

Planning Committee

26 March 2019



Working in partnership with **Eastbourne Homes**

Time and venue:

6.00 pm in the Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG

Membership:

Councillor Jim Murray (Chair); Councillors Janet Coles (Deputy-Chair), Sammy Choudhury, Paul Metcalfe, Md. Harun Miah, Colin Murdoch, Margaret Robinson and Barry Taylor.

Quorum: 2

Published: Monday, 18 March 2019

Agenda

- 1 Minutes of the meeting held on 26 February 2019 (Pages 1 - 4)**
- 2 Apologies for absence.**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**
- 4 Urgent items of business.**

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.
- 5 Right to address the meeting/order of business.**

The Chairman to report any requests received to address the Committee from a member of the public or from a Councillor in respect of planning applications/items listed and that these applications/items are taken at the commencement of the meeting.
- 6 8 Solomons Close - Application ID: 190033 (Pages 5 - 8)**
- 7 Wood Winton, 63a Silverdale Road - Application ID: 181206 (Pages 9 - 24)**
- 8 South Downs National Park Authority Planning Applications (if any).**

Information for the public

Accessibility: Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

Filming/Recording: This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

Speaking at Planning

Registering your interest to speak on Planning Applications

If you wish to address the committee regarding a planning application you need to register your interest, outlining the points you wish to raise, with the **Case Management Team** or Democratic Services within **21 days** of the date of the site notice or neighbour notification letters (detail of dates available on the Council's website at <https://www.lewes-eastbourne.gov.uk/planning-and-building-control/planning-applications/speaking-at-planning-committee/>). This can be done by telephone, letter, fax, e-mail or by completing relevant forms on the Council's website. Requests made beyond this date cannot normally be accepted.

Please note: Objectors will only be allowed to speak where they have already submitted objections in writing, new objections must not be introduced when speaking.

It is helpful if you can provide the case officer with copies of any information, plans, photographs etc that you intend to refer to no later than 1.00pm on the day before the meeting.

Only one objector is allowed to address the Committee on each application and applications to speak will be registered on a 'first come, first served basis'. Anyone who asks to speak after someone else has registered an interest will be put in touch with the first person, or local ward Councillor, to enable a spokesperson to be selected.

You should arrive at the Town Hall at least 15 minutes before the start of the meeting.

The Chair will announce the application and invite officers to make a brief summary of the planning issues.

The Chair will then invite speakers to the meeting table to address the Committee in the following order:

- Objector
- Supporter
- Ward Councillor(s)
- Applicant/agent

The objector, supporter or applicant can only be heard once on any application, unless it is in response to a question from the Committee. Objectors are not able to take any further part in the debate.

Information for councillors

Disclosure of interests: Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

Councillor right of address: Councillors wishing to address the meeting who are not members of the committee must notify the Chairman and Democratic Services in advance (and no later than immediately prior to the start of the meeting).

Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

Email: committees@lewes-eastbourne.gov.uk

Telephone: 01323 410000

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Working in partnership with **Eastbourne Homes**

Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 26 February 2019 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Janet Coles (Deputy-Chair), Sammy Choudhury, Paul Metcalfe, Md. Harun Miah, Margaret Robinson, Barry Taylor and Penny di Cara (Reserve) (as substitute for Colin Murdoch)

Officers in attendance:

Leigh Palmer, Senior Specialist Advisor for Planning
James Smith, Specialist Advisor for Planning
Chris Wright, Specialist Advisor for Planning
Helen Monaghan, Lawyer for Planning, and
Emily Horne, Committee Officer

Also in attendance:

93 Minutes of the meeting held on 22 January 2019

The minutes of the meeting held on 22 January 2019 were submitted and approved as a correct record, and the Chair was authorised to sign them.

94 Apologies for absence.

An apology was reported from Councillor Murdoch. Councillor Metcalfe MBE had advised that he would be arriving later in the meeting.

95 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

There were none.

96 Urgent items of business.

There were none.

97 Right to address the meeting/order of business.

The business of the meeting proceeded in accordance with the agenda.

98 Spring Mead, 25 Meads Brow. Application ID: 181058

Outline planning permission (Access and Layout) for demolition of the existing house and the construction of a new building housing 17 one and two bedroom apartments, with associated access and parking – **MEADS**

The Committee was advised by way of an addendum report, that the application had received one additional letter of objection commenting on traffic speed and limited visibility from Darley Road. The officer response was that East Sussex County Council (ESCC) Highways had raised no objection to the application.

Mr Colin Couch, local resident, addressed the Committee in objection, stating that the scheme would cause overdevelopment and result in overlooking and loss of privacy.

Councillor Smart, Ward Councillor, addressed the Committee (from the public gallery) in objection, stating that the scheme was of poor design and visually intrusive and out of scale and character for the area. He recommended additional conditions be added to the resolution, to strengthen the officers' reason for refusal.

Mr James Caldwell, agent, addressed the Committee in support of the application, stating that the applicant had followed government guidance and that the scheme would not be deliverable if affordable housing was imposed. He further advised that officer advice should be consistent.

Councillor Metcalfe MBE arrived at this juncture and took no part in the discussion or debate and did not vote on this application.

The Committee was informed that a planning application submitted and approved in 1978 for flats had not been progressed by the applicant due to a land ownership issue.

Officers advised that current concerns raised regarding overlooking were not deemed to be intrusive given the distance between the buildings was considered sufficient. In addition, access matters could be addressed by conditions or at the Reserved Matters Stage.

The Committee discussed the application and felt that the scheme was too obtrusive and would cause an overuse of the site. Members raised concerns

regarding inappropriate access for refuse vehicles, lack of a public footpath, speed of traffic, limited visibility and unsuitability of Meads Brow as the main access point.

Councillor Taylor proposed a motion to refuse the application, and was seconded by Councillor Coles.

Resolved (Unanimous): That permission be refused for the reasons set out in the officers' report, and the following additional reasons requested at the meeting:-

The proposed development would, by reason of the layout and scale, be likely to be discordant and unduly dominant in relation to the form, scale and character of the existing housing within the immediate locality. The proposed development therefore conflicts with policies UHT1 and UHT4 of the Eastbourne Borough Plan.

The failure to provide direct footpath access to the site entrance results in an unsatisfactory arrangement that would present a danger of pedestrians coming into conflict with motorised vehicles entering and leaving the site. The proposed development therefore conflicts with para. 109 of the Revised NPPF (2018)

In addition, an informative would be added to highlight members concerns in relation to the suitability of the access to Meads Brow from Beachy Head Road for increased activity as well as the poor quality of the footpath network in the wider surrounding area.

99 Kempston, 3 Granville Road. Application ID: 190103

Application for prior notification of proposed demolition. Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 11, Class B – **MEADS**

The Committee was advised by way of an addendum report, that the application had received an additional seven letters of objection, commenting on the neglect and loss of a historic building and the potential for the area to be included in the conservation area.

Mr Dennis Scard, Chair of Meads Community Association, addressed the Committee in objection to the application, stating that the area of was high townscape value. He urged the Committee to save the building and delay its demolition until the extent of the College Conservation Area is known.

Councillor Smart, Ward Councillor, addressed the Committee (from the public gallery) in objection, stating the landlord had failed to maintain the building and to apply for a court injunction to prevent its demolition.

Marie Nagy, Agent addressed the Committee in support of the application, stating that consent for demolition was not required, and that the application specifically related to the disposal of materials and reinstatement of the site. In response, she stated the comments raised were unfounded, hence enforcement action had not been taken. Furthermore, the site was regularly checked, and the applicant had retained the mains services and installed security shutters to avoid vandalism.

The Committee discussed the proposal and felt the building was of high townscape value and would benefit from being included in the College Conservation Area, which was under public consultation. Members raised strong concerns as to the neglect of the building.

Following discussion, the Committee was advised that drainage and bat surveys were not a requirement for the application. The Planning Lawyer referred to the Council's Constitution and advised the Committee that it was not permitted to vote to apply for a court injunction to prevent the building being demolished.

Councillor Murray proposed a motion to reject the application. This was seconded by Councillor Taylor.

Resolved (Unanimous): That Prior Approval be required for demolition of the existing building.

100 Appeal Decision - 12 Eversfield Road

Members noted that the Inspector dismissed the appeal.

101 South Downs National Park Authority Planning Applications.

There were none.

The meeting ended at 7.25 pm

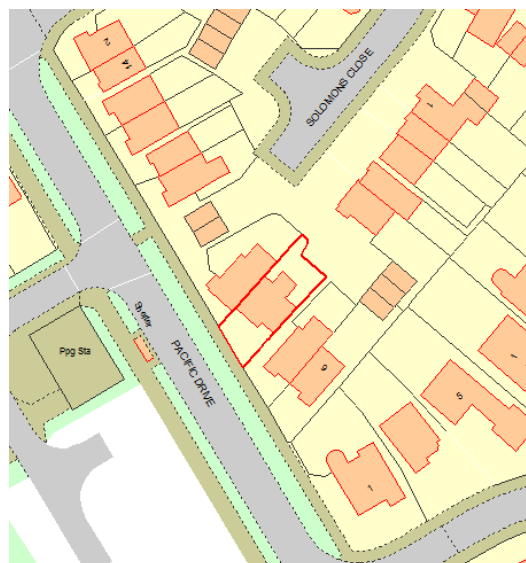
Councillor Jim Murray (Chair)

Agenda Item 6

App.No: 190033	Decision Due Date: 14 March 2019	Ward: Sovereign
Officer: Chloe Timm	Site visit date: 05 February 2019	Type: Householder
Site Notice(s) Expiry date: 14 February 2019 Neighbour Con Expiry: 14 February 2019 Press Notice(s): N/A		
Over 8/13 week reason: To be brought to committee		
Location: 8 Solomons Close, Eastbourne		
Proposal: : Single Storey Side Extension		
Applicant: Mr Paul Metcalfe		
Recommendation: full suite conditions should be added here		
Reasons for recommendation: Approve Conditionally		

Contact Officer(s): **Name:** Chloe Timm
 Post title: Senior Caseworker
 E-mail: chloe.timm@lewes-eastbourne.gov.uk
 Telephone number: 01323 415962

Map location



1 Executive Summary

- 1.1 This householder application is being reported to committee due to the applicant being a Councillor of Eastbourne Borough Council.
- 1.2 The application is seeking permission for the erection of a single storey extension to the South East Side Elevation.
- 1.3 The Scheme, design and appearance are considered appropriate for the site and surrounding area and is recommended for approval subject to conditions.

2 Relevant Planning Policies

- 2.1 Revised National Planning Policy Framework 2018:
2. Achieving sustainable development
12. Achieving Well –designed Places
- 2.2 Eastbourne Core Strategy Local Plan 2006-2027
B1 Spatial Development Strategy and Distribution Sustainable Centre
B2 Creating Sustainable Neighbourhoods
C14 Sovereign Harbour Neighbourhood Policy
D5 Housing
D10a Design
- 2.3 Eastbourne Borough Plan 2001-2011
HO2 Predominantly Residential Areas
HO20 Residential Amenity
UHT1 Design of New Development
UHT4 Visual Amenity

3 Site Description

- 3.1 The application site is a semi-detached two storey residential property located within the Sovereign Harbour area known as the North Harbour and is accessed off Samoa Way. The front elevation of the property faces Pacific Drive with the rear facing onto Solomons Close.

4 Relevant Planning History

- 4.1 030350, Rear Conservatory, Approved Unconditionally, 18/08/2003

5 Proposed development

- 5.1 This application is seeking permission for the erection of a single storey extension to the South East side elevation.
- 5.2 The proposed dimensions for the side elevation are approximate width of 2.67m, length of 7.52m (full length of the host property) with a height to the eaves of 2.39m and total height of the sloping roof 3.61m. This will increase the internal floor space of the host property by approximately 16.6m².

- 5.3 Materials proposed will be facing brick, tiles and white uPVC windows to match the host property.
- 5.4 The proposed side extension is just over half of the width of the original dwelling by 70mm, necessitating the submission of the planning application. Were it not for the additional 70mm the proposed works would constitute permitted development.

6 Consultations

- 6.1 N/A

7 Neighbour Representations

- 7.1 No comments have been received following neighbour consultation and the display of a site notice.

8 Appraisal

8.1 Principle of Development

- 8.1.1 The principle of the proposed development should be balanced against the need for it to be designed to a high standard, respect the established character of the area and would not have an adverse effect on existing residential amenity and is in accordance with the policies of the Core Strategy 2013, and saved policies of the Borough Plan 2007 and the National Planning Policy Framework (2012).

8.2 Impact of proposed development on amenity of adjoining occupiers

- 8.2.1 It is considered that the proposed development will not cause a severe detrimental impact on the amenity of the surrounding area or of the residents surrounding.
- 8.2.2 The proposal does not raise any issues of overshadowing or loss of light to the adjoining properties due to being located to South East side of the property.
- 8.2.3 There are double doors and windows proposed to the front elevation of the extension and windows the outlook provided by these are not thought to impact on the privacy of the surrounding occupiers. There no windows proposed to the side elevation.

8.3 Design

- 8.3.1 The proposed development is considered to be in keeping with the character of the host property and the other surrounding properties in this area of Sovereign Harbour.
- 8.3.2 Due to the layout of the properties within Solomon Close and the proposed side extension is thought to go relatively unnoticed within the street scene.

9 Human Rights Implications

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10 Recommendation

- 10.1 It is recommended that, for the reasons set out in this report, the application is approved, subject to the following conditions

- 10.2 The development hereby permitted shall be begun before the expiration of three years from the date of 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)

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

Drawing No. 94781/001 – Proposed Side Extension Floor Plan
Drawing No. 94781/002 – Proposed Side Extension Elevations

Reason: For the avoidance of doubt and in the interests of proper planning

- 10.4 The external finishes of the development hereby permitted shall be similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

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

- 10.5 Notwithstanding the plans hereby approved, all water run-off from the new roof shall be dealt with using rainwater goods installed at the host property and no surface water shall be discharged onto any adjoining property, not shall the rainwater goods or downpipes encroach on the neighbouring property and thereafter shall be retained as such.

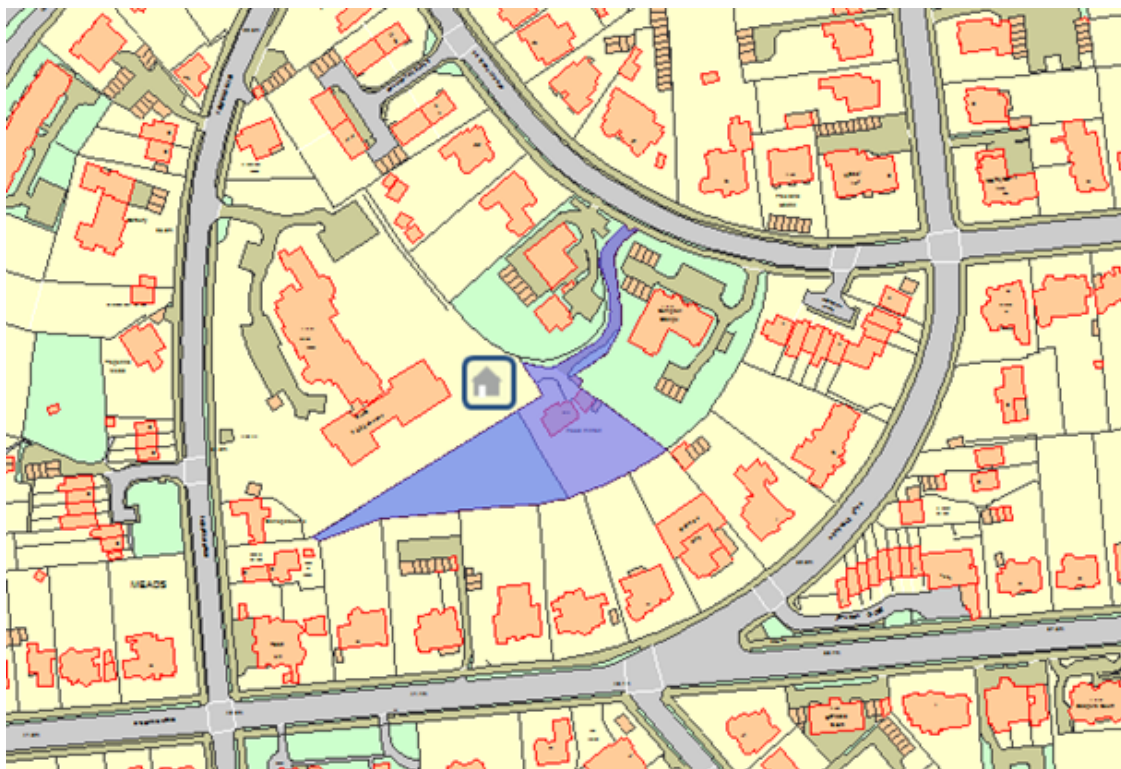
Reason: To ensure that surface water is dealt with appropriately within the application site and not affect adjoining properties by way of localised flooding.

11 Appeal

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

Agenda Item 7

App.No: 181206	Decision Due Date: 28 th March 2019	Ward: Meads
Officer: James Smith	Site visit date: 13 th February 2019	Type: Outline (all reserved)
Site Notice(s) Expiry date: 3 rd February 2019 Neighbour Con Expiry: 3 rd February 2019 Press Notice(s): N/A		
Over 8/13 week reason:		
Location: Wood Winton, 63a Silverdale Road, Eastbourne		
Proposal: : Outline planning permission (access) for the erection of six houses		
Applicant: Mr Sal Dato		
Recommendation: Approve Conditionally		
Contact Officer(s):	Name: James Smith Post title: Specialist Advisor (Planning) E-mail: james.smith@lewes-eastbourne.gov.uk Telephone number: 01323 415026	



1 Executive Summary

- 1.1 The current application follows the refusal of a previous scheme involving the provision of 7 additional dwellings on the site, which was refused at the planning committee meeting, held on 11th December 2018 for the following reason:-

The Council are not satisfied that seven residential properties could be adequately accommodated on the site without causing harm to the character of the wider area in the form of a cramped over-development of the site with poor access arrangement and poor quality living environment for future occupants of the new dwellings and Wood Winton.

- 1.2 The current scheme responds to concerns raised in relation to the proximity of the new dwellings to the existing dwelling (Wood Winton) and the positioning of the access road to the frontage of the same building. To this end, the dwelling closest to Wood Winton has been removed from the scheme completely (reducing the total number of dwellings to 6) and a raised kerb footpath and additional landscaping has been incorporated to provide a buffer between the access road and the front of Wood Winton.
- 1.3 It is considered that the proposed alterations are sufficient to overcome the reasons for refusal attached to the previous scheme. There is now an approximately 14 metre buffer maintained between Wood Winton and the nearest neighbouring property to the south, as opposed to the approximately 5.2 metre gap maintained in the original scheme. The overall access arrangements are considered acceptable by County Highways and this stance has been maintained for the current application. The applicant has, however, incorporated a raised kerb footpath adjacent to the northern elevation of Wood Winton and it is considered that this measure improves the relationship between the access road and Wood Winton and would also create a safer environment for pedestrians.
- 1.4 It is considered that the proposed alterations are sufficient to overcome the reasons for refusal attached to the previous scheme. There is now an approximately 14 metre buffer maintained between Wood Winton and the nearest neighbouring property to the south, as opposed to the approximately 5.2 metre gap maintained in the original scheme. The overall access arrangements are considered acceptable by County Highways and this stance has been maintained for the current application. The applicant has, however, incorporated a raised kerb footpath adjacent to the northern elevation of Wood Winton and it is considered that this measure improves the relationship between the access road and Wood Winton and would also create a safer environment for pedestrians.

2 Relevant Planning Policies

2.1 Revised National Planning Policy Framework 2019

2: Achieving sustainable development
4: Decision Making
5: Delivering a sufficient supply of homes
9: Promoting sustainable transport
11: Making effective use of land
12: Achieving well designed places

2.2 Eastbourne Core Strategy Local Plan Policies 2013

B1: Spatial Development Strategy and Distribution
B2: Creating Sustainable Neighbourhoods
C11: Meads Neighbourhood Policy
D1: Sustainable Development
D5: Housing
D9: Natural Environment
D10: Historic Environment
D10A: Design

2.3 Eastbourne Borough Plan Saved Policies 2007

NE7: Waste Minimisation Measures in Residential Areas
NE28: Environmental Amenity
UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT5: Protecting Walls/Landscape Features
UHT6: Tree Planting
UHT7: Landscaping
UHT15: Protection of Conservation Areas
UHT16: Protection of Areas of High Townscape Value
UHT18: Buildings of Local Interest
HO1: Residential Development Within the Existing Built-up Area
HO2: Predominantly Residential Areas
HO6: Infill Development
HO7: Redevelopment
HO20: Residential Amenity
TR11: Car Parking
TR12: Car Parking for Those with Mobility Problems

3 Site Description

3.1 The site is roughly triangular in shape, being broad at the eastern end and tapering towards the western extremity.

3.2 The site includes the detached dwelling, Wood Winton, which is a large 2½ - storey dwelling which has painted render elevation walls and a tiled, hipped roof

which contains a number of dormers. The dwelling is cut into a slope, which rises towards the rear of the building. There is a detached garage and other outbuildings to the side (east). A garden is provided to the rear (south) of the dwelling. Historic Ordnance Survey mapping shows that the site originally fell within the curtilage of Robin Hill Cottage but at some point became annexed from it.

- 3.3 The portion of the site where the proposed houses are to be located is predominantly flat but slopes upwards from the south to the north. There is also a gentler gradient running from the east of the site to the west. Neighbouring plots to the south and are at a higher level whilst those to the north and east are at a lower level. The majority of the site is enclosed by flint walling, which acts as a retaining wall in places. Large trees are generally restricted to site boundaries with only small fruit and ornamental trees within the main part of the site. The most notable tree is a mature Lime tree, of significant stature, which is positioned adjacent to the site access road and is covered by a Tree Preservation Order.
- 3.4 The access road itself is entered via a dropped kerb in Silverdale Road. The road is hard surfaced, although significantly worn and potholed, and is steep and winding due to the topography and the layout of neighbouring sites. The access road is bordered by flint walling, which is damaged in places, and a green verge which includes hedgerow and occasional mature trees.
- 3.5 The site is fairly secluded due to its positioning to the rear of surrounding buildings, the surrounding topography and the presence of mature landscaping. Surrounding development is predominantly residential in nature and consists of large, generally detached, building originally separate dwellings but many of which have been subdivided into flats. These are interspersed with more modern three and four-storey blocks of flats that are set within well landscaped plots. Equally spaced street trees, grass verges and flint boundary walling generate a distinctive suburban character on the road. Many of the original buildings possess distinctive architectural features in the 'Arts & Crafts' vernacular and date from the late 19th to early 20th century. This is recognised by the fact that dwellings on St Johns Road that back on to the site are within the Meads Conservation Area whilst all other surrounding properties are within an Area of High Townscape Value.

4 Relevant Planning History

- 4.1 030202
Demolition of existing house and erection of three detached houses with garages.
Outline (some reserved)
Approved conditionally
- 4.2 060712
Renewal of outline planning permission EB/2003/0255(OL) for the demolition of existing house and erection of three detached houses with garages
Outline (some reserved)
Approved conditionally

- 4.3 120089
Redevelopment of site including demolition of existing building and erection of three detached dwellings with parking and garages together with lengthening access drive (outline application)
Outline (some reserved)
Approved conditionally
- 4.4 160226
Demolition of existing dwelling, erection of 3 no. detached dwellings with parking and garages together with lengthening existing access drive.
Outline (some reserved)
Approved conditionally
- 4.4 180569
Outline planning permission (all matters reserved) for the erection of seven houses (AMENDED DESCRIPTION FOLLOWING REDUCTION OF UNITS).
Refused

5 Proposed development

- 5.1 The proposed scheme is in outline form, with details relating to layout and access provided for consideration, whilst details relating to scale, design and landscaping would be fully addressed at the reserved matters stage.
- 5.2 The proposal involves the provision of 6 x detached dwellings which would occupy the currently overgrown area to the rear of Wood Winton as well as part of the existing garden space to the south. Wood Winton itself would be retained.
- 5.3 The configuration of the development would concentrate the new dwellings towards the southern boundary of the site, with one dwelling to the south of Wood Winton, a line of four dwellings in a staggered row further to the west and a single detached dwelling towards the western corner of the site. The existing access road would be utilised, with passing points incorporated to allow for the safe movement of two-way traffic. The access road would be extended across the northern elevation of Wood Winton to form a spinal road serving the development. A turning head would be provided adjacent to Wood Winton.
- 5.4 Each dwelling would be provided with a car parking space under a car port structure with an additional tandem parking space on a hard surfaced driveway to the front of it. These driveways would be accessed directly from the main cul-de-sac.

6 Consultations

- 6.1 ESCC Highways:
- 6.1.1 Whilst the provision of a continuous footway would not be possible for the reasons detailed, marking out a pedestrian route to the site access is nevertheless recommended. This could be in the form of road markings with pedestrian logos. With the low expected flows, encroaching on this area if required for two vehicles to pass would not necessarily constitute a significant

safety risk. This should be provided at reserved matters stage.

- 6.1.2 I note that the refuse vehicle used in the swept path is 9m long. This is shorter than required in our standards, and Eastbourne Borough Council's waste management team should assess to see whether this would be acceptable.
- 6.1.3 As previously noted in our previous correspondence, I would note that locating the cycle storage and bin storage together could present conflicts in that the cycle storage should be secure, whilst access to the bin store should be readily available. This should be addressed at reserved matters stage.
- 6.1.4 I would also note that the current layout appears to have significant distances where residents may be asked to reverse. I would request that swept paths are provided for a standard design vehicle undertaking a three-point turn when leaving houses 1, 5 and 6, to ensure that they would be able to turn around and exit the site in forward gear.

The applicant submitted a revised plan, ref: 94554/106/A, in response to the comments made in 6.1.4. Rather than providing swept path analysis, the layout of the cul-de-sac was altered in terms of turning heads. This plan was submitted to Highways and allayed the concerns raised.

6.2 Specialist Advisor (Arboriculture):

- 6.2.1 The TPO is a bit of an outdated mess and if you compare my plan with the TPO plan you will see the principle trees in the garden are absent on site, and only one of the trees on the driveway – a lime (T17 of the Order) is of interest.
- 6.2.2 Subject to the demands of the Highways Engineers, it might be possible to retain this tree but to do so special protection measures will have to be employed.

6.3 Specialist Advisor (Planning Policy):

- 6.3.1 Policy C11 is the 'Meads Neighbourhood' policy, which sets out the vision for this area as the following; 'Meads will strengthen its position as one of the most sustainable neighbourhoods in the town. It will make an important contribution to the delivery of housing and increasing its importance to the tourism industry, whilst conserving and enhancing its heritage and historic areas.' This vision will be promoted through a number of factors, including 'Providing new housing through redevelopments and conversions in a mix of types and styles'. It has been identified in the Core Strategy as the second most sustainable neighbourhood in the borough.
- 6.3.2 The NPPF requires local planning authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of housing. As of October 2018, Eastbourne is only able to demonstrate a 1.56 year supply of housing land, meaning that Eastbourne cannot demonstrate a five-year housing land supply. The NPPF would view this application with a 'presumption in favour of sustainable development,' as described in paragraph 14 of that document. It is not considered that the proposal would be contrary to the NPPF as a whole, or contrary to any specific policies in the NPPF.

- 6.3.3 It is important to note that as this application is for 6 additional units, it does not meet the threshold for contribution towards affordable housing. The application is, however, liable for CIL.
- 6.3.4 The Borough Plan Policy HO2 identifies this location as being predominantly residential. In order to reach housing targets, planning permission will be granted for residential schemes within these predominantly residential areas. This site has been previously identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). Therefore, policy has no objections to this application.
- 6.4 Southern Water:
- 6.4.1 Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.
- 6.5 SUDS:
- 6.5.1 The information submitted by the applicant in support of the planning application has not satisfied the Lead Local Flood Authority and does not assure us that surface water and local flood risk have been adequately taken into account.
- 6.5.2 No surface water runoff management strategy has been proposed by the applicant apart from indicating the use of soakaways on the application form.
- 6.5.3 Although the application site is shown to be underlain by chalk group geology, our experience has shown that infiltration potential can only be proven by testing as some soils which would be expected to have high infiltration rates have low infiltration rates in the past. Therefore, the applicant should undertake infiltration testing in accordance with BRE365 (2016 publication) to prove the feasibility of infiltration methods at the site. In addition, the site is shown to be in an area with a potential for groundwater flooding. Therefore, the potential high groundwater could affect the feasibility of infiltration at the application site. The applicant should carry out groundwater monitoring to understand the seasonal variation of groundwater levels and their impact on infiltration.
- 6.5.4 If infiltration is found to be unfeasible, the applicant should consider alternative surface water disposal methods. Any proposed discharge to the adjacent public surface water sewers and its rates should be discussed with Southern Water.
- 6.5.5 The application site is part of an area that contributes surface water overland flows to Silverdale Road and affects the properties directly opposite the site access. The introduction of an impermeable area at the application site without a good understanding of its impact on surface water overland flows could make this existing surface water flood risk worse.
- 6.6 Meads Community Association:
- 6.6.1 The Meads Community Association formally objects to this third planning application within 12 months. This application is to apply for outline planning for

six houses in the grounds of the above property. The original planning application in early 2018 was for nine houses, then withdrawn and reduced to seven (plus the existing house) which was rejected by EBC's Planning Committee at their meeting in December. We note that the existing substantial house has a number of residents and will remain and therefore there will be seven properties within the site. We still consider this outline application to be a gross overdevelopment of the site and if outline planning consent is given then local residents will lose all control of subsequent plans for the site.

- 6.6.2 The MCA considers that this latest proposal is a cynical attempt by the developer to use the planning process in order to ascertain the maximum potential for this site. There is obviously no regard to the existing environmental quality of the area as the site plan means a loss of a number of substantial trees and no regard has been given to the increased flood risk of building on the existing garden. This part of Meads is recognised by EBC as having a high townscape value and this development if approved will have a severe impact on the character and appearance of this part of Meads adjacent to both the Meads and the likely extension of the College Conservation Area.
- 6.6.3 The problems identified by the previous objectors and the Planning Committee concerning access to the site still remain. The access to the development is along an uphill, long and winding driveway suitable for only one vehicle at a time. Two new small proposed passing bays will not alleviate the problem. The entrance to Wood Winton off Silverdale Road is extremely narrow and with the intensity of traffic generated from within the development this will cause additional problems in Silverdale Road. This is a busy road with a bus route and has parking on both sides of the road. Emergency vehicles would have major difficulties in accessing the development as would refuse and re-cycling vehicles therefore residents would have to place their bins at the drive entrance.
- 6.6.4 We are aware that some members of the Planning Committee visited the site to see for themselves the impact this previous development for seven houses. The reduction of one house in this proposal continues to show the impracticality of the proposed development as set out in the site plan. Therefore we urge that this application is refused.

7 Neighbour Representations

7.1 Objections have been received from 27 individual addresses, raising the following concerns:

- Would spoil outlook from Fairfield Lodge;
- Concerned about amount of traffic generated;
- High density overdevelopment of the site;
- Concerns over highway safety and suitability of access;
- Increased noise – particularly during construction;
- Loss of wildlife habitat;
- Loss of privacy at neighbouring properties and gardens;
- House 1 too close to tree roots. Trees need to be protected;
- Increased light pollution;

- Needs to be good quality design as site adjoins conservation area;
- The site should be developed with 3 dwellings as originally agreed;
- The existing building is an HMO and may be converted to flats;
- Will result in additional surface water run-off;
- Vehicles using the lane may damage boundary walls;
- Bins from Wood Winton are currently put out on the pavement as the refuse lorry cannot access the site;
- Will lead to on-street parking on Silverdale Road that will impact on traffic flow;
- Out of character with the surrounding area;

8 Appraisal

8.1 Principle of development:

8.1.1 The site is located within the built-up area, where the principle of development is considered to be acceptable. The site also falls within an area identified in the Eastbourne Borough Plan as being predominantly residential. Policy HO2 of the Borough Plan aims to concentrate future residential development within these predominantly residential areas.

8.1.2 Para. 11 of the revised NPPF (2018) states that decision taking should be based on the approval of development plan proposals that accord with an up-to-date development plan without delay.

8.1.3 Where the policies that are most important for determining the application are out of date, which includes, for applications involving the provision of housing, situations where the local authority cannot demonstrate a five year supply of deliverable housing sites, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the NPPF as a whole. Currently, Eastbourne is only able to demonstrate a 1.57 year supply of land (as of October 2018). This proposal, for 6 additional units, would make a contribution towards increasing the number of year's supply of housing land.

8.1.4 The scheme would therefore need to satisfy all other relevant local planning policies, which reflect NPPF requirements for good design and protection of visual and residential amenities (Chapter 12), community needs and social interaction (Chapter 8), highway impacts (Chapter 9). This will be assessed in the main body of this report.

8.1.5 House 1 of the development would be positioned in the existing residential garden space serving Wood Winton. Para. 70 and para. 122 of the NPPF both state that development of residential gardens should be resisted but only if the development would result in an unacceptable change to the character and setting of the wider surrounding area. The remainder of the site has been annexed from Wood Winton and Robin Hill Cottage and Lodge, which it appears to have been associated with at one time. As such, it is not considered that this area serves as a residential garden nor would it have any realistic future use as such. It is therefore considered that this portion of land represent under-utilised

land, the development of which is encouraged by para. 118 of the NPPF, particularly in situations where development would help to meet identified needs for housing where land supply is constrained.

- 8.1.6 It is noted that there is extant planning permission (160226) for the demolition of Wood Winton and the provision of 3 new dwellings occupying the site. This is the latest of a series of approvals for similar schemes which stretch back to 2003. The failure of any of these approved schemes to be built indicates a lack of viability to these scheme. The proposed scheme involves retaining Wood Winton and building to a higher density in terms of dwellings per hectare. Para. 123 of the NPPF states that, 'where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.' Section c of the same paragraph goes on to state that 'local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'
- 8.1.7 Policy B1 of the Eastbourne Core Strategy identifies the Meads neighbourhood as a sustainable neighbourhood where residential density of up to 127 dwellings per hectare would be considered to be appropriate, subject to compliance with other relevant planning policies.
- 8.1.8 It is therefore considered that the principle of the residential development of the site is acceptable, as has been demonstrated by the planning history of the site, and also that a higher density scheme is encouraged by both local and national planning policy.
- 8.2 Impact of proposed development on amenity of adjoining occupiers and surrounding area:
- 8.2.1 The site is raised above the site levels of neighbouring flatted development to the north and west, whilst the flatted development that backs on to the south of the site are at a higher level. The dwellings are concentrated towards the southern side of the site so as to minimise the impact on the flats to the north. The road serving the development would flank the northern site boundary, where there is a flint wall in place as well as a tree line that would prevent light spillage from car headlights into neighbouring windows and also provide a degree of soundproofing.
- 8.2.2 The nearest that any rear elevation of the proposed dwellings reaches to the southern site boundary is approximately 3.3 metres (house 6). The buildings accommodating the residential flats that the site backs on to are, at their closest, a minimum of 31 metres set back from the southern site boundary. These flats are also on land that is raised in relation to the proposed development site.

- 8.2.3 As a result of the changing topography, screening offered by boundary treatment which includes flint walls, hedgerow and tree lines, as well as the layout of the proposed development, it is not considered that it would appear overbearing towards neighbouring dwellings nor would it cause undue levels of overshadowing. As the application is for outline permission only, there are no details available relating to the exact positioning of windows. However, it is considered that a sufficient amount of windows to serve each dwelling could be installed without introducing invasive views towards neighbouring residential property.
- 8.2.4 The proposal would involve a more intensive use of the site, including more frequent use of the site access road. The access road is flanked on both sides by flint walling and hedgerow and does not pass immediately alongside any residential buildings. Whilst the use of the site would be more intense, at approximately 22 dwellings per hectare, the residential density would be well below that of neighbouring development, a large proportion of which is in the form of flats. It is therefore considered that the intensity of the proposed use would not be disruptive or out of keeping with the overall context of the surrounding area.
- 8.3 Design issues:
- 8.3.1 As the application seeks outline permission only, the final design of the proposed dwellings is a reserved matter, although indicative drawings have been provided with the application. The site layout suggests an arrangement of two-storey detached dwellings of fairly uniform footprint and layout. It is considered that this would be appropriate for a small scale residential development of the nature of the proposal. It would also ensure that the retained building at Wood Winton would not be overwhelmed by the development.
- 8.3.2 The layout provides a good degree of separation between individual dwellings, ensures that properties are not overlooked or overshadowed by neighbouring dwellings and allows for the provision of suitably sized private amenity space. Car parking is provided in car ports that are set back to the side of each dwelling and are served by a driveway. A large proportion of the site frontage would be maintained for soft landscaping, ensuring cars and other vehicles do not appear overly dominant within the development.
- 8.3.3 Although the site is fairly secluded, being positioned behind neighbouring development, the amount of dwellings within the site will ensure that there is likely to be a continued presence and activity throughout the day, preventing the site from appearing isolated and secluded and, therefore, discouraging anti-social behaviour.
- 8.3.4 The amount of floor space available within each dwelling is not provided at the outline stage. However, measurements taken from the submitted layout plan demonstrate that the individual dwellings would have a sufficient footprint to ensure that the floor space they could accommodate would be compliant with National technical Space Standards. The dwellings are set fairly centrally within their plots and, as a result, windows would not be positioned close to site boundaries where the presence of trees and retaining walls may impede natural

light permeation and also reduce the available outlook.

8.3.5 It is noted that the rear gardens of some dwellings, particularly house 6, may be subject to a degree of overshadowing owing to the presence of dense tree lines around the overall development area. It is not considered that this would be to the extent that it would be of significant harm to amenities. It should also be noted that para. 123 (c) of the Revised NPPF instructs that 'when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'

8.4 Impacts on trees:

8.4.1 There are a number of trees on and around the site, primarily concentrated towards the site boundaries, where there are also trees overhanging from neighbouring sites. Trees within the interior of the site are generally restricted to small fruit trees and ornamental planting.

8.4.2 The Council's Arboriculturalist has visited the site and noted that a number of trees that had been covered by a Tree Preservation Order were no longer present on site. The only remaining TPO tree which may be affected by the development is a lime tree which is on the edge of the existing access road. The arboriculturalist believes steps should be taken to protect the tree during construction works as well as following completion in order to ensure it is not damaged. If this is not possible, the Arboricultural Officer would accept the loss of this tree if it required on the grounds of highway safety (see para. 6.2.2).

8.4.3 The majority of the boundary trees would not be significantly affected as a result of the proposal and would continue to contribute to the verdant nature of the surrounding area as well as provide sympathetic screening to the development and a pleasant environment. None of the trees that are to be removed possess individual or collective value that would merit Tree preservation Order status.

8.4.4 Each dwelling would be served by front and back gardens which would provide additional landscaping to the development.

8.5 Impacts on highway network or access:

8.5.1 ESCC Highways have no objections to the use of the existing access road to serve the development (as would be the case for the approved 3 dwelling scheme). Suitable and viable ways to address potential conflict between motorists and pedestrians, including, but not restricted to, road markings and signage, have been identified by the Highways Officer and further details would be secured at Reserved Matters stage.

8.5.2 The access road shown on the layout plan includes passing points and a marked out pedestrian footpath. The climbing and winding nature of the road would also act as a natural deterrent to vehicles travelling at speed and, thereby, presenting a risk to pedestrians.

8.5.3 The Highways Officer did note that a 9 metre vehicle had been used as the basis for swept path analysis for refuse vehicles accessing the site, and that this was shorter than the standards used by ESCC. However, it has been confirmed that the vehicles used for refuse collection in Eastbourne are 8.54 metres long (with a wheelbase of 5.6 metres). As such, the swept path analysis that has been provided is considered to be acceptable. It is understood that refuse lorries do not currently use the lane but this is due to there being no turning facilities at present. The proposed development would provide a turning head to allow refuse lorries to leave the site in forward gear.

8.5.4 Each dwelling would be provided with two car parking spaces, one of which would be provided within a car port. This is a sufficient amount of car parking to support the development without giving rise to concerns of increased car parking pressure on the surrounding highway network. These car parking spaces would be directly alongside the dwelling and, therefore, be easily accessible. The parking spaces would be entered directly from the main access road and there is sufficient manoeuvring space to allow cars to turn into and out of the spaces. A turning head is also to be provided to allow for vehicles, including servicing vehicles, to turn and leave the site in forward gear.

8.6 Sustainable development implications:

8.6.1 It is noted that the Lead Local Flood Authority have objected to the scheme, on the basis of a lack of information being provided. Given that the application is for outline permission only, it is considered that the concerns raised, which relate to the ability of the ground to support infiltration drainage, could be addressed by the applicant carrying out the requested testing and submitting results at the reserved matters stage. It is also noted that there is an opportunity to use the Southern Water public sewer for surface water disposal if infiltration is found to be unfeasible.

8.7 Other matters:

8.7.1 As the development would involve a net increase of 6 residential dwellings, it would be liable to a Community Infrastructure Levy (CIL) charge. As such, a liability notice would be issued to the developer, should planning permission be granted.

9 Human Rights Implications

9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10 Recommendation (This must include the reasons for each condition).

10.1 That the application is approved, subject to the conditions listed below and the receipt of satisfactory details on all reserved matters:-

10.2 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 92 of the Town and Country Planning Act 1990.

10.3 Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- i) design (including full schedule of external materials);
- ii) scale
- iii) landscaping
- iv) Surface water drainage

The reserved matters shall comply with the parameters set out for access and layout established by this outline permission and be carried out as approved. Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail.

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

- 94554/106/A – Proposed Development of Six Houses;
- 94554/104/C;
- 23473901-STR-HGN-100-DR-D-00102 – Swept Path Analysis;
- 23473901-STR-HGN-100-DR-D-00103 – Swept Path

Reason: For the avoidance of doubt and in the interests of proper planning.

10.5 Prior to the commencement of development, details of surfacing, signage and any other measures to control and direct traffic movements, as well as identify a continuous pedestrian footway to serve the development, shall be submitted to and approved by the Local Planning Authority. Thereafter, the access shall be constructed in accordance to these details prior to the occupation of the development and maintained as such thereafter.

Reason: In the interests of highway safety.

10.6 The development hereby permitted shall not be occupied until car parking spaces shown on approved plan 94554/106/A have been surfaced and marked out. The parking spaces shall thereafter be maintained throughout the lifetime of the development and the land on which they are positioned be used for no purpose other than for the parking of vehicles.

Reason: To ensure adequate parking provision for the development and to prevent overspill to on street car parking in accordance with Policy TR11 of the Eastbourne Borough Plan (2007).

- 10.7 Prior to the commencement of development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of construction and delivery vehicles, wheel cleaning facilities, traffic management (to allow safe access for construction vehicles), contractor parking and a compound for plant/machinery and materials clear of the public highway. Associated traffic should avoid peak traffic flow times.

Reason: In the interests of highway safety and the amenities of neighbouring residents.

11 Appeal

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

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