

PLANNING DECISION NOTICE

John D Clarke Architects
Suite 2, The Stables
25-27a South Street
Eastbourne
East Sussex
BN21 4UP



Planning First
Regeneration and Planning
Eastbourne Borough Council
Eastbourne Town Hall
Grove Road
Eastbourne
BN21 4UG

Tel: 01323 410000
customer_first@lewes-eastbourne.gov.uk
www.lewes-eastbourne.gov.uk/planning

DECISION: PLANNING PERMISSION GRANTED SUBJECT TO CONDITIONS

Town & Country Planning Act 1990 (As Amended)
Town & Country Planning (Development Management Procedure)(England) Order 2015

Application No: 240184
Location: 11-12 Hyde Gardens, Eastbourne, East Sussex, BN21 4PP
Proposal: Change of use of 11 Hyde Gardens from office (Class E) to residential (Class C3) to create 4no two-bedroom flats. 12 Hyde Gardens to remain as office (Class E)
Decision Date: 19th June 2024

In pursuance of its powers under the Town and Country Planning Acts, and all other powers, the Council, as Local Planning Authority, hereby grants planning permission subject to the following conditions:

Condition(s) and Reason(s):

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2) The development hereby permitted shall be carried out in accordance with the approved drawings:

- **Drawing: 11207.01B Site Location and block Plans**
- **Drawing: 11207/SK03b Existing and Proposed Elevation Plans**
- **Drawing: 11207/SK01a Proposed lower ground and ground floor plans**
- **Drawing: 11207.SK02 proposed first and second floor plan**

Reason: For the avoidance of doubt and ensure that development is carried out in accordance with the plans to which the permission relates

- 3) The external finishes of the development, hereby approved, shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area.

- 4) The new replacement windows hereby approved, shall be implemented in accordance with the details approved (vertical sliding uPVC sashes in white to match by Windowcraft Eastbourne) and maintained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area.

- 5) No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details (Maxess E Pro - Electric Storage by Asgard) and approved plan drawings no. 11207/SK03b and 11207/SK01a. The area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

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- 6) No part of the development shall be occupied until the proposed enclosed bin storage area has been provided in accordance with the approved drawings no. 11207/SK03b and 11207/SK01a and retained solely for the storage of refuse and recycling in accordance with the approved plans for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory refuse and recycling to the properties and to protect the amenity of the adjacent residential property.

Informatives:

- 1) In dealing with the application, the Council has sought to work with the applicant in a positive and proactive manner in accordance with paragraph 38 of the National Planning Policy Framework and the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Council has published its saved policies of the Borough Plan 2007 and the Core Strategy Local Plan 2013 on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. The Council also offers a pre-application advisory service which applicants are encouraged to engage with prior to the submission of any application. Officers have worked with the applicant to overcome policy conflicts through revisions to the proposal to meet the objectives of the Development Plan.
- 2) Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You are advised that carrying out any building works that can be heard at the boundary of the site, including demolition, site clearance or building operations, should only take place only between the hours of 08.00- and 18.00-hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays.
- 3) Your proposals may be subject to control under the Building Regulations which cover aspects including fire and emergency escape, access, and facilities for people with disabilities and sound insulation between dwellings. Please contact the East Sussex Building Control Partnership for further advice: www.eastsussexbuildingcontrol.co.uk
- 4) This permission may be Liabe for CIL (Community Infrastructure Levy). You are advised to contact the CIL Team at CIL@lewes-eastbourne.gov.uk prior to work starting on site to ensure that the CIL Regulations have been complied with. Failure to comply may result in surcharge, immediate payment of the outstanding Liability and loss of opportunity to apply for any relief.

- 5) The human rights considerations have been taken into account fully in balancing the planning issues and the proposals will not result in any breach of the Equalities Act 2010.
- 6) Access for Fire Brigade: your attention is hereby drawn to the provisions of Section 35 of the East Sussex Act 1981.
- 7) This permission does not convey any approval to carry out alterations to the public highway, which will require separate consent from the Highway Authority.

This permission relates only to that required under the Town and Country Planning Acts and does not include any consent or Approval under any other enactment. Any other consent or approval which is necessary must be obtained from the appropriate authority.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>



Ian Fitzpatrick
Director of Regeneration and Planning
Lewes District Council and Eastbourne Borough Council