016 (South East Plan Panel Report 2007). Furthermore, the provision of affordable housing within the development would satisfy Policy H013 (Affordable Housing), which requires a maximum of 30% affordable units where it is proposed to provide 15 or more dwellings or residential sites of 0.5 hectares. The development would provide 154 units proposed with an affordable requirement of 30.5% (47 units) would be for affordable housing which is reiterated in Policy HO13 (Affordable Housing) and would contribute towards meeting the town's housing needs.

In terms of the mix of residential units, which would include 2, 3 and 4 bedroom houses and 1,2, and 3 bedroom apartments, this would comply with Policy H012 (Residential Mix).

Therefore, taking into account the relevant policies, from a planning policy point of view there are no reasons to refuse planning permission and the application is acceptable in principle. (Memo dated 9 October 2008)

The Arboricultural Officer raises concerns with regard to the tree protection measures on site, which includes part of the site protected by TPO's. Therefore, given the lack of Arboricultural information to ensure that all trees are to be retained on site following construction it is recommended that a number of conditions are imposed on the planning permission in terms of tree protection (general, fencing, excavation) measures, tree surgery, tree planting, landscape design proposals and landscape maintenance. No concerns have been raised to the landscaping proposals subject to a condition concerning the details of species and size of the proposed shrub planting. (E-mail dated 4 December 2008).

South East Regional Design Panel At a meeting of the South East Regional Design Panel on 26th June 2008 members supported the concept of the development being around two public spaces i.e. the southern part of the site focused on the Pump House and the northern part of the site being a more open and informal arrangement. However, the members considered that a tighter grouping around each space would result in a more coherent development. In terms of the design, it was felt that the massing and heights of buildings would be appropriate for the site and that a minimum of Code 3 of the Code for Sustainable Homes should be achievable on this urban site. The inclusion of SUDS design could add a positive landscape element into the development. (Letter dated 11 July 2008).

The Environmental Health Officer has raised concerns with regard to the proposal in terms of predicted noise levels for storeys above ground level to ensure that mitigation measures are adequate.

Southern Water advises that at present there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. However, Southern Water have confirmed that they have a sewer improvement scheme in the area that will be completed by the end of 2009, which will provide capacity in the sewer network to service the proposed development. If permission is granted conditions should be attached preventing the commencement and occupation respectively, of the development until details of the proposed means of foul sewerage disposal have been agreed and the necessary infrastructure capacity is available to adequately serve the development (Letter and e-mail dated 23 September and 19 November 2008).

The Environment Agency has raised no objection to the applicant's Flood Risk Assessment and a Letter of Compliance has been received from the Environment Agency. However, they would object if the posed an unacceptable risk of pollution of groundwater.

RWE N Power have raised an objection on broadly the following grounds:-

- Bedfordwell site will prejudice the delivery of development on NPower land
- Site is currently vacant and allocated for employment land
- Tutts Barn lane is insufficient to accommodate any increase in traffic

- Very view developable sites in EBC the redevelopment of NPower site would maximise development potential and ease pressure on green field sites for future development
- Given proximity to Bedfordwell Road site NPower site is considered suitable for residential redevelopment
- Policy TR16 Safeguarded highway route, if delivered would provide site access and suitable redevelopment would ensue
- No funding or timetable for delivery of safeguarded route
- The Council should look to secure alternative access arrangements to and through Bedfordwell Road site in order to safeguard the future developable nature of the Npower site.
- If no alternative access can be found then the NPower site would be sterilized from future development.

Neighbour Representations:

The application was advertised by way of site notices displayed around the site, a notice in the local press and some 516 neighbour notification letters. As a result 12 letters of representation have been received. The comments can be summarised as follows:

- Traffic congestion
- Pollution
- Possible harm to The Pump House if insensitively refurbished
- Impacts upon significant trees on the site especially Holm Oak
- Impacts of pollarded tress on the site
- Foul and surface water localised flooding
- Noise and disturbance from traffic
- On street parking will be lost
- May lead to an increase in anti social behaviour
- Accessibility to sustainable modes of transport is uncertain
- More attention is needed to be given to pedestrians, cycle and bus users especially with links into town centre and railway station
- Pleased Pump House to be used in redevelopment shame other buildings can not find any future use.
- A lot of people living in a small area
- Highway safety at junction possible conflict with pedestrians
- Impacts on local services especially schools
- No community facilities within scheme
- Direct overlooking from Pump House conversion into neighbouring residential properties
- Impacts upon residents by train noise
- Height of apartments will cause overlooking
- Boundary disputes relating to poor site maintenance over time
- Make open spaces larger and less houses/flats
- Possible off site impacts if sewers fail.

Appraisal:

Principle

As commented above there has been a long standing acceptance to the principle of residential redevelopment of this site.

The principle was established by Local Plan Policy NE10 that outlined that if the site was redundant then the residential redevelopment would be acceptable.

The site has been identified within the Local Plan as being suitable for residential redevelopment and as such should go some way to meeting the Borough's Housing requirements for the plan period.

In seeking the residential redevelopment of the site any scheme that comes forward would need to maximise the development potential of the site as well as ensuring that the housing mix and tenure meet the Borough's requirements. In broad terms this scheme meets these parameters.

Accommodation Mix

Within the refurbishment of the Pump House there is proposed to be 362sqm of office space. It is the intention that this space will be used by the applicant. Given the relative small amount of space proposed and that there will be dedicated parking spaces for it then this use should not have any external impacts.

The scheme proposes 154 dwelling units in total comprising a mix of apartments and dwelling houses.

Apartments: - 40 X1 bedroom apartment and 64 X 2 bedroom apartments, these units are apportioned relatively evenly across the apartment blocks within the development.

Dwelling Houses: - 6 X 2 bedroom mews, 15 X 2 Bedroom Terraced, 21 X 3 bedroom Terraced, 8 X 4 Bedroom Terraced. Like the apartments these are spread throughout the development.

It is evident that the scheme proposes a range of property types and sizes, This is considered to be important in provided a balanced community as well as giving the choice of property within the scheme so to enable people to aspire and move within the development.

It is considered that this mix would accord with the Boroughs housing need requirements for the planned period.

Affordable housing

Out of the 164 dwellings proposed 47 are being offered as affordable units. This amount accords with the development plan standards of 30% of the entire scheme should be made available for/as affordable accommodation.

As with the housing mix above the affordable element of the scheme is distributed across the development.

Density

This proposal delivers a density of 67 dwelling per hectare this is considered to be acceptable as a balance needs to be struck against the need to maximise the development potential of the site whilst ensuring the delivery of a quality scheme that is not out of character with the site and surrounding area.

Layout

The layout proposes a series of blocks set around courtyards and heavily landscaped access roads. The layout is considered to create new streets and townscape that would give a sense of identity and enclosure as one travels through the development.

An acceptable separation between the blocks has been maintained in order to overcome and mitigate any material overlooking issues. The layout has also been designed in order that the properties and the amenity areas benefit from solar radiation.

The layout incorporates elements of shared surfaces, with the hard surfaced areas being broken by tree and shrub planting, this design is intended to reduce the dominance of the highways and parking areas and give the pedestrian the priority throughout the scheme and thus creating a safer environment.

There is no objection to the proposed layout of the scheme.

Scale & Design and Appearance

The constraints of the site have been identified within the applicant's Design and Access Statement. This document identified the elements of the site where larger and more dominant buildings could be placed.

The proposed layout follows the commentary within the Design and Access Statement in that the larger buildings are located to the eastern and northern boundaries of the site and the more domestic scale properties are located on the western and southern boundaries of the development where it abuts existing established dwellings.

It is considered the multi-storey apartment blocks range between four and five storeys in height. These buildings have irregular footprints and roof lines and are to be articulated and modulated across all elevations in order to reduce the bulk and scale of the buildings.

On the more sensitive boundaries of the site the scale of the buildings drops to predominantly two storey semi-detached and terraced dwellings. As with the apartment block these terraces also incorporate varying ridge heights and articulation to all elevations.

All of the buildings are to have external features and finishes drawn from a common design palette; this delivers some coherence across the development but with the articulation and modulation there remains a degree of individuality to the external appearance across a range of dwelling types and styles.

There are no objections to the scale of or the design and appearance of the proposed buildings within the scheme.

Car Parking Motorcycle Parking and Bicycle Parking

The application site is located close to the town centre and also close to public transport links and as such is considered to be in a sustainable location.

Given this and also to support the drive to reduce the number of trips by the private car the car parking density is below the maximum adopted thresholds and supported by-with a green travel plan.

The scheme proposes 140 spaces at a density of 91% to include 12 controlled parking spaces for the commercial space, 2 disabled paces, 10% of a size to comply with Lifetime Homes, & 2 spaces to be used for as a 'Car Club'.

In addition to the car parking space 7 powered two wheel vehicle parking spaces are incorporated into the scheme. The application also proposes that the bicycle parking should be at a density of 100% and be provided in a safe and secure location.

It is considered that the parking density across all modes and the delivery of a green transport plan would be acceptable for this development and would be unlikely to give rise to any adverse impacts upon highway capacity or be likely to give rise to a material increase in indiscriminate on street parking that would give rise to highway and or pedestrian safety issues.

Amenity space

The amenity space for the scheme is divided into three distinct elements;

Private back gardens for the dwelling houses

Communal space formed by the 'pocket parks' and the hard and soft landscape areas within the with the 'home zone' street layout

Communal space formed by the wild flower meadow, footpath and seating and trim trail within the area within the 'band of interest' land. Not now reserved for the provision of the link road adjacent to the northern boundary of the site.

The private back gardens are considered to be located and of a size that would provide a usable space for the occupiers of these properties.

The landscaping and the amenity space provided as an integral part of the new streetscape would provide incidental places for informal recreation.

The largest area for communal amenity space is along the eastern boundary of the site.

This space is considered to provide a quality environment that would provide for both active and passive recreation and with the planting of a wildlife meadow would increase the biodiversity.

There was initially some doubt about the long term availability of this zone given the potential that it all could be lost for the new link road and as such should not be assessed as an integral part of the development.

It is now accepted that given ESCC withdrawal of their interest in delivering a new link road along the eastern boundary of the site that this part of the amenity space provision would provide some quality space within the development and would be retained as such for the life of the development.

In addition to the private and communal areas of amenity space some of the apartments have access to private balconies; these would add to the available amenity space throughout the scheme.

However whilst there are instances across the development where the occupiers of the residential apartments would not have access to a balcony; they would retain access to the communal areas and it is considered that this does not give rise to any material harm when seen in the wider context of the development.

Noise & Vibration

As outlined above the application is accompanied by reports analysing the existing and potential noise and vibration impacts at the site. The reports have analysed two development scenarios, one without the link road and the other with the link road being in place and operational.

The reports conclude that either of the development scenarios would not breach international standards and thereby would provide an acceptable living environment (internal and external) for the occupiers of the new and converted properties.

The reports conclude that these acceptable living conditions can be achieved with the use of double glazing to the buildings and the erection of a close boarded fence to act as an acoustic barrier for the link road.

Ecological Issues

The scheme proposes that all new soft landscaping should be native species of local importance. This should ensure that the biodiversity of the site should be improved and would help the site fit into its wider context in term of landscape character.

The application site has been surveyed to determine the presence or absence of protected species. This report concluded that no bats or mammals were identified but the site did accommodate a significant population of reptiles (slow worms, grass snakes and common lizards).

The accompanying ecological report concluded that a comprehensive mitigation strategy which would include capture and translocation need to implemented prior to the development commencing.

Subject to a planning condition controlling the timing of the translocation works and also controlling the location and suitability of the translocation site it is considered that the ecological issues would be adequately addressed by this proposal.

Flood Risk

The application site lies partially within Flood Zones 1, 2, & 3 as identified by the Environment Agency Flood Zone Map. The scheme proposes mitigation to overcome the risk of flooding.

The mitigation proposes a series of measures to ameliorate the risk of flooding. These measures include:-

- raising the finished floor level of the buildings to be above the predicted flood level (2.9AOD giving a 600mm freeboard above the flood level),
- setting the access, car parking and roadways to be at 2.75m AOD
- the provision of on site surface water attenuation,
- Registration with the Environment Agency Early Warning System.

Subject to these measures being implemented the site there should not be any material flooding risk to and from the development.

Foul and Surface Water Disposal

It is planned that the foul water from the development will utilise the existing sewer system. Southern Water has confirmed that after their programmed upgrade works there will be sufficient capacity to cope with this development.

The scheme proposes that the surface water disposal will be via the existing drainage network. It is planned that there will be on site attenuation of the surface water through/by open ditches and swales. This attenuation would mean that the rate of surface water run off from the site would be significantly reduced from the existing situation. This reduction in surface water run off would limit the likelihood of localised flooding.

Band of Interest (Link Road ESCC)

The land to the eastern edge of the development adjacent to the railway line had been reserved to allow for the development of a future link road.

As there is no longer a need for the land to be retained it will be used for/as communal amenity space.

Human Rights Implications:

There are no human rights implications as a result of this application.

Conclusion:

The proposed development addresses all of the constraints on the site as well as ensuring that the scheme does not adversely affect the amenities of those occupiers – users of those properties – plots that adjoin the site.

Recommendation:

- 1. GRANT PLANNING PERMISSION Subject to conditions and a Legal Agreement:** The legal agreement will cover the provision and delivery of affordable housing units and also the delivery of the financial contributions to cover/mitigate the impacts upon local infrastructure.
- 2.** If no satisfactory legal agreement can be agreed within SIX MONTHS from the date of this Committee Report then the application be refused.

1. Time Limit
2. A1 Submission of Samples of Facing Materials
3. A4 Restriction of Permitted Development
4. A11 Balconies
5. T3 Tree Protection: General
6. T6 Tree Protection: Excavations
7. T8 Tree Surgery
8. T10 Landscape Design Proposals
9. T14 Landscape Management Plan
10. T15 Landscape Maintenance
11. H1.4 Junction details
12. Visibility Splays
13. H5 Provision for Disabled People
14. EA1 Submission of Details of Surface Water Drainage Scheme
15. EA2 Control Over Fill Material
16. EA3 Details of Method of Demolition and Construction
17. EA4 Site Investigation
18. EH2 Post Remediation Monitoring
19. Archaeological scheme of investigation.
20. Risk Management
21. EH1 Unsuspected Contamination
22. Condition: Remediation Strategy
23. Condition Piling Details
24. Condition Site Management Scheme
25. Condition Storage of Oils Fuels and Chemicals
26. Condition Foul & Surface Water Disposal
27. Phase Development (Highways)
28. Cycle Storage
29. Parking Spaces
30. Wheel washing
31. Highway Levels
32. Estate Roads

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Item 2

APPLICATION SITE: INGLEWOOD NURSING HOME, 7 - 9 NEVILL AVENUE, EASTBOURNE		
App.No.: EB/2010/0186	Decision Due Date: 9 June 2010	Ward: HAMPDEN PARK
Officer: Bethan Smith	Site visit date: 28 May 2010	Type: Minor
Site Notice(s) Expiry date: 27 May 2010		
Neigh. Con Expiry: 27 May 2010		
Weekly list Expiry: 20 May 2010		
Press Notice(s)-: N/A		
Over 8/13 week reason: N/A		
Proposal: Provision of roof terrace on existing flat roof extension fronting Brassey Avenue by raising height of surrounding false pitch		
Applicant: CANFORD HEALTHCARE		
RECOMMENDATION: Permission be granted subject to conditions.		

Reason for referral to Committee:

This application has been called to committee at the request of the Chair.

Executive Summary:

It is considered that the proposed raising of the roof would be in keeping with the property and would protect the privacy of the surrounding occupiers thereby the proposed roof terrace would be acceptable.

Planning Status:

- Predominantly residential area

Relevant Planning Policies:

The following national, regional and local policies are considered relevant to the determination of this application:

National Policies

N/A

Eastbourne Borough Plan

UHT1 Design of New Development
HO20 Residential Amenity

Site Description:

The application site comprises a large nursing home on the corner of Nevill Avenue and Brassey Avenue. There is a car park to the front of the site and a garden that wraps around the front, side and rear of the property. The application building has been extended a number of times and this application relates to a single storey extension granted consent in 1996.

Relevant Planning History:

As mentioned above there have been numerous applications on this property. The most relevant are summarised below:

App Ref: EB/1981/0519	Description: C/U FROM SURGERIES TO REST HOME
Decision: Approved Conditional	Date: 17/11/1981
App Ref: EB/1983/0142	Description: S/ST REAR EXTN AND INSTLN FIRE ESCAPE
Decision: Approved Unconditional	Date: 17/05/1983
App Ref: EB/1989/0211	Description: S/ST AND 2/ST REAR EXTNS AND 2/ST LINK, RETENTION OF CAR PARKING AREA AT FRONT
Decision: Approved Conditional	Date: 10/07/1989
App Ref: EB/1991/0223	Description: S/ST SIDE EXTENSION
Decision: Approved Unconditional	Date: 21/06/1991
App Ref: EB/1996/0258	Description: Change of use of 55 Brassey Avenue from single private dwelling to nursing home as an extension of existing Nursing Home at 7/9 Nevill Avenue and erection of single-storey extension at rear and two-storey extension/link.
Decision: Granted. subject to conditions	Date: 12/09/1996

Proposed development:

The current application seeks to vary condition 8 of permission EB/1996/0258 which restricted the use of the flat roof of the extension. The intention is to provide a roof terrace on this area and to raise the height of the false pitch to provide security and a screen. It will be raised from a height of 0.6 metres to 1.65 metres.

Applicant's Points:

- Planning permission is sought to extend the existing roof slope on the Brassey Avenue Elevation so that residents can enjoy their 'old age' by sitting on the roof terrace without the fear of overlooking neighbours;
- The external appearance of the proposal is in keeping and total harmony with the existing building; the materials will match existing.
- The scale of the proposal respects the character and integrity of the surroundings;
- Any concerns relating to the impact of the proposal on the neighbouring dwellings have been offset by extending the roof slope. Therefore, any concerns caused by the proposed first floor roof terrace are considered to be insignificant;
- The position, height and orientation of the proposed extension relative to adjoining buildings results in no adverse impact to the current levels of sunlight/daylight enjoyed by the adjoining properties/gardens.

Neighbour Representations:

Letters of notification were sent to the occupiers of the surrounding properties and a site notice was displayed to the front of the application site. As a result one letter of objection has been received. The comments can be summarised as follows:

- Inglewood has been considerably enlarged and extended over recent years, as has the adjoining Avalon care home.
- Further development will impair and detract from the residential character of Brassey Avenue, to the detriment of local residents and the road's existing users;
- The road is already busy at key times, and does not need any further traffic resulting from construction or staff vehicles;
- Further development of any kind fronting Brassey Avenue is likely to be detrimental to neighbours whose homes are close to the present extension, which already has a roof garden, and might be seen as a precedent for more extensive development proposals in future.

Appraisal:

In 1996 planning permission was granted for the change of use of 55 Brassey Avenue from a single private dwelling to nursing home as an extension of existing Nursing Home at 7/9 Nevill Avenue as well as the erection of single-storey extension at rear and two-storey extension/link. To ensure the privacy of the adjoining occupiers was maintained permission was granted on the condition that the flat roof was not used as a roof terrace or recreational area.

The current application seeks permission to remove this condition thereby allowing the use of the flat roof as a roof terrace. In order to overcome the concern regarding the privacy of surrounding occupiers it is proposed to raise the height of the false pitch roof to 1.65m. At this height it is considered that the potential overlooking to neighbouring properties will be minimised and the privacy of the adjoining occupiers maintained.

Despite the condition the roof has been used as a terrace and trellis has been installed around the outskirts. This, it is considered, looks out of place. The extension of the roof would be more in keeping with the property and, whilst there are no direct views to the private areas of adjoining properties, would ensure that surrounding occupiers would not have the perception of being overlooked.

The concerns of the objector are noted, however it is not proposed to increase the footprint of the building nor create an additional roof terrace.

Human Rights Implications:

None.

Conclusion:

It is considered that the proposed raising of the roof would be more in keeping with the property and would protect the privacy of the surrounding occupiers thereby the proposed roof terrace would be acceptable.

Recommendation: Permission be granted subject to the following conditions:

Conditions:

- (1) Time limit
- (2) Approved Plans
- (3) Roof terrace not brought into use until false pitch has been raised
- (4) Samples of materials to be submitted

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**

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Item 3

APPLICATION SITE: ALBANY LIONS HOTEL, GRAND PARADE		
App.No.: EB/2010/0198	Decision Due Date: 19/06/10	Ward: Meads
Officer: Suzanne West	Site visit date: 02/06/10	Type: Minor
Site Notice(s) Expiry date: Neigh. Con Expiry: N/A Weekly list Expiry: 28/05/10 Press Notice(s) Expiry:		
Over 8/13 week reason: Committee referral by Chair		
Location: Albany Lions Hotel, Grand Parade		
Proposal: Replacement doors to front entrance		
Applicant: Mr A Gulzar		
Recommendation: Approve conditionally		

Reason for referral to Committee:

Referral by Chair:- Loss of original features and concern over the use of non traditional materials.

Planning Status:

- Building of Local Interest
- Town Centre and Seafront Conservation Area

Relevant Planning Policies:

UHT1	Design of New Development
UHT4	Visual Amenity
UHT15	Protection of Conservation Areas
UHT18	Buildings of Local Interest
HO20	Residential Amenity

Site Description:

The Albany Lions Hotel occupies a prominent position on the seafront located on a corner plot at the junction of Grand Parade and Burlington Place within the Town Centre and Seafront Conservation Area. The building comprises four storeys with accommodation in the roof and is a Building of Local Interest.

Relevant Planning History:

- EB/2004/0774 Retrospective application for the retention of 4 ornamental lions, 2 either side of the Burlington Place entrance, one at the corner of Burlington Place and Grand Parade and one on the Grand Parade elevation at the boundary with the 'West Rocks Hotel' (subject to revisions), and the retention of UPVC windows to the fourth floor on both the Grand Parade and Burlington Place elevations.
Granted, subject to conditions. 10/12/2004
- EB/2004/0773 Retrospective application for the retention of 2 ornamental lions, either side of the main entrance in Grand Parade (subject to revisions), and the retention of UPVC windows to the third floor (subject to revisions) and basement on both Grand Parade and Burlington elevations together with the proposed replacement of existing timber windows to first and second floors to both Grand Parade and Burlington Place elevations and to ground floor to Burlington Place elevation.
Granted, subject to conditions. 10/12/2004
- EB/1978/0411 Erection of a single-storey extension at front, to form a sun lounge.
Granted (Five years). 17/10/1978
- EB/1977/0436 Erection of a single-storey extension at front, to form a sun lounge.
Granted, subject to conditions. 13/12/1977
- EB/1966/0298 Removal of one bay window on front elevation and provision of a covered balcony with balustrade.
Refused, one reason. 09/06/1966

Proposed development:

Permission is sought to replace the existing timber revolving entrance doors on the front elevation with powder coated white aluminium units to form a new entrance foyer.

Applicant's Points:

N/A

Summary Information:

N/A

Consultations:

Conservation Officer: '*...The proposal concerns replacement doors to the front elevation, which has a modern porch (c.1960/70) to the ground floor. Whilst the loss of the existing timber glazed doors is regrettable (as these add character to this section of the building) the doors themselves are a later, mid-twentieth century addition. The design of the proposed replacement doors, whilst lacking the character of the existing doors are nevertheless in keeping with the modern porch extension...*'

(Memo, 02/06/2010)

Conservation Area Advisory Group (CAAG): It was felt that as the existing doors are an attractive feature any proposed replacement should be of high design quality using good quality materials. It was therefore suggested that timber framed doors would be more suitable than powder coated aluminium.

(Comments, 25/05/2010)

Neighbour Representations:

Two site notices were displayed adjacent to the site. No letters of objection have been received.

Appraisal:

By reason of their material and design, the proposed replacement doors are not considered to enhance the existing entrance of the property. Nevertheless, it is acknowledged that the existing entrance porch is of a modern design relative to that of the original building and as such, the proposed aluminium replacement will be in keeping with this modern extension. For this reason, the new entrance foyer is not considered to be significantly harmful to visual amenity with respect to the appearance of this Building of Local Interest and the character of the wider conservation area.

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.

Conclusion:

The replacement front entrance doors will be of no significant detriment to the appearance of the building or wider conservation area. The proposal accords with the relevant Borough Plan policies 2001-2011.

RECOMMEND: Permission be granted subject to the following conditions:

- (1) Three year implementation
- (2) Development to be carried out in strict accordance with approved plans

Appeal:

Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**

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Item 4

APPLICATION SITE: TREVETHAN, 52 CARLISLE ROAD		
App.No.: EB/2010/0215	Decision Due Date: 25 June 2010	Ward: Meads
Officer: Jane Sabin	Site visit date: 10 June 2010	Type: Minor
Site Notice(s) Expiry date:	4 June 2010	
Neigh. Con Expiry:	4 June 2010	
Weekly list Expiry:	4 June 2010	
Press Notice(s)-:	9 June 2010	
Over 8/13 week reason:	Submission of a large number of objections after deadline for agenda items had passed.	
Proposal:	Demolition of the existing building and erection of a block of seven flats with associated parking spaces and vehicular access.	
Applicant:	Holbeck and Lewis Limited	
RECOMMENDATION:	Refuse	

Reason for referral to Committee:

Large number of objections and a petition.

Executive Summary:

The proposed development would make efficient use of the land and would not have an adverse impact on highway safety, the preserved trees, or on the character and appearance of the area or the adjacent conservation area and national park. However it would have a detrimental impact on the amenities of the occupiers of the three adjoining dwellings as a result of overlooking from the orientation of the windows, and noise and disturbance from the elevated location of the car park.

Planning Status:

- Adjacent to the Meads Conservation Area
- Adjacent to the South Downs National Park
- Tree Preservation Order

Relevant Planning Policies:

UHT1	-	Design of development
UHT2	-	Height of buildings
UHT4	-	Visual amenity
UHT5	-	Protecting Walls/Landscape Features
UHT7	-	Landscaping
HO2	-	Predominantly Residential Areas
HO7	-	Redevelopment
HO20	-	Residential Amenity
TR6	-	Facilities for Cyclists
TR2	-	Travel demands
TR11	-	Car Parking
NE28	-	Environmental amenity

Site Description:

The existing property, which is currently divided into three flats, occupies a prominent rectangular site measuring 33m by 60m on the west side of Carlisle Road, 20m from the junction with Beachy Head Road and abutting the Meads Conservation Area. There are a number of significant trees along the south and west boundaries, which are the subject of a Tree Preservation Order. The trees are located within banked areas, whilst the existing building occupies a relatively flat part of the site; the whole site is on higher ground than the adjoining dwellings in Salisbury Road, with a difference in ground floor levels of approximately 3m.

Relevant Planning History:

App Ref:EB/2007/0518 Description: Demolition of existing building and erection of twelve flats (over four floors) in one block with underground car park and bicycle storage.
Decision: Refused Date: 30 October 2010

App Ref:EB/2008/0147 Description: Demolition of existing building and erection of ten flats in one block with underground car park and cycle storage
Decision: Dismissed on Date: 9 October 2008
appeal

The reason for refusal of the last application was as follows:

The proposed erection of a building containing 10 flats would, given its inappropriate massing, scale and design, result in the overdevelopment of the site together with an erosion of the established residential amenity enjoyed by occupiers of adjoining properties due to over looking, loss of privacy, and an increase in noise and general disturbance. As such, the proposal is contrary to Policies UHT1, UHT4 and HO20 of the Eastbourne Borough Plan 2001-2011.

Proposed development:

It is proposed to demolish the existing building, garage and outbuildings and to replace it with a two storey building with a large roof providing seven flats over three floors (three flats on each of the ground and first floors and one flat within the roof space).

The replacement building would be sited on a similar alignment (i.e. at an angle to the boundaries), although the footprint and bulk would be significantly larger. The plans indicate that the maximum height of the roof would be 0.5m lower than the existing building.

The existing vehicular entrance and drive would be retained, leading to an open parking area at the rear for seven cars together with a single storey building under a hipped and pitched roof providing 14 cycle racks (7 double racks). At the front of the site, an existing gated parking space adjacent to the boundary with Meadsdown, Salisbury Road is to become a refuse store.

Applicant's Points:

- The previous schemes failed on overdevelopment, impact on adjoining properties, overshadowing/loss of privacy and number of vehicle movements/noise and disturbance.
- During the appeal process the Inspector and the LPA acknowledged that the site was suitable for redevelopment.
- The existing density stands at 15 dwellings per hectare, whereas the proposed scheme would be 35 dwellings per hectare
- The new building has been deliberately sited almost exactly on the same footprint as the original structure, ensuring the relationship between the built form and the protected trees along the southern boundary is no worse than the existing to minimise impact on rooting systems and tree canopies; it also helps to minimise the change in character of the principal elevations and general form, scale and height of the original property.
- This siting and orientation has been adapted from the previous proposals in order to address the concerns raised regarding the relationship between the development itself and the dwellings immediately to the north.
- The number of windows on the north elevation have been reduced (four of which serve stairwells and kitchens) and the new building will be lower than the existing building, thus reducing the impact on adjacent residents.
- The underground car park has been deleted from the current scheme, and the parking will be confined to the rear, as is the present arrangement.
- The changes to the scheme, coupled with the ability to provide more landscaping in the gap between the building and the north boundary should ensure that the proposed arrangement is no worse than the current situation, and in fact it could be argued that it would be an improvement.
- At present the built form on the site relative to the site area is quite modest and a reasonable increase in footprint coverage and dwelling density could be comfortably accommodated. Great care has been taken to ensure that from the most visible areas of the site, the development proposal remains faithful in alignment, height, scale, form and bulk to the original building. It is acknowledged that the replacement building does have a slightly larger footprint than the original, but the additional space has been added in the south west quarter, which is considered to be the least obtrusive location.

- The design of the replacement building takes direct cues from the original architecture and can be seen to be read as very similar; given the sensitive location it is felt that this is most appropriate architectural response.
- The existing building is in a relatively poor state of repair and has previously been subdivided; further subdivision without substantial demolition is all but impossible. Whilst it is a pleasant building, the structure cannot be considered as being of a quality which deserves listed status or any other form of protection.

Summary Information:

Site Area: 0.197ha

No. Existing units : 3

No. Proposed units : 7

Net gain/loss of residential units: Gain of 4 units

No. bedrooms per unit : 2

Proposed density - dwellings/hectare : 35

Existing density – dwellings/hectare : 15

Existing density of area – dwellings/hectare : Varied, but generally low

Number of affordable units proposed: 0

Previous land use : Residential

Existing parking spaces : 5

Proposed parking spaces : 7

Consultations:

The Conservation Officer considers that the design as seen from Carlisle Road is similar to the existing façade and presents a balanced, symmetrical composition with similar architectural features including full-height bays, steeply pitched hipped roofs, tall chimneystacks and introduces a breakfront with recessed entrance. Subject to the use of quality materials, it is considered that the proposal will not result in detrimental impact upon the adjoining Meads Conservation Area or the immediate vicinity.

(Memo dated 1 June 2010)

At their meeting on 1 June 2010, the Conservation Area Advisory Group raised no objections to the proposal, subject to a condition to retain the existing trees.

The Planning Policy Officer supports the application, as it would provide additional dwellings to the towns housing stock whilst utilising a brownfield site, without adversely affecting the surrounding area or the South Downs National Park. The density is low, but comparable with the immediate area.

(Memo dated 4 June 2010)

The Highway Manager has no objections to the scheme, subject to conditions (adequate width/ no loose material used in surfacing) and a financial contribution of £5600.00 towards the Local Sustainable Accessibility Improvement Contributions scheme (based on a net increase of four residential units).

(Memo dated 3 June 2010)

The Council's Arboriculturist advises that the trees on site have been graded as per the requirements of BS 5837 'Trees in relation to Construction' and he would concur with the Consultants findings apart from T7 the Camperdown Elm. The report classes it as semi-mature specimen that that should be removed if it poses a constraint on development, whilst it should be classified as a mature specimen worthy of retention. The original appeared at Camperdown House, near Dundee, in 1850 as a natural mutation of the Wych Elm and given their limited numbers should be considered a tree with significant cultural benefits which is a category B3 Specimen.

It is noted that this advice has been given to the applicant during discussions and the tree is now being shown as retained on the supplied plans. The remaining trees protected by the Tree Preservation Order on the site can be retained if the correct excavation and protection measures are undertaken and the site is suitably monitored by an appointed Arboriculturist. No objection can be made to the loss of the three trees indicated for removal. It should be noted that there would be little space during the development for the storage of materials so the tree protection measures would have to be of robust design. If the application is to proceed, standard tree protection conditions are recommended, and it would be beneficial if a site monitoring condition was considered with the appointed Arboriculturist submitting weekly inspection / arboricultural activity records.

(Email dated 1 July 2010)

Neighbour Representations:

At the time of writing this report, 335 letters of objection had been received as well as a petition containing 240 signatures. Most of the letters are proformas, but includes letters from the Meads Community Association and the Eastbourne Ratepayers Association, as well as some individual letters from residents; the objections are summarised thus:

- Trevethan is a beautiful house which should be preserved as part of Eastbourne's heritage; its loss would have a serious impact on a sensitive area of outstanding natural beauty, is totally unwanted and unnecessary
- The application for demolition stems from the fact that technically it is outside the conservation area; but the house and the other houses in Salisbury Road now all border the South Downs National Park and should be considered for inclusion in the conservation area
- If permission is granted it would represent the first purpose-built multi-storey block of flats in the area and would constitute a totally unsuitable structure bordering the South Downs National Park with implications for the National Park itself; attempting to introduce a block of flats in the present streetscape represents the very worst example of "infilling"; flats would be out of character with the neighbourhood and necessitates significant car parking facilities at the expense of garden

- The “improved vehicular access” runs within a few yards of the South Downs National Park, and the traffic generated by the new building would only increase the already difficult access to Beachy Head Road from Carlisle Road and beyond to Darley Road where parked cars are already a serious problem. It is also likely to result in the loss of a large tree at the entrance, since demolition and construction can hardly operate within the confines of the existing entrance
- The development is likely to result in residents cars being parked in the road, which already struggles to cope with Moira House parents cars, and will generate a considerable amount of additional traffic; putting a driveway in this location so close to a corner on a hill is a recipe for disaster
- Overdevelopment, with insufficient parking for visitors or service vehicles
- Overbearing – incongruous in scale and massing, adverse impact on the area and particularly the low rise dwellings in Salisbury Road
- The increased mass of the building would be with 10m of the south facing boundary of 3 Salisbury Road, and the larger windows on the extended western elevation would look directly into the windows and garden of that property, resulting in a total loss of privacy; there would also be overshadowing resulting in loss of amenity; the car park would be level with bedroom windows, and would cause noise and disturbance from manoeuvring of vehicles at any/all hours of the day, with headlights after dark being particularly intrusive
- Contravenes policies UHT1, UHT4, UHT5 and HO20 – the scale and character of the building are completely out of character with the surrounding properties; the difference in ground levels would result in overlooking of Meadsdown, Meadsdown Cottage and 3 Salisbury Road, as well as excessively intrusive noise from vehicle movements to and from the car park at the rear
- Trevethan is perfectly capable of refurbishment; its demolition merely to add a small number of units is completely unjustifiable; priority must be given to the preservation of existing good quality buildings and just as importantly their green spaces
- The developer has conceded that the previous schemes were flawed; the current scheme will still overshadow Meadsdown Cottage and the attempt to demonstrate that the privacy currently enjoyed will not be destroyed is not sound; there is a significant increase in the bulk of the building and this would be particularly dominant to the three adjacent houses which have their principal rooms and windows facing it as well as shallow gardens
- The developer is wrong to state that there is a bus route in Beachy Head Road – there isn’t; the nearest bus stop is in Meads Street and there are no buses after 6.30pm. The site is at the top of a hill and therefore cycling is an unlikely alternative to car transport
- Future residents are likely to request felling of the trees to obtain more light into the flats

(Letters/e-mail dated 18 May to 25 June 2010)

Appraisal:

The main issues to take into consideration in determining this application are the impact of the proposal on the character and appearance of the area, residential amenity and highway safety.

Character and appearance

The proposed development reflects the style, height, width and symmetry of the existing building very well, and occupies a similar position and alignment on the site. Whilst the footprint and bulk is significantly larger, this is principally contained on the south west corner and would not be readily visible from the public domain due to the dense screen on the south and west boundaries. The building has been divided into flats for many years, and there are flats in the vicinity (e.g. Stanton Prior on the diagonally opposite corner) and therefore there can be no objection to flats on the site as it would not be out of character with the area; furthermore, the building does not have the characteristics of a flatted development and as such it would not be obvious from the street that the building would be in use as flats.

The development would not have any impact on the preserved trees (subject to careful conditions attached to any permission), and only two smaller unprotected trees adjacent to the vehicular access are scheduled for removal. From Carlisle Road and Beachy Head Road there would be little change in the built form and its impact on the character and appearance of the area or indeed the conservation area would be neutral. The site is adjacent to the boundary of the new national park (formerly an Area of Outstanding National Beauty) but is very clearly within the urban envelope; however for the same reasons given above, there would be no adverse impact. It is therefore concluded that the proposed development would not conflict with the relevant borough plan policies.

Residential amenity

The previous scheme failed as a result of the impact of the proposed building on the living conditions of neighbouring occupiers, and those most affected are the occupiers of Meadsdown, Meadsdown Cottage and 3 Salisbury Road.

This revised scheme is significantly reduced from the previous proposal, nevertheless there will be an impact on the adjacent occupiers as a result of the increase in both the bulk of the new building and the number of windows to habitable rooms on the north and west elevations that would face the rear of the affected properties, as well as from the siting of the car parking area at the rear.

The existing building has a number of windows facing the north and west boundaries, and although there is no information to indicate which rooms they serve, many are small and appear to be secondary windows or possibly bathroom windows (particularly at first floor level). The revised scheme has attempted to address the issue of overlooking on the north boundary, nevertheless there are still bedroom and kitchen windows as well staircase windows on this elevation.

The west elevation, which accommodates much of the additional bulk of the development, would have more windows serving bedrooms and living rooms (with a Juliet balcony). Overall the fenestration on these two elevations would be increased (over the existing situation); given the dominance of the new building due to its elevated position in relation to the adjacent dwellings, it is considered that the degree of overlooking would be unacceptable. The site plan is annotated that there would be a distance of 16m window to window, however the distance to the boundary would vary between 6m from the north elevation and 10m from the west elevation, which, in view of the difference in ground levels would result in a diminution of amenity in respect of both windows and gardens of the adjacent dwellings.

The existing parking arrangements on the site are generally confined to the rear, albeit close to the rear of the property where there is a double garage facing into the garden, which acts as a buffer for the dwellings in Salisbury Road insofar as noise from vehicles is concerned. The demolition of the garage will result in the loss of this buffer, and, notwithstanding the provision of the cycle store, could lead to considerable disturbance to adjacent residents as vehicles enter and leave the car park from noise and to some degree headlights after dark. It is therefore concluded that the development would result in an adverse impact in residential amenity and would conflict with Policy HO20.

Highway safety

The Highway Manager has raised no concerns in respect of highway safety or the number of parking spaces to be provided on site. There is clearly sufficient capacity in the highway network to accommodate the relatively small number of additional vehicles generated by the development, and the use of the existing vehicular access has not resulted in an adverse impact on highway safety; it is considered that there would be no adverse impact on highway safety from the increased number of flats (and therefore vehicles) on the site.

Other matters

Almost all of the objections received have cited the loss of the existing building as one of the main issues. The building, whilst of good quality, has no special protection (being outside the conservation area) and is not worthy of being listed. As such no objection can be made to its removal; indeed the demolition of the building would not require a specific grant of consent, as it is permitted development.

Human Rights Implications:

It is considered that the replacement building would have an adverse impact on the amenities of the adjacent occupiers.

Conclusion:

The proposed development would make efficient use of the land and would not have an adverse impact on highway safety, the preserved trees, or on the character and appearance of the area or the adjacent conservation area and national park. However it would have a detrimental impact on the amenities of the occupiers of the three adjoining dwellings as a result of overlooking from the orientation of the windows, and noise and disturbance from the elevated location of the car park.

Recommendation:

REFUSE for the following reasons:

- (1) The proposed development, by reason of its orientation and elevated position, would have an adverse impact on the amenities of the adjoining residents as a result of overlooking, and noise and disturbance from vehicles. As such it would conflict with Policy HO20 of the Eastbourne Borough Plan 2001-2011.
- (2) No legal agreement to secure a financial contribution to the Local Sustainable Accessibility Improvement Contribution scheme has been completed, therefore the proposal conflicts with policy TR2 of the Eastbourne Borough Plan 2001-2011.

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.

Committee Report 13 July 2010

Item 5

APPLICATION SITE: Downs Edge, Holywell Road		
App.No.: EB/2010/0233	Decision Due Date: 03/07/2010	Ward: MEADS
Officer: Andrew Battams	Site visit date: 09/06/2010	Type: Householder
Site Notice(s) Expiry date:	14/06/2010	
Neigh. Con Expiry:	16/06/2010	
Weekly list Expiry:	11/06/2010	
Press Notice:	16/06/2010	
Over 8/13 week reason: N/A		
Proposal: Extension to existing garage by raising height of roof, and forming useable space within roof and installation of rooflights (as an amendment to planning permission EB/2009/0689)		
Applicant: Mr & Mrs Benzing		
Recommendation: Approve, with conditions		

Reason for referral to Committee:

Council Madell requested application to be determined by Planning Committee.

Executive Summary:

The proposed addition of rooflights to the southern elevation of the garage would not have an adverse affect on the character and appearance of the Meads Conservation Area. Neighbouring residential amenity would not be affected by the rooflights or the addition of a window to the east elevation.

Planning Status

- Meads Conservation Area

Relevant Planning Policies:

UHT1 Design of New Development
UHT15 Protection of Conservation Areas
HO20 Residential Amenity

Site Description:

This corner property is located on the east side of Holywell Road, at the entrance to the car park of The Pilot public house, in the Meads Conservation Area.

It is formed from the rear part of one half of a pair of semi-detached Victorian dwellings which front Cliff Road, with some unsympathetic alterations, all carried out in the 1960's before it was included on the conservation area. Single storey extensions have been added to the rear of the divided property, together with a double garage, resulting in very limited amenity/garden area associated with the property. There is an external stair at the rear of the property which provides access to the first floor of the dwelling. Part of the external staircase was widened to provide a decking area and retrospective planning permission was refused for the addition, and an appeal was also dismissed.

Relevant Planning History:

App Ref: EB/2009/0571	Description: Extension of outbuilding
Decision: Withdrawn	Date: September 2009

App Ref: EB/2009/0658	Description: Retrospective application under s73a for a patio located on top of an existing kitchen extension
Decision: Refused	Date: November 2009
Appeal: Dismissed	Date: May 2010

App Ref: EB/2009/0689	Description: Extension to existing garage by raising height of roof and forming useable space within roof
Decision: Approve	Date: September 2009

Proposed development:

Planning permission is sought to vary the planning permission that was granted in September 2009 for the extension of the existing garage by raising the height of the roof. The variation sought to the previously approved plans is that two roof lights are proposed to be inserted to the south facing roof slope of the garage. The proposal has been further amended during the processing of the application, with amended drawings submitted showing the doorway in the east elevation re-positioned.

Consultations:

Historic Buildings Advisor: It is considered that the proposed installation of two conservation rooflights, sitting flush to the south roof slope will not result in a negative visual impact on the Meads Conservation Area. Therefore there are no conservation concerns regarding the proposal. (Memo dated 24/05/2010).

Conservation Area Advisory Group: At their meeting on 1 June 2010, the group did not raise objection to the proposed variation to the garage.

Neighbour Representations:

Neighbouring occupiers were notified in writing, a site notice was displayed and a notice placed in the local newspaper. One representation has been received from the occupier of the adjoining property objecting to the application:

- This extension, with the extensions already made to the footprint of the building, will further encroach on the line of sight enjoyed by the neighbouring property.

- The extension is out of keeping with the general ambiance that is promised by the designation as a conservation area, which should mean the conservation of the existing buildings with additional work being carried out if really necessary.
- There is no reason for the extension as the property is at present only occupied by only 2 persons.
- Is the planning application a pre-cursor to a change of use?

(Letter dated 26th May 2010).

Appraisal:

The main issues to consider in the determination of this application are the character and appearance of the Meads Conservation area and neighbouring residential amenity.

Planning permission has been granted for alterations to the garage with the height of the roof to be raised to provide useable floor space at first floor level. The increased size has therefore been accepted. The installation of roof lights to the south facing roof slope of the garage is a material alteration. However, conservation roof lights are proposed and would have a glazing bar through the centre. It is considered that the style is sympathetic to the age and style of the building and would not have an adverse affect on the Meads Conservation Area. The roof lights would face the garden space of the application dwelling and not neighbouring house. Neighbouring residential amenity would not, therefore, be affected.

The proposed entrance door to the first floor of the garage is in the east elevation. The position of the door has been revised slightly, and rather than lining up with the ridgeline of the roof, would be set off the centre line slightly. This is considered a minor amendment to the scheme that was approved previously and would not have an affect on neighbouring residential amenity or the conservation area.

Human Rights Implications:

It is considered that the proposed development does not have adverse Human Rights implications.

Conclusion:

The proposed alterations to the garage development would not harm the character or appearance of the Meads Conservation Area or neighbouring residential amenity.

Recommendation:

Approve subject to conditions.

Conditions:

- Approved plan refs
- Plan numbers
- Materials
- Enlarged patio area does not form part of permission

Informatives:

- Reason for granting

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**

Committee Report 13 July 2010

Item 6

APPLICATION SITE: 1 GROVE ROAD, EASTBOURNE		
App.No.: EB/2010/0235(FP)	Decision Due Date: 13 July 2010	Ward: UPPERTON
Officer: Bethan Smith	Site visit date: 24 June 2010	Type: Minor
Site Notice(s) Expiry date: 16 June 2010		
Neigh. Con Expiry: 18 June 2010		
Weekly list Expiry: 30 June 2010		
Press Notice(s)-: N/A		
Over 8/13 week reason: N/A		
Proposal: Replacement of windows and erection of solar shading to east and south elevations		
Applicant: Eastbourne Borough Council		
RECOMMENDATION: Permission be granted subject to conditions		

Reason for referral to Committee:

This is an Eastbourne Borough Council application.

Executive Summary:

The proposed development, it is considered, will not significantly impact the visual amenities of the surrounding area nor the residential amenities of the occupiers of the surrounding properties.

Relevant Planning Policies:

The following national and local policies are considered relevant to the determination of this application:

National Policies

N/A

Eastbourne Borough Plan

UHT1 Design of New Development
HO20 Residential Amenity

Site Description:

The application site comprises an office block which currently accommodates Eastbourne Borough Council over four floors.

The building is modern in design and is attached to Eastbourne Library which is under different ownership. The building is located at the junction of Grove Road and Old Orchard Road.

Relevant Planning History: There have been numerous applications on the property in conjunction with its use as office accommodation. None are relevant to the determination of this application.

Proposed development:

The current application seeks permission to install replacement aluminium powder coated aluminium windows and the provision of solar shading to south-west and south eastern elevations.

Applicant's Points:

- The existing building is predominantly stone clad except for the central area of the south-west elevation above ground floor level which is predominantly brickwork with stone dressings between windows;
- The existing windows comprise single glazed metal frame set in timber sub-frames and cills;
- The large areas of glazing and the relatively small opening areas of the central pivot opening lights means that the internal environment is uncomfortable during the summer months rendering some of the offices unoccupiable;
- The existing windows are to be replaced with aluminum frame double glazed units with an opening light at the top and bottom of each unit;
- The frames and glazing will combat excessive solar gain and opening lights will help promote cross-ventilation across the offices;
- The solar shading will be fitted externally over the windows on the south-west and Grove Road elevations, which comprise a series of metal fins between support brackets with restraint rods over;
- The support brackets are set of 20 degrees to the wall face to optimise the shading effect;
- Solar shading is omitted where either adjoining buildings or trees provide shade;
- The proposals only relate to the areas owned by Eastbourne Borough Council and exclude the East Sussex County Council areas;
- The proposals seek to ensure that the existing office premises can be fully utilised during the summer months by upgrading the thermal performance of the building, this has been achieved with minimal alterations, without distracting from the external appearance of the existing building.

Neighbour Representations:

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

Appraisal:

The main issues to consider in the determination of this application are the impact the proposed development will have on the residential amenities of the occupiers of the surrounding properties and on the visual amenities of the surrounding area.

The application property is situated on a triangular piece of land that provides a junction between Grove Road and Old Orchard Road. The building is surrounded by public highway on three sides with only its southern elevation being in close proximity to neighbouring properties. The proposal does not include any additional openings and is located to the north of the adjacent properties; therefore it is considered that the impact of the proposed development on the residential amenities of the occupiers of the surrounding properties would be minimal.

The application building is modern in style and has a strong horizontal emphasis. The provision of solar shading above windows on affected elevations will accentuate this horizontality. Whilst the most affected elevation is not readily visible from the public highway, it is considered that the provision of solar shading to the south-eastern and south-western elevations would not be inappropriate for this style of building and would not result in an incongruous feature within the streetscene.

The installation of replacement windows will affect all elevations. The designs of the replacements are in keeping with the existing and the use of aluminium will result in fine frames and glazing bars.

Human Rights Implications:

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

Conclusion:

For the above reasons it is considered that the proposed development would not have a detrimental impact on the visual amenities of the surrounding area nor the residential amenities of the occupiers of the surrounding properties.

Recommendation: Permission be granted subject to the following:

Conditions:

- (1) Time limit
- (2) Approved Plans

Informatives:

Reason for granting

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**

Committee Report 13 July 2010

Item 7

APPLICATION SITE: 16 Burrow Down, Eastbourne		
App.No.: EB/2010/0265	Decision Due Date: 20 July 2010	Ward: Old Town
Officer: Andrew Battams	Site visit date: 29 June 2010	Type: Householder
Site Notice(s) Expiry date: N/A Neigh. Con Expiry: 26 June 2010 Weekly list Expiry: 30 June 2010 Press Notice(s): N/A		
Over 8/13 week reason: N/A		
Proposal: Retrospective application under section 73a for a single storey extension to garage at front, including repositioned garage door		
Applicant: Mr J. Methven		
RECOMMENDATION: Approve subject to conditions		

Reason for referral to Committee:

Objections from seven separate households and a request made to speak at the Planning Committee.

Executive Summary:

The extension is considered to be an acceptable addition to the bungalow as its size and appearance do not adversely affect the visual amenities of the area or the amenities of neighbouring residential properties.

Planning Status:

- Source protection zone 3.

Relevant Planning Policies:

UHT1 Design of New Development
UHT4 Visual Amenity
HO20 Residential Amenity
D1 Area of Outstanding Natural Beauty

Site Description:

The application site comprises a detached bungalow on the western side of Burrow Down. The dwelling has been enlarged in the past, with a flat roof extension constructed to the front elevation. The external walls of the bungalow are finished with a smooth render that is painted.

The rear boundary of the property is some 35 metres from the boundary of the South Downs Area of Outstanding Natural Beauty.

Relevant Planning History:

App Ref: EB/2003/0568	Description: Single-storey front extension to enlarge kitchen and lounge.
Decision: Approved.	Date: 15/12/2003

Proposed development:

Permission is sought retrospectively for an extension that has been constructed to the front of the garage. A boundary wall on the northern boundary has been used to form part of the garage enlargement. The extension is 3.29 metres wide, 3.06 metres long (and level with the extension built on the front of the bungalow under planning permission EB/2003/0568). The extension has a flat roof. Due to the gradient of the ground sloping towards the front of the property, the height of the extension varies from 2.09 m high to 3.2 metres high (it was verified on site that the 3.2 metre height is from the hardstanding within 16 Burrow Down up to the flat roof, and not from the adjacent drive as indicated on the applicant's annotated photographs). The work to be completed on the extension are the final felt coverings of the flat roof.

Applicant's Points:

The works to be completed are as follows:- Roof, apply Ruberfort 180, then a layer of polybit 350 and finish with bonded chippings.

Consultations:

The Environment Agency was notified. At the time of the preparing this report (30 June 2010) a response had not been received.

Neighbour Representations:

Occupiers of neighbouring properties in Burrow Down and Burrow Down Close were notified in writing. Seven objections have been received and are summarised below:-

- The building has been modified a number of times over the last 20+ years.
- The whole building is out of character with the remainder of the road, because of its ugliness and prominence it dominates to the detriment of the road, surrounding roads, and also the Area of Outstanding Natural Beauty which is its backdrop.
- The extension affects views to the Downland and AONB, and erodes local distinctiveness.
- The extension to the garage only enhances the building's ugliness in a detrimental way.

- It has no front entrance door and the material used to face the extension is very unsightly indeed.
- The latest extension does nothing to overcome the building's appearance of being an industrial structure out of keeping with other properties in Burrow Down and the Green Street Farm Estate.
- If permission is to be given it should be on the basis that the first step taken is to carry out serious endeavour to make the property resemble a private dwelling rather than a warehouse.

(Letters and emails received 2 – 21 June 2010).

Appraisal:

The main issues to consider in the determination of this application are the effects of the garage extension upon the visual amenity of the area and neighbouring residential amenity.

The bungalow has been modified in the past, including a flat roof extension to the front which was granted planning permission in 2003. More recently, the property was subject to action under section 215 of the Town and Country Planning Act 1990 to tidy up the appearance and reduce harm on the visual amenity due to the presence of building materials and unfinished building works.

The extension that has been constructed onto the front of the garage brings the front line of the garage level with extension to the bungalow that was approved in 2003. It is considered that the addition to the garage is a simple form of building in that the fact it is flat roofed and box like in appearance. However, when put in context with the main extension to the bungalow, it is considered that the garage extension is a relatively minor addition and does not have a harmful affect on the visual amenity of the area: the garage extension does not significantly affect the established street. In respect of the Area of Outstanding Natural Beauty, 16 Burrow Down is some 35 metres from the boundary of the AONB, with houses and buildings in between. Therefore, it is considered that the garage extension has no impact on the AONB.

The extended garage is approximately 20 metres from the nearest dwelling on the opposite side of Burrow Down. Therefore, it is considered that there is sufficient distance between buildings to protect light, outlook and privacy.

It was noted at the site visit that gates which are positioned between 16 and 12 Burrow Down are over 2 metres high due to the addition of wire meshing. Whilst this height requires planning permission, it is considered that the addition of wire mesh to the top of the gates does not have a significant impact on the street scene and further action is not warranted in this particular instance.

Human Rights Implications:

It is considered that the extension to the garage does not have adverse Human Rights implications.

Conclusion:

Whilst the property has a history of building work being carried out on it, the extension to the garage is considered an acceptable addition: the extension does not significantly change the character and appearance of the bungalow and the visual amenity of the area is not adversely affected nor is neighbouring residential amenity.

Recommendation: GRANT subject to conditions.

Conditions:

- Approved plan refs

Informatives:

- Reason for granting

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**

Committee Report 13 July 2010

Item 8

APPLICATION SITE: PUBLIC HIGHWAY IN EAST DEAN ROAD (ADJ TO 44-48 EAST DEAN ROAD)		
App.No.: EB/2010/0284(DET)	Decision Due Date: 26 July 2010	Ward: Old Town
Officer: Jane Sabin	Site visit date: 17 June 2010	Type: Minor
Site Notice(s) Expiry date:	8 July 2010	
Neigh. Con Expiry:	9 July 2010	
Weekly list Expiry:	11 July 2010	
Press Notice(s)-:	N/A	
Over 8/13 week reason:	N/A	
Proposal: Installation of telecommunications equipment comprising a 12.5m high replica telegraph pole supporting 6 antennas (to be shared by Vodafone and O2), together with the provision of a radio equipment cabinet and ancillary development.		
Applicant: Vodafone Limited		
RECOMMENDATION: Refuse		

Reason for referral to Committee:

Public interest.

Executive Summary:

The proposed installation would be seriously detrimental to the visual amenities of the area and would result in the loss of a mature street tree.

Planning Status:

- Classified road

Relevant Planning Policies:

- UHT1 - Design of development
- UHT4 - Visual amenity
- NE28 - Environmental amenity
- HO20 - Residential amenity
- US9 - Telecommunications development

Site Description:

The application site comprises part of the public footpath on the north side of East Dean Road, adjacent to the commercial garage at 44-48 East Dean Road.

Relevant Planning History:

App Ref: EB/2003/0606	Description: Installation of telecommunications apparatus, comprising an 8m high telegraph pole and ancillary equipment cabin.
Decision: Allowed on appeal	Date: 9 July 2004

Proposed development:

The current application is an application for prior approval, which seeks the Council's approval of the siting and appearance of telecommunications equipment, submitted under Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

It is proposed to erect a 12.5m high mobile telephone mast 16m from the existing Orange installation on the edge of the kerb between two street trees. An equipment cabinet and meter cabinet would be sited against the fence to the garage on the back edge of the footpath.

The mast would take the form of a replica telegraph pole, with a diameter of 300mm, and would conceal six antennas, three for Vodafone and three for O2, stacked in two layers (three over three). It would be sited 3.5m from the trunk of one of the mature elms and 9m from the other, with the equipment cabinets approximately half way in between and finished in green.

The necessary ICNIRP certificate has been submitted with the application.

Applicant's Points:

- Vodafone and O2 have formed a strategic partnership which will enable base stations to be consolidated through sharing, in line with government policy, and to reduce the environmental impact of network development
- The site has been chosen as the most suitable option that balances operational need with local planning policies and national policy guidance
- The specific site has been chosen as it backs onto commercial premises and benefits from the natural screening of trees around the site
- All telecommunications development has an impact on its surrounding area, however it is considered that the chosen option keeps this impact to an absolute minimum
- A shared installation will allow both operators to gain 3G coverage to the area from one streetworks structure, ensuring that the overall number of telecommunications sites in the area is kept to a minimum
- A telegraph design has been chosen rather than a bulkier monopole structure as more appropriate than the standard monopole structure; whilst the height of the proposed structure is taller than the existing street furniture, it is considered that this is more appropriate solution than seeking two separate structures

Consultations:

The Council's Arboriculturist states that the proposed apparatus is situated within the Highway footway between two Elms, maintained as part of the Highway Tree stock. The trees are considered to have significant Conservational historic and Landscape value as principle trees on the entrance into the Borough. There is a footway repair at the proposed location, longitudinal cracking is occurring due to the presence of feeding roots. The apparatus is shown to be 3m from the eastern tree. The installation of utility services can be achieved at such a distance if the operators follow the method shown in NJUG 10 'Installation of utility apparatus in proximity of trees', but based on the size of both trees it would be beneficial if the distance from the eastern tree is increased to at least 4 metres. Any excavations would have to be controlled and monitored by our team, but this is a standard procedure for any utility works within the Highway that are adjacent to trees. Given there is no Arboricultural information supplied with the application, a condition regarding excavation would be beneficial.
(E-mail dated 1 July 2010)

Neighbour Representations:

At the time of writing this report no representations had been received.

Appraisal:

The only issue to take into account in determining this application is the siting and appearance of the equipment and its impact on the visual amenities of the area.

The existing replica mast has assimilated well into the streetscene, being of a similar height to the lamp posts and trees, and filling a gap left by a tree removed some years previously. The proposed mast, however, is significantly higher at 12.5m, which is more than half the height again of the existing 8m Orange telegraph pole (4.5m higher). Combined with this additional height, the proposed pole is 300mm in diameter, compared to the existing pole of 220mm in diameter; on a pole of this height, the overall appearance would be of a much taller and bulkier pole. It is considered that the proposed pole would be seen as an incongruous and strident feature in the streetscene, to the detriment of the visual amenities of the area and the amenities of nearby residents.

The impact on the mature street tree is of some concern, and it would be preferable if the monopole were sited further away from the closest tree, as it is the larger of the two and more sensitive to root damage.

Applications for telecommunications equipment often give rise to objections on health grounds, and consequently guidance was formulated in PPG8 to address this issue:

"...it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them."

Nevertheless, it is also government advice that health concerns are capable of being a material consideration in determining planning applications. In this particular instance the monopole would be 20m from the front elevations of the dwellings opposite the site. It is considered that this siting in full view of residents habitable rooms combined with its incongruous height and proximity to the existing mast, would serve as a constant reminder of the health issues associated with masts, to the detriment of the amenities of the residents.

It is considered, therefore, that whilst the design of a monopole is acceptable in principle in the streetscene, its height and location would be detrimental to visual and residential amenity.

Human Rights Implications:

The siting, height and bulk of the monopole would have an adverse impact on the outlook of nearby residents, particularly those opposite the site.

Conclusion:

The proposed installation, by reason of its height, bulk and location, would be seriously detrimental to the visual amenities of the area and the amenities of adjacent residents; furthermore it could result in an adverse impact on a mature street tree. Whilst it has been demonstrated that there is a need for additional coverage for 3G services in the area, it is not considered that this outweighs the harm to visual and residential amenity as a result of the proposed development.

Recommendation:

REFUSE for the following reason:

The proposed installation, by reason of its height, bulk and location, would be seriously detrimental to the visual amenities of the area and the amenities of nearby residents. As such it conflicts with policies UHT1, UHT4, HO20 and US9 of the Eastbourne Borough Plan 2001-2011.

Appeal: Should the applicant appeal the decision the appropriate procedure to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations.**