

Planning Committee

27 August 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 Peter Diplock (Deputy-Chair) Jane Lamb, Robin Maxted, Paul Metcalfe, Md. Harun Miah, Barry Taylor and Candy Vaughan

Quorum: 2

Published: Friday, 16 August 2019

Agenda

- 1 **Minutes of the meeting held on 23 July 2019** (Pages 5 - 10)
- 2 **Apologies for absence and notification of substitute members**
- 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 **282 Kings Drive. Application ID: 181178** (Pages 11 - 38)
- 7 **14-29 Brassey Parade. Application ID: 180913** (Pages 39 - 54)
- 8 **South Down National Park Authority Planning Applications (Verbal update)**

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 - Town Hall, Eastbourne on 23 July 2019 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Peter Diplock (Deputy-Chair), Jane Lamb, Robin Maxted, Paul Metcalfe, Barry Taylor, Candy Vaughan and Sammy Choudhury (Reserve) (as substitute for Md. Harun Miah)

Officers in attendance:

Helen Monaghan (Lawyer, Planning), Leigh Palmer (Interim Head of Planning), James Smith (Specialist Advisor for Planning) and Emily Horne (Committee Officer).

21 Minutes of the meeting held on 25 June 2019

The minutes of the meeting held on 25 June 2019 were submitted and approved as a correct record, and the Chair was authorised to sign them, subject to the amendment of Councillors present. Members agreed that Amanda Morris was the substitute for Jim Murray. Councillor Md. Harun Miah was added to list of apologies in minute 13.

22 Apologies for absence.

An apology was reported from Councillor Md. Huran Miah. Councillor Sammy Choudhury was the appointed substitute for Councillor Md Huran Miah.

23 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.

Councillor Taylor declared a Prejudicial Interest in minute 26, 61-63 Summerdown Road and minute 28, 13 Upper Avenue, as he was the owner of a care home. He withdrew from the room while the items were considered and did not vote.

24 Urgent items of business.

There were none.

25 Right to address the meeting/order of business.

The business of the meeting was reordered from the agenda. Item 9, 13 Upper Avenue was considered prior to item 8, Eastbourne House, 22-24 Gildredge Road.

26 61-63 Summerdown Road. Application ID: 190019

Outline application for new 64 bed nursing home (Amended description following removal of new building housing residential flats from proposal) - **OLD TOWN**

Having declared a Prejudicial Interest, Councillor Taylor was absent from the room during discussion and voting on this item.

The Committee was advised by way of an addendum report, that should the recommendation to approve be agreed by members, a requirement for a local labour agreement, including monetary contributions towards monitoring, would be attached as a planning condition.

The Committee was further advised in the addendum report, that in response to comments from objectors regarding the assessment of the visual impact of the proposed parking at 59 Summerdown Road, that the proposed parking area would involve the demolition of single-storey extensions that have been made to the original building. It was not considered that any parts of the building to be removed possess any architectural merit and the visual integrity of the original building would be maintained. The proposed parking bays would also not result in the removal of any significant street or site landscaping. It is not considered that the visual impact of parked cars would detract from the character of the area given that they would be directly adjacent to the highway. It was therefore considered that the provision of this parking area would not have any unacceptable visual impact and would comply with saved policies UHT1, UHT4 and UHT7 of the Eastbourne Borough Plan and Policy D10a of the Eastbourne Core Strategy.

In the addendum report, it was noted that Paragraph 8.3.4. of the officers report, should have stated that 2 ½ storey buildings are prevalent within the street scene, not 3-storey buildings.

The addendum report referred to additional correspondence that had been received from the Planning Consultant acting on behalf of the neighbours objecting to the scheme, stating that the provision of parking at 59 Summerdown Road had not been properly assessed. Plans should be marked as illustrative only as, if not, the Local Planning Authority cannot reserve matters shown on them by condition. An Appeal Inspector would also consider these plans as part of the application unless annotated otherwise. A suite of suggested conditions had been provided. Officer response: Further clarification regarding the provision of parking is provided within the addendum. It is noted that these works could be carried out without the need for planning permission, subject to agreement with ESCC Highways. The

plans showing indicative layout and scale would not be listed as approved plans on the decision notice, as informative can also be added to make clear that these plans have been assessed as indicative only. It is agreed that a condition relating to the southern wing of the building would be reasonable and appropriate in order to safeguard the amenities of the occupants of 65 Summerdown Road. The Committee were advised of an additional condition to the resolution, should the application be approved.

Helen Greenhalgh, local resident, addressed the Committee in objection, raising concern regarding the lack of detail in the application, the number of rooms and that the scheme would be too dominant in the area.

Rebecca Maddell, Heritage Champion, addressed the Committee in objection to the application. She stated the scheme would set a precedent and was out of keeping with the area.

Councillor Ungar, spoke as an East Sussex County Councillor and as a relative of a neighbour in objection to the application. He raised concern regarding amenity, parking and wildlife.

Mr Simon Franks, applicant, spoke in response to the concerns raised, stating that the building was already a functioning nursing home and would not set a precedent or result in overdevelopment by increasing by 10%. He said increasing demands and changes in requirements had been addressed in the application and that the outline application was submitted to address concerns.

In discussing the application, the Committee felt there was a lack of detail and raised concern regarding the number of rooms and the height and scale of development, stating that a 3½ storey building would be overbearing and out of keeping in the area.

Members were advised that further details would be covered in a detailed application and that the number of beds could be accommodated on site without harm to the street scene. Also, if the building was lost to residential use, there would be a loss of employer.

Councillor Diplock proposed a motion to refuse the application. This was seconded by Councillor Maxted.

Resolved (Unanimous): That outline permission be refused as set out in the resolution below:-

The Local Planning Authority is not satisfied that a development of the scale specified in the application description can be accommodated within the site without resulting in a detrimental impact upon visual and residential amenities. The proposed development therefore conflicts with saved policies UHT1, UHT4, NE28 and HO20 of the Eastbourne Borough Plan and policy D10a of the Eastbourne Core Strategy.

27 South Cliff Court, 11 South Cliff. Application ID: 190116

Planning permission for the replacement and alterations to balconies (resubmission) - **MEADS**

Mr Daniel Huff, local resident, said there were ongoing concerns regarding the potential for overlooking and asked the committee to consider raising the rear privacy screen height from 1.2m to 1.4m or 1.5m to further prevent overlooking from residents.

The Committee discussed the application and felt that the scheme had been sufficiently modified.

Councillor Murray proposed a motion to approve the application. This was seconded by Councillor Vaughan.

Resolved (Unanimous): That permission be approved as set out in the report.

28 13 Upper Avenue. Application ID: 190127

Planning permission for the change of use from Class C2 Residential Care Home to a Sui-Generis HMO for no more than 26 persons with associated parking and cycle and bin storage – **UPPERTON**

Having declared a Prejudicial Interest, Councillor Taylor was absent from the room during discussion and voting on this item.

Mr Green, local resident, addressed the Committee in objection, raising concern regarding noise and disturbance, loss of privacy, and the number of occupants. He stated that there should be a management plan in place along with a fully trained manager.

Mr Naveed Ali, applicant, addressed the Committee in support, stating that the HMO would accommodate young working people and students. There would be strict vetting procedure, 24 hour CCTV, a resident manager and electronic entry system.

Members welcomed the reduction of occupants from 34 to 26.

Councillor Vaughan proposed a motion to approve the application. This was seconded by Councillor Metcalfe.

Resolved (Unanimous): That permission be approved as set out in the report.

29 Eastbourne House, 22-24 Gildredge Road. Application ID: 181104

Planning permission for extensions to existing building including enlarged floorplate and additional floor to allow Change of Use from B1 (offices) to C3 (residential) with the provision of 22 x individual residential units - **MEADS**

The Committee discussed the application and arrived at differing views. Concern was raised regarding loss of office space; parking, density, design and lack of affordable housing. Members also welcomed the scheme and the approach to encourage cycling and use of public transport.

A motion to refuse the application, proposed by Councillor Taylor and seconded by Councillor Lamb, was lost by two votes to six.

Councillor Murray proposed a motion to approve the application as set out in the report. This was seconded by Councillor Vaughan.

Resolved (by 6 votes for (Councillors Diplock, Maxted, Metcalfe, Choudhury, Murray and Vaughan) **and 2 against** (Councillors Lamb and Taylor)): That permission be approved as set out in the report.

30 South Down National Park Authority Planning Applications (Verbal update)

There were none.

31 Appeal Summary

Members noted the summary report of appeal decisions between 27 June 2019 and 8 July 2019.

- Land between the garage (facing Kinfauns Avenue) of 70 Churchdale Road and rear of 68 Churchdale Road – Appeal Dismissed 03.07.19.
- Land adjacent to 84 St Philips Avenue and 21 Roselands – Appeal Dismissed 03.07.19.
- Savoy Court Hotel, 11-15 Cavendish Place – Appeal Allowed 08.07.19.
- Langley Shopping Centre, 64 Kingfisher Drive – Appeal Allowed 27.06.19.

The meeting ended at 7.38 pm

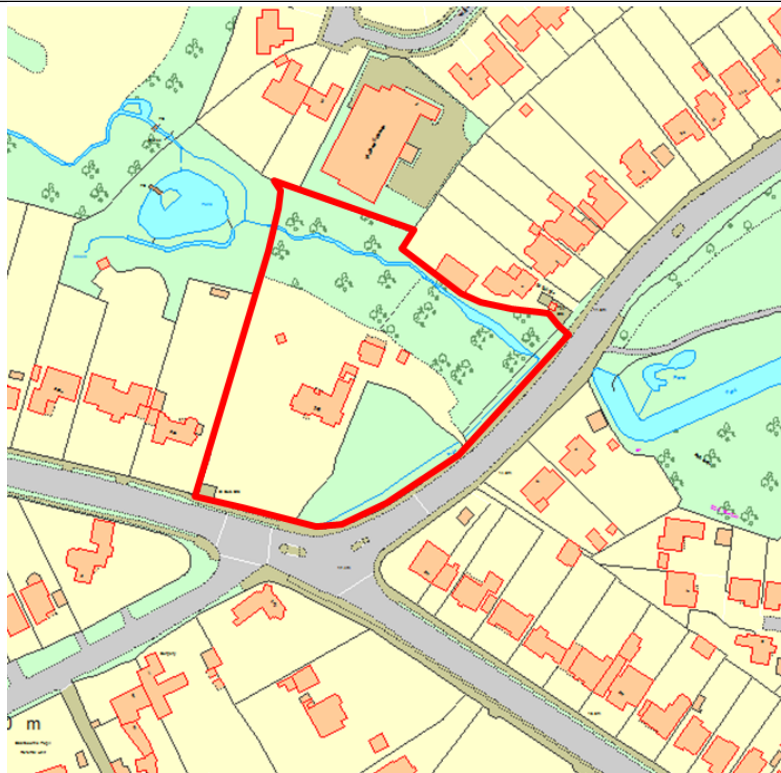
Councillor Jim Murray (Chair)

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Agenda Item 6

App.No: 181178	Decision Due Date: 27 August 2019	Ward: Ratton
Officer: James Smith	Site visit date: 17 th January 2019	Type: Planning Permission
Site Notice(s) Expiry date: 13 th January 2019 Neighbour Con Expiry: 13 th January 2019 Press Notice(s): N/A		
Over 8/13 week reason: Additional ecology surveys required.		
Location: 282 Kings Drive, Eastbourne		
Proposal: Demolition of existing house and associated structures and provision of 85 Bed Care Home with Parking, Landscaping and Highway Access		
Applicant: J Rowntree		
Recommendation: Grant Permission subject to conditions		

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 proposed development would represent a suitable use of the site and seeks to maximise its development potential.
- 1.2 Appropriate design and layout solutions have been incorporated into the scheme to ensure that there would be no material impact upon the amenities of neighbouring residents. The development also ensures that the overall character and appearance of the surrounding area and the integrity of the Local Wildlife Site is maintained and safeguarded.
- 1.3 The scheme originally proposed an elevated boardwalk through the Local Wildlife Site area, this has been deleted from this proposal and if to be pursued would be the subject of a further planning application.
- 1.4 The proposed new access point and the density of the parking are considered to be suitable to serve the development and has the support of East Sussex Highways Department.
- 1.5 The proposed scheme satisfies the overarching components that represent sustainable development by providing accommodation for people in need of care (social objective), provision of a substantial amount of new jobs (economical objectives) and preservation and enhancement of the Local Wildlife Site (environmental objective).
- 1.6 Suitable conditions will be attached in order to ensure these objectives are met.

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
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places

2.2 Eastbourne Core Strategy 2013

- B1 Spatial Development Strategy and Distribution
- B2 Creating Sustainable Neighbourhoods
- C12 Ratton & Willingdon Village Neighbourhood Policy
- D2 Economy
- D7 Community, Sport and Health
- D8 Sustainable Travel
- D9 Natural Environment
- D10 Historic Environment

D10a Design

2.3 Eastbourne Borough Plan Saved Policies 2007

NE4 Sustainable Drainage Systems
NE7 Waste Minimisation Measures in Residential Areas
NE18 Noise
NE20 Sites of Nature Conservation Importance
NE28 Environmental Amenity
UHT1 Design of New Development
UHT2 Height of Buildings
UHT3 Setting of the AONB
UHT4 Visual Amenity
UHT7 Landscaping
US3 Infrastructure Services for Foul Sewage and Surface Water Disposal
US4 Flood Protection and Surface Water Disposal
HO3 Retaining Residential Use
HO20 Residential Amenity
HO17 Supported and Special Needs Housing
TR6 Facilities for Cyclists
TR11 Car Parking

3 **Site Description**

- 3.1 The site is currently occupied by a single L-shaped two-storey residential dwelling which is set well back from the road, in a broadly central location within the plot. The dwelling is accessed via a gated driveway which is taken from Kings Drive. This driveway leads to a hard surfaced parking area to the front of the building.
- 3.2 The grounds of the dwelling are predominantly surfaced in grass. There are a number of mature trees within the site curtilage, primarily concentrated around the site boundaries. There are also a number of outbuildings distributed throughout the site.
- 3.3 Decoy Stream traverses the northern part of the site. This part of the site is largely undisturbed, although there are informal footpaths around the banks of the stream, as well as footbridges. The banks of the stream are flanked by mature trees which provide relatively dense coverage. This part of the site forms part of The Coppice Local Wildlife Site, which also incorporates parts of neighbouring sites to the west, where the stream passes through. The stream passes below Decoy Drive to the east of the site and continues into Hampden Park, feeding into the lake.
- 3.4 The site is a corner plot located at the convergence of Kings Drive and Decoy Drive. This plot is significantly larger than neighbouring plots. The most prevalent form of development within the surrounding area consists of large, detached dwellings positioned on sizeable plots. Dwellings are generally set back from the road and occupy the majority of the width of their respective plots. Mature street trees amalgamate with trees and other landscaping within the curtilage of properties on Kings Drive and Decoy Drive to generate a verdant character and

appearance and also acts as a screen. There is a single-storey telephone exchange building on Waldron Close adjacent to the rear (north) of the site.

4 Relevant Planning History

- 4.1 EB/1955/0272 - surface water sewer - Approved 21st July 1955.
- 4.2 EB/1987/0771 – Erection of 7 dwellings, including retention of existing building, together with access from Decoy Drive – Refused 11th February 1998 – Appeal Dismissed.
- 4.3 EB/1988/0663 - Erection of 7 dwellings, including retention of existing building, together with access from Decoy Drive – Refused 23rd December 1988 – Appeal Allowed.
- 4.4 EB/1989/0074 – Erection of 2-storey house with garage - Approved Conditionally 15th March 1990.
- 4.5 EB/1990/0247 - Approval of reserved matters following permission EB/88/0613 regarding siting and means of access for three houses - Approved – 12th June 1990.
- 4.6 EB/1992/0423 - reserved matters details for outline consent 88/663 - Approved 1st December 1992.

5 Proposed development

- 5.1 The proposed scheme involves the demolition of the existing dwelling and outbuildings and the construction of a 3½-storey building which would accommodate an 85 bedroom care home with a rough J-shaped footprint. Projecting elements on the western side of the building would be stepped down to two-storey height. The main roof would be a flat topped mansard form, with roof slopes replicating a hipped roof appearance. Various gable ends would be formed as a means to increase articulation within the fabric of the building. The overall footprint of the building would be approximately 2012 m². The third floor of the building would be restricted to northern wing and would be incorporated entirely within the roof space. This floor would accommodate ancillary functions such as staff offices, training rooms, the main kitchen, a laundry room and a plant room.
- 5.2 The existing access from Kings Drive would be closed off and a new access formed on Decoy Drive. This would serve a designated parking area providing 35 car parking spaces in addition to a motorcycle parking area and a cycle storage area. The main entrance to the building would be adjacent to the car parking area, on the eastern elevation of the building.
- 5.3 A number of ancillary amenity features would be incorporated into the proposed building and grounds. The majority of these features would be at ground floor level and would include a café, with an associated outdoor seating area to the west of the building, a cinema room and a function room. There would also be modestly sized outdoor seating areas at first floor height on the western elevation

of the building. These would be adjacent to raised enclosed winter/summer gardens which would have glazed roofing above them.

- 5.4 The grounds of the building, other than the area used for car parking, would be available for amenity use. Parts of the plot would provide hard surfaced seating areas associated with bedrooms or communal dayrooms. The Local Wildlife Site area around the stream at the northern end of the site would not be significantly disturbed but may be connected to a wider network of footpaths forming a sensory walk. A small amount of play equipment would be installed within the grounds as would a greenhouse which would be used as a gardening club by residents.

6 Consultations

6.1 Specialist Advisor (Planning Policy):

- 6.1.1 The site is located within the Ratton & Willingdon Village neighbourhood as identified in the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013). It is located within the predominantly residential area as defined by the Eastbourne Borough Plan 2001-2011 (saved policies).

- 6.1.2 The proposal involves the loss of a single private dwelling and the replacement with an 85 bed care home. Borough Plan Policy HO3 restricts development that would involve a net loss in the number of existing dwellings, unless the scheme would result in a significant improvement in the quality of residential accommodation provided.

- 6.1.3 Borough Plan Policy HO17 supports the development of residential care homes, subject to proximity to public transport, shops, open spaces, entertainment and community facilities along with the suitability of the property and the provision of adequate parking. The site is located on a main route into the town, not far from the Hampden Park District Shopping Centre. It is also adjacent to Hampden Park itself, which includes a park and open space. In addition, it is on a bus route with two bus stops just outside of the site. Car parking is being provided on site. As such, it is considered to be consistent with Borough Plan Policy HO17.

- 6.1.4 Within the site boundary is part of a Local Wildlife Site (formerly known as Site of Nature Conservation Importance), which is protected under Borough Plan Policy NE20.

- 6.1.5 Although the proposal would result in the loss of a dwelling contrary to Borough Plan Policy HO3, it is supported by Borough Plan Policy HO17 and would provide additional residential accommodation to meet local needs.

6.2 CIL:

- 6.2.1 As per the Eastbourne Charging Schedule, care homes are not liable for CIL.

6.3 Southern Water:

- 6.3.1 "We request that should this application receive planning approval, the following

condition is attached to the consent: “Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal including the capacity of the existing network to accommodate the development have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.”

6.4 County Archaeologist:

6.4.1 In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss. These recommendations are in line with the requirements given in the NPPF (the Government’s planning policies for England)

6.5 County Ecologist:

6.5.1 Required further evidence to prepared and submitted alongside the application. This has been done with further controls via planning condition.

6.6 Highways ESCC (following an initial objection):

6.6.1 The applicant has submitted details that now overcome the previous highway objection and the application does not attract highway objection subject to the inclusion of highway conditions.

6.6.2 Location of the refuse collection point – this has now been shown on the plan 901 E and is acceptable.

6.6.3 RSA1 and designer’s response for access details, plus any emerging amended plans and RSA update – this has been provided and highlight 5 problems which are not considered to be insurmountable and can be easily overcome through planning condition and s 171 agreement for the highway access construction. I can confirm that the designer’s response adequately addresses the problems. The RSA1 and designers response sets out that the access in the position shown is feasible and therefore accepted. Details to be added to the access include dropped kerb sections for pedestrians traversing the access.

6.6.4 Suitable access visibility sightlines shown on the site plan, showing and boundary treatment/measures to secure the sightlines in perpetuity – the boundary treatment has been altered looking south which now addressed the visibility objection raised previously. It is noted that the road safety auditor also flagged this up. Plan 901E shows a revised boundary and indicates secured sightline looking towards the mini-roundabout. Boundary treatment details have not been provided though it is assumed that the LPA will accept a low level hard feature that does not obstruct the driver sightline above 600mm. This matter can be addressed through a planning condition.

6.6.5 Submitted in response to the earlier highway objection is a further trip

assessment taking account of background growth to 2023 and how it impacts on the mini roundabout Decoy Drive and Kings Drive. The key area to focus on is the comparison of trips between 2018 flows and 2023 flows + development in the busiest periods both for the network and for the development. As shown in the table provided by the applicant (figures have been verified) the difference between the development peak period trips for 2023 and 2023+devt is 12 PCUs (passenger car unit) in 07-0800hrs and 9 PCUs 08-0900; 13 PCUs 15-1600hrs and 8 PCUs 17-1800hrs. The expected impact as a result of the proposed development is less than 1% in all 4 periods and is not anticipated to be a difference that could warrant a highway objection. The figures in this table assume that all associated development traffic uses the mini-roundabout when in fact there may be traffic arriving and departing to/from the Hampden Park direction. Based on this further assessment of highway impact from associated vehicles, I do not wish to raise highway objection.

Peak Hour Assessed	Roundabout Junction Total Flows (PCU)						
	2018 Observed Flows	Growth to 2023	2023 Future Flows (2018 + Growth)	DTPL Development Trips	Future + Development (DTPL Trips)	ESCC Development Trips	Future + Development (ESCC Trips)
Development Morning Peak 07:00 - 08:00	1138	77	1215	10	1225	12	1227
Network Morning Peak 08:00 - 09:00	1886	128	2014	9	2023	8	2022
Development Evening Peak 15:00 - 16:00	1757	114	1871	11	1882	13	1884
Network Evening Peak 17:00 - 18:00	1927	126	2053	7	2060	8	2061

- 6.6.6 Consideration of the bus stop position on Decoy Drive closest to the site, and its impact on the proposed access point. This issue has been reconsidered and it is agreed that a waiting bus at the bus stop is not likely to impact on highway safety for reasons that a bus is not always going to stop and when it does it is not a long term waiting area for the services that operate from here. I retract my original comment on the basis that a bus stop here is unlikely to wait long enough require overtaking manoeuvres from vehicles turning left from the site access.
- 6.6.7 A full suite of conditions are requested, all of which should be attached to any given approval.
- 6.7 SUDs:
- 6.7.1 Controlled via planning condition further details are requested to inform as to the wider drainage strategy should be supplied and approved in consultation with the ESCC SuDs team and the Pevensey and Cuckmere Water Level Management Board.
- 6.8 Stephen Lloyd MP:

- 6.8.1 Objects to the proposal for the following reasons:-
- 6.8.2 Acceptance of the proposal would fail to follow policies as set out in the NPPF, Eastbourne Borough Plan and Eastbourne Core Strategy. The proposal is not in keeping with the Council's plans and policies as far development of the town and its suburbs.
- 6.8.3 The proposal negatively impacts on the residential character and amenities of the area. The development fails to keep with the style and nature of the area and negatively impact current services and amenities.
- 6.8.4 The proposal negatively impacts on adjacent and surrounding properties due to bulk of building in a location historically subject to subsidence.
- 6.8.5 The sheer size of the development will overshadow its neighbours and the area. The realities of frequent subsidence could also be a concern given the development's size.
- 6.8.6 The proposal negatively impacts on Eastbourne District General Hospital and other care providers from staffing requirements.
- 6.8.7 The development will add pressure to our hard-working local hospital and medical services, and could act as a draw away from these services in terms of staffing.
- 6.8.8 The proposal negatively impacts on traffic movement and KSI statistics for East Sussex across multiple user groups - In an area already suffering from congestion and traffic, an increase in this will add fuel to the fire.
- 6.8.9 Placing a care home on a noisy designated Primary Route into Eastbourne. Kings Drive and its adjoining road are used as a primary means of access to the town, as well as a cut through, the presence of a large institute supporting vulnerable people on these roads does not seem to fit with the needs of its proposed residents.
- 6.8.10 Increase in use of local roads for parking. Kings Drive has already required a road traffic order to prevent dangerous parking along the verges. With the likely large number of staff, residents and visitors parking will be needed and these plans do not adequately provide for this - the assumption being that the roads will become like many of the overcrowded sections in our town, with cars parked wherever there is space.
- 6.8.11 Creating an unsustainable alteration to the local wildlife habitat. This proposal is close to a site of scientific interest - this does not seem to have been adequately understood or considered in the proposal.
- 6.8.12 There seems to be some confusion on the behalf of the developer as to whether the property would be classed as brown or green field site.

7 Neighbour Representations

7.1 Letters of objection have been received from 37 separate addresses. Points raised are summarised below:-

7.2 Highway Impacts:

- Insufficient on- site parking provided;
- Will result in increased parking at the bottom of Park Lane;
- Will cause congestion on mini roundabout;
- Significant increase in traffic which is already bad;
- New access will be hazardous to motorists and pedestrians including schoolchildren;
- There are no designated areas for lorries and goods vehicles;
- There have been eight injury road traffic collisions at or near the mini-roundabout between November 2013 and October 2018;
- Short sight lines and fast traffic around mini roundabout area;
- No detail of vehicle turning circles provided;
- Site entrance would be immediately opposite driveway for No. 274 Kings Drive, which is its only means of vehicular access;
- No details provided for parking of ambulances;
- Trees and fencing on boundary lines would obstruct visibility on roads and at junctions.

7.3 Landscape & Ecology:

- We weren't informed that boardwalk area would be included in Local Wildlife Site;
- Additional biodiversity surveys should be carried out;
- Submitted biodiversity report suggests Local Wildlife Site should not be disturbed;
- Too many trees would be removed, including two oaks of high value;
- The woodland supports breeding birds;
- Some trees have already been removed from the site;
- Loss of natural screening on Decoy Drive;
- Landscaping works will facilitate the development and benefit future occupants but will not benefit wider community;
- Would result in light pollution, impacting upon wildlife.

7.4 Principle & Process:

- Amount of units more than we were told at public consultation (85 rather than 65);
- Business use not suited to residential area;
- C2 development is not residential development;
- Eastbourne does not need more nursing homes – more facilities for young

- disabled people are needed;
- An application to convert 286 Kings Drive to a care home was refused in 1987;
- Kings Drive is unacceptably busy and noisy for this form of development, as was stated when permission for nursing home at 286 Kings Drive refused in 1987;
- The application site is green field not brown field;
- The developer has erred in law by identifying the site as brown field. The site is not listed on the Council's brown field register;
- Will negatively impact upon existing care homes;
- Will take staff from Eastbourne District General Hospital;
- Ratton & Willingdon is acknowledged as being the least sustainable area in the Borough (as per the Core Strategy);
- Will result in loss of a family home;
- There is a market for the existing property;
- Application lacking in detail;
- No planning notice displayed on site;
- Further information requested in pre-application advice has not been provided – including 3D visuals and sections;
- No ground levels showing the considerable slope of the land, ground is shown as level on elevation drawings.

7.5 Visual/Residential Amenity:

- Footprint is 8 times that of existing building and should be reduced;
- Decked area would be at a higher level than the fencing at the neighbouring property;
- Decked area would obscure views of the most attractive parts of the stream;
- Deliveries will cause disturbance – restrictive delivery times are not adhered to at nearby Sunrise development;
- Height of building is out of keeping with surrounding area;
- Building is close to neighbouring properties and will overshadow them;
- Overdevelopment of the site;
- Building set too far forward on Kings Drive elevation;
- Garden of 284 Kings Drive will be overlooked;
- Would change the character of the area and set a precedent;
- Will impact on the setting of nearby Grade II Listed Building (The Old Manor House).

7.6 Flood Risk:

- Very little open green space retained to absorb surface water;
- Removal of trees will increase flood risk;

- Flood risk is high along the watercourse at Decoy Stream.

7.7 Infrastructure:

- Would be a large increase in sewage and there have been recent problems with the drains;
- There has been damage to high voltage cables close to proposed site entrance in recent times;
- Will impact on water pressure and supply.

7.8 Other:

The surrounding area is known to suffer from subsidence.

8 Appraisal

8.1 Principle:

- 8.1.1 The Revised National Planning Policy Framework (NPPF) directs Local Planning Authorities to adopt a presumption in favour of sustainable development. One of the three overarching objectives, that form the components of sustainable development, is a social objective (para. 8 b). The social objective requires the support of ‘strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.’ The retention of care facilities at the site is considered to support the continued presence of a mixed community in the surrounding area, promoting cohesion and interaction between different elements of the community and, thereby, improving community well-being.
- 8.1.2 Para. 61 of the NPPF provides further context, stating that ‘the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including... older people...and... people with disabilities). This social objective is recognised by Policy D7 of the Eastbourne Core Strategy, which states that ‘The Council will work with other relevant organisations to ensure that appropriate health care facilities, including new provision and enhancements to existing facilities, are provided in the most appropriate locations to meet existing and anticipated local needs.’
- 8.1.3 Saved policy HO17 of the Eastbourne Borough Plan supports the development of residential care homes, subject to proximity to public transport, shops, open spaces, entertainment and community facilities as well as on the proviso that the property is suitable for the use and there is provision of adequate parking.
- 8.1.4 The proposed development would result in the loss of a single residential dwelling. This is contrary to saved policy HO3 of the Eastbourne Borough Plan, which seeks to maintain housing stock. However, when balanced against the merits of the proposed scheme, which provides a significant amount of residential

care accommodation, it is considered that the proposed development represents a net benefit in supporting a provision of mixed residential units within the Borough.

- 8.1.5 The wooded area around Decoy Stream, which crosses the northern end of the site, is designated as a Local Wildlife Site. These sites were previously referred to as Sites of Nature Conservation Interest (SNCI's). Saved policy NE20 of the Eastbourne Borough Plan states that 'development which has an unacceptable adverse effect, directly or indirectly, on the nature conservation interest of a site identified as a Site of Nature Conservation Importance will not be permitted. Where proposals are permitted the Planning Authority will require the proper conservation management of Sites of Nature Conservation Importance.
- 8.1.6 The principle of sustainable development requires the aims of the social objective to be balanced against the economic objective and the environmental objective. By providing high quality purpose built care accommodation which is integrated within an existing community, it is considered that the social objective is supported. By providing a significant employment use within the area, it is considered that the proposed development would support the economic objective. The wider implications on the environmental objective, in terms of impacts upon environmental, residential and visual amenities will be assessed in the main body of this report, along with other relevant criteria.
- 8.1.7 The proposal involves the development of garden land. It is noted that, whilst the site is within the built-up area, the National Planning Policy Framework (NPPF) does not regard residential gardens as previously developed land. Para. 70 states that 'plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area,' whilst para. 120 instructs Local Planning Authorities, when considering planning applications that increase residential density, to pay regard to 'the desirability of maintaining an area's prevailing character and setting (including residential gardens). This does not preclude development of such sites but does instruct for increased weight to be afforded in terms of the impact of the proposed development on the established character of the surrounding area.
- 8.1.8 It is therefore considered that the principle of the development is acceptable, provided it satisfies relevant planning policies relating to sustainability, impacts upon environmental, residential and visual amenities and impacts upon ecology and the highway network.
- 8.2 Impact of proposed development on amenity of adjoining occupiers and surrounding area:
- 8.2.1 Due to the size and position of the site, the proposed building would be a significant distance from the majority of neighbouring residential properties. The presence of existing mature landscaping, which would be bolstered by new planting, also provides effective and sympathetic screening of the site.
- 8.2.2 Impact upon 284 Kings Drive:
284 Kings Drive is the closest property to the proposed building, there being a

distance of approximately 12 metres maintained between the south-western wing of the proposed building and the eastern flank elevation of No. 284, in which there are no primary habitable room windows installed.

- 8.2.3 The height of the building steps down to two-storeys (with a flat roof) on the western side of the site. The taller parts of the buildings are stepped in a further 7.5 metres from the western edge, resulting in a separation distance of some 19.5 metres between the two buildings.
- 8.2.4 Roughly in line with rear elevation of the neighbouring dwelling, the proposed building is stepped back further from the western site boundary (approximately 21 metres maintained between the proposed building and the boundary fence), before then widening again towards the northern end of the building. Analysis of the submitted plans show that the proposed building would not intercept any 45 degree splay taken from neighbouring windows within a distance of approximately 40 metres. It is therefore considered that the positioning of the building is such that it would not generate any unacceptable overshadowing of the neighbouring property.
- 8.2.5 The western elevation of the building, which flanks 284 Kings Drive, is indented in the middle and has its mass further broken up through the use of gable ends within the roof line, a stepped roof ridge height and a staggered building line. False windows would also be included within the two-storey projections to the western elevation, in order to prevent the presence of blank walls that would appear somewhat oppressive, whilst not allowing for an overlooking impact.
- 8.2.6 The two-storey elements of the western elevation of the proposed building (which are closest to 284 Kings Drive) only include false windows. These do not serve any room and the reason for their presence is simply to break up the bulk of the building. The outdoor seating areas at first floor level would be bordered by obscure glazed panels on their western edge so as to prevent the potential for intrusive levels of overlooking. Windows on the recessed part of the building are positioned some 21 metres from the western site boundary and a greater distance from windows serving 284 Kings Drive. This degree of separation is considered sufficient to prevent intrusive levels of overlooking and the potential will be further reduced by the presence of boundary treatment and landscaping, obstructions provided by other parts of the proposed building and the angle at which the views would be directed.
- 8.2.7 The southern elevation of the proposed building projects further towards Kings Drive than the frontage of No. 284. However, this would not be to a considerable degree and the impact upon No. 284 would also be reduced due to the distances retained between the two buildings. It is therefore considered that this modest forward projection would not result in any unacceptable overshadowing or overbearing relationship towards the neighbouring property.
- 8.2.8 An outdoor seating area would be provided adjacent to the proposed café, towards the western edge of the site. The proximity of this seating to the neighbouring property is noted. It is considered that boundary treatment would prevent intrusive views from the seating areas towards the neighbouring property. It is, however, considered important to impose a condition on the time period in

which this seating area can be in use in order to prevent sustained activity throughout the daytime and evening, as this would potentially be unacceptably disruptive towards neighbouring residents. This would also apply to the play equipment adjacent to the seating area.

Impact upon the northern part of the site

- 8.2.9 The northern part of the site adjoins properties on Decoy Drive and Waldron Close. It is noted that a large proportion of the rear site boundary is shared with the telephone exchange site on Waldron Close. In any case, it is considered that the dense arrangement of trees that border the stream would act as a sympathetic screen to the proposed building when viewed from the north of the site.

The woodland Area

- 8.2.10 It is not considered that the use of the wooded area for the creation of a sensory walk, would in and of itself be impactful however the levels though and across this part of the site are significant and it is also recognised as a high value ecological area. The application has been amended with the sensory walk area falling to be determined by way of a new further planning application

8.3 Design & Street Scene Impact:

- 8.3.1 The proposed building is of significant size, both in terms of footprint and overall mass, and is considerably larger than the existing dwelling occupying the site. It is considered that the specific attributes of the site as well as the proposed use provide justification for the construction of a building this size on the site.
- 8.3.2 The site is considerably larger than neighbouring plots and also is in a corner location, meaning that it benefits from two street frontages. As such, it represents a focal point within the street scene where a larger structure would be expected to be found. It also in a location where its increased height would not appear incongruous or disruptive to the general rhythm of building heights on either Decoy Drive or Kings Drive, again, due to the corner plot location. The site also benefits from sympathetic and effective screening provided by mature street trees.
- 8.3.3 With a footprint of approximately 2012 m², the proposed building would occupy approximately 23% of the overall site area, which is approximately 8660 m². This ratio is comparable to development on neighbouring plots and it is considered that an ample amount of amenity space for recreation, circulation and open space is retained within the site, thereby ensuring that the proposed scheme does not represent in over-intensive form of development. It is therefore considered that the proposed development represents a responsible increase in the efficiency at which the land is used, in line with national planning objectives for optimal use of land, as per section 11 of the Revised National Planning Policy Framework.
- 8.3.4 Whilst the proposed building would have a far stronger visual presence within the street scene than the existing building, it is noted that the site, at present, is somewhat incongruous due to the set back of the existing dwelling from the road and the size of it in proportion to the overall site area.
- 8.3.5 The eastern elevation of the building, which represents the principle elevation and

faces on to Decoy Drive, reflects the general building line for development lining Decoy Drive. The southern elevation projects slightly further forward than the frontage of the neighbouring dwelling but maintains a suitable level of set back from the road to preserve the open and spacious characteristics of the street scene. A visual gap, consistent with the gaps between existing properties on Kings Drive, would be maintained between the proposed building and 284 Kings Drive.

- 8.3.6 The majority of the mature trees that are positioned around the southern and eastern site boundaries, flanking Kings Drive and Decoy Drive respectively, will be retained although some trees adjacent to Decoy Drive would need to be removed in order to allow for the new site access to be formed. Additional landscape planting would be provided alongside the streets and this would amalgamate with the retained trees to produce a screen to the development that would be visually consistent with the verdant nature of the surrounding area.
- 8.3.7 Although the height of the building is greater than that of neighbouring dwellings, it is considered that the position and size of the site supports this form of building without resulting in it appearing overly dominant within the street scene, as discussed in para. 8.3.1. The use of the site as a care home is distinct from that of neighbouring uses and it is therefore also considered reasonable that a building which appears, to an extent, distinctive, is appropriate, provided it incorporates architectural and spatial characteristics that sympathetically relate to the general positive characteristics of the surrounding built environment.
- 8.3.8 The main roof form of the building would be a flat topped mansard which, when observed and read within the street scene, would have the appearance of a hipped roof, consistent with the door form of a number of nearby dwellings. This roof form would be broken up through the use of gable ended projections which draw influence from similar features that are frequently observed on neighbouring buildings. These gable ends would utilise timber framing, also in-keeping with similar forms nearby. Two-storey bay window elements are also present, another feature that is common with nearby properties.
- 8.3.9 The building has been designed with suitable attention afforded to breaking up the bulk and mass of the building, in order to prevent it from appearing excessively dominant or visually mundane. This has been achieved through the aforementioned use of gable ends, which break up the roof ridge and eaves lines, staggered elevation walls which introduce a clear sense of articulation to the building, tiered roof heights, windows that decrease in size from ground floor level to second floor level and the use of a mixed palette of external materials and finishes.
- 8.3.10 Although the site would be well screened by landscaping, the principle elevation, facing onto Decoy Drive, would engage with the street scene and the main entrance to the building would be sufficiently prominent to ensure the building does not appear divorced from its wider surroundings. The southern elevation, which faces onto Kings Drive, also includes suitable architectural features, as well as a large quantity of windows, to ensure that it fully engages with the street scene on Kings Drive.

8.4 Living Environment:

8.4.1 The proposed building would provide 85 bedrooms, all with en-suite facilities, which would be distributed over three floors. The fourth floor, which would be accommodated entirely within the roof space of the building, would be used for staff facilities and functions such as a laundry, the main kitchen and plant room. All floors would be accessible by lift and stairs and the corridors are of sufficient width to allow for unimpeded circulation by wheelchair users.

8.4.2 The provision of an integral cinema, function room, café and small shop would ensure these facilities are accessible to all occupants of the building. There is also a good provision of outdoor amenity space which includes facilities for visitors and designated areas for seating and activities, which will concentrate these uses into particular spaces, allowing other parts of the grounds to be retained as a more tranquil environment.

8.5 Impact on Highway Network and Access:

8.5.1 The proposed development would include the formation of a new site access on Decoy Drive, with the existing access from Kings Drive being closed off. The proximity to the mini-roundabout to the south is noted. It is considered that the proximity to this roundabout ensures that vehicles are travelling at low speed on this part of the road as they either slow down to negotiate the roundabout or gradually accelerate away. ESCC Highways have been consulted and have confirmed that, provided conditions are applied in relation to maintaining unobstructed visibility splays and preventing the discharge of surface water onto the highway, the positioning of the crossover in this location would be acceptable, based on its anticipated usage.

8.5.2 The applicant has submitted verified trip assessments which factor in anticipated growth and associated activity on the surrounding highway network up to 2023. ESCC Highways have assessed this data and are satisfied both with its content and the methodology used to obtain it. The data assesses anticipated trips during peak hours for the development itself (07:00 – 08:00 morning peak and 15:00 – 16:00 evening peak) as well as peak hours on the overall network (08:00 – 09:00 morning peak and 17:00 – 18:00 evening peak). At all times, the increase in traffic on the mini-roundabout as a result of the proposed development is shown to be below 1%, an increase that the existing roundabout would have the capacity to absorb. It is also noted that these figures assume all traffic associated with the development would arrive via the roundabout whereas it is likely that a proportion of the overall traffic would be dissipated, by way of approaching and/or leaving in the direction of Hampden Park.

8.5.3 Potential hazards on the highway immediately adjacent to the site have been thoroughly assessed. Pedestrians would be provided with suitable dropped kerb arrangements to allow them to negotiate the crossover step free. Footpath access would also be provided to building. The proximity of the access to bus stops on Decoy Drive has also been noted and, based typically short periods of time buses remain waiting at these stops, it is not considered that they would provide a frequent obstruction which may result in cars passing them coming into conflict with vehicles entering or leaving the site.

- 8.5.4 On-street parking does not commonly occur on the surrounding highway network as most nearby dwellings have access to adequate off-street car parking facilities. The proposed development would be served by a total of 35 off-street car parking spaces. ESCC Highways have confirmed that this represents an over-provision as 22 car parking spaces would be sufficient to serve a development of this scale and use. It is therefore considered that an adequate quantum of off-street car parking would be provided and the potential for any overspill onto the surrounding highway network would be minimised. The layout of the car parking area ensures that the 2 disabled bays that are to be provided would be positioned closest to the main entrance to the building. Two extended length parking spaces would be provided for delivery and servicing vehicles. Swept path diagrams have also been provided that show that servicing vehicles can turn on site and, therefore, enter and leave in forward gear.
- 8.5.5 Secure and covered parking facilities for bicycles and motorcycles would be provided in order to encourage the use of alternative forms of travel to the motor car. It is also noted that there is a cycle route marked out on Kings Drive, further encouraging the use of this form of transport. There are also bus stops on either side of Decoy Drive that are within close proximity of the proposed site entrance. These bus stops are served fairly frequently by local services, which also connect with regional bus services, and as such, the use of the bus service for access by staff and visitors is considered to be a realistic proposition.
- 8.5.6 The applicant has submitted a Travel Plan that would be implemented by a senior member of staff, acting as a Travel Plan Co-ordinator. This plan would involve encouraging the use of more sustainable forms of transport through the provision of supporting infrastructure such as cycle storage and showers/changing rooms, the distribution of information relating to public transport services to staff, residents and guests, and the provision of a car sharing scheme for staff. The Travel Plan Co-ordinator will carry out ongoing monitoring of the effectiveness of the travel plan and encouraging alternative forms of transport, the results of which will be shared with the Council.
- 8.5.7 A Construction Management Plan would be required to be approved prior to the commencement of any demolition or construction works. This would include details on how deliveries during the construction and demolition phase would be managed so as to prevent congestion and hazards on the surrounding highway network. This would include routing and timing details. It would also cover hours of work, storage of materials and measures to prevent any dirt or mud being discharged onto the highway.
- 8.5.8 A serving plan for the development would also be required to ensure that deliveries and other traffic and activities related to the day to day running of the care home are managed in a responsible way in order to minimise impact upon the highway network, and upon the amenities of neighbouring residents.
- 8.6 Landscaping:
- 8.6.1 The proposed development would result in the loss of part of the greenspace maintained around the existing dwelling. It would also be necessary to remove

some of the existing trees within the site curtilage. The trees that would be removed represent a mix of ornamental garden species as well as larger, mature trees. The majority of trees that would be removed are concentrated towards the southern end of the site and those within the Local Wildlife Site would not be disturbed. The removal of these trees is necessary in order for the footprint of the proposed building to be accommodated within the site and for the new site access to be formed.

- 8.6.2 The majority of the mature trees occupying the site are to be retained and, given the amount present within the site, it is considered that there is sufficient tree coverage available to absorb the loss of trees set out above. In addition, new tree planting would be provided to mitigate the loss of existing trees. This landscaping would amalgamate with the retained trees to provide an effective and sympathetic screen to the development as well as to maintain the verdant nature of the site.
- 8.6.3 Suitable tree protection measures will be taken in order to prevent retained trees being damaged during demolition and construction works. Part of the proposed car parking area would also be surfaced using 'no dig' methods in order to prevent disturbance of tree roots. Whilst the Local Wildlife Site is to be opened up for access, this will be achieved using a raised boardwalk which will ensure tree roots are not disturbed.
- 8.6.4 Hard landscaping will be carried out using a mixed palette of materials in order to ensure its appearance is not monotonous and also as a means to demarcate different spaces within the site.
- 8.7 Ecology:
- 8.7.1 The Local Wildlife Site which falls within the site would be made accessible as a sensory walkway; the precise detailing of this will be the subject of a separate application.
- 8.7.2 The Local Wildlife Site is noted to provide habitat for bats and widespread bat activity has been recorded on site. A Biodiversity Review, which accompanied the planning application, states that external lighting should be avoided within this area. Enhancements should also be provided in the form of the installation of bat boxes in appropriate positions.
- 8.7.3 Deadwood would not be removed from the Local Wildlife Site as this provides important habitat for invertebrates. It is also recommended that additional deadwood generated by tree removal works should be moved into the Local Wildlife Site in order to provide additional habitat.
- 8.7.4 An up-to-date survey of Great Crested Newts was carried out, at the request of the County Ecologist, in May 2019. These surveys concluded that the risk of Great Crested Newts being present within the area to be developed was low but, as a precaution, a newt fence would be installed along the woodland edge. This fence would need to effectively seal the construction site along the northern boundary in its entirety. The exact specifications of the fence would be agreed with the Council's ecologist prior to installation and prior to any construction or demolition works being commenced. Further inspections of the site would also be required

immediately prior to any works commencing within the Local Wildlife Site.

8.8 Drainage

8.8.1 The comments made by the Lead Local Flood Authority (section 6.7 of this report) are noted, as are the comments provided by Southern Water. No objections are raised against the principle of the drainage scheme proposed for the site, which would incorporate attenuation tanks and swales as a means to control discharge during periods of rainfall. Conditions will be used to ensure that full specifications of these drainage measures are provided prior to the commencement of any construction works. Comments relating to the capacity of the site to accommodate necessary attenuation features are noted and, given the large size of the overall plot, it is satisfied that the required measures could be installed without, incursion into the Local Wildlife Site. It is also noted that the strategy would need to take groundwater levels into account, as requested in para. 6.7.4 of this report.

8.8.2 The way in which water would be managed in relation to Decoy Stream and the impact upon the area covered by the Pevensey and Cuckmere Water Level Management Board would need to be accounted for in the submitted drainage strategy. Should this application be approved, it does not presume consent for discharge of surface water into the Pevensey and Cuckmere Water Level Management Board, for which a separate consent is required. If this consent is not granted then the development would not be able to commence, unless alternative drainage arrangements that are satisfactory to all necessary drainage bodies are made.

8.8.3 The scheme will be implemented in accordance with the submitted flood risk assessment and in this regard the principle of development is considered acceptable.

8.9 Employment

8.9.1 The proposed development would create 70 new jobs and it is anticipated that the majority of posts would be filled by people living within the local area. It is considered that this represents a significant level of employment and is also noted that, given the presence of similar facilities already established within the Borough, that the employment and training involved would provide employees with transferable skills that may support them in working in other areas within the Borough. It is therefore considered that the proposed development responds positively to policy D2 of the Eastbourne Core Strategy which seeks to support job growth and economic prosperity.

8.9.2 The demolition and construction works associated with the proposed development are sizeable and represent a good opportunity for local employment in their own right. A condition will be attached to any approval requiring the applicant to enter into a Local Employment Agreement which would be administered and monitored by Council offices. This would ensure local people are employed during the demolition and construction works.

8.10 Archaeology

- 8.10.1 The demolition and construction works associated with the proposed development are sizeable and represent a good opportunity for local employment in their own right. A condition will be attached to any approval requiring the applicant to enter into a Local Employment Agreement which would be administered and monitored by Council offices. This would ensure local people are employed during the demolition and construction works.

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 the application is approved (with exception of boardwalk in Local Wildlife Site), subject to the conditions listed below:-

- 1) 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 County 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 following approved drawings:-

Site Location and Block Plan – 0117.SP01;
Site Location and Block Plan – 0117.SP02;
Topographic Survey – B8002-5D;
Ground Floor Plan – B8002-01D;
First Floor Plan – B8002-02D;
Second Floor Plan – B8002-03D;
Third Floor Plan – B8002-04D;
Elevations 1 & 2 – B8002-5D;
Elevations 3 & 4- B8002-6C;
Elevations 5 & 6 – B8002-7C;
Roof Plan – B8002-08A
Site Layout- B8002-901G
Biodiversity Review – GCJ180836.18;
Travel Plan – 68020;
Flood Risk Assessment – 18 122;
Arboricultural Report dated 18th November and produced by Andrew Day
Arboricultural Consultants;
Transport Statement – 68020;
Ecology and Landscape Statement - GC.J190312.19

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

3) Notwithstanding the approved plans, this permission does not provide consent for the raised boardwalk area within the Local Wildlife Site.

Reason: Insufficient details have been provided in relation to the potential impact this feature would have upon the amenities of neighbouring residents and, as such, it is not satisfied that it complies with saved policy HO20 of the Eastbourne Borough Plan.

4) No development shall commence until the details of a suitable drainage strategy shall be submitted to, and approved, by the Local Planning Authority prior to the installation of any drainage infrastructure.

Surface water runoff rates shall be limited to a minimum of existing rates for all rainfall events including those with an annual probability of occurrence of 1 in 100 (plus climate change). Evidence of this (in the form hydraulic calculations taking into account connectivity of features) shall be submitted with the detailed drainage drawings. Evidence that Southern Water is in agreement with the principle of proposed discharge rates shall be submitted at detailed design stage.

A management and maintenance plan for the entire drainage system clearly stating who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and evidence that the plan will remain in place throughout the lifetime of the development.

The development shall therefore be carried out in accordance with the approved details, which shall thereafter be adhered to throughout the lifetime of the development.

Reason: In order to prevent unacceptable risk of surface water flooding towards future occupants, neighbouring residents/land uses and the public highway in accordance with section 14 of the Revised NPPF and saved policy US4 of the Eastbourne Borough Plan.

5) Prior to occupation of the development evidence (including photographs) shall be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Reason: In order to prevent unacceptable risk of surface water flooding towards future occupants, neighbouring residents/land uses and the public highway in accordance with section 14 of the Revised NPPF and saved policy US4 of the Eastbourne Borough Plan.

6) The building shall not be occupied until such time that the water/drainage company (southern water) have confirmed that there is sufficient capacity within the network to accommodate the development.

Reason: In the interest of ensuring that the development does not give rise to localised flooding

7) Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: In the interest of supporting infrastructure services in accordance with saved policy US3 of the Eastbourne Borough Plan.

8) Before any external finishes are applied, details/samples of all external materials shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with those approved details.

Reason: In the interest of visual amenity in accordance with saved policy UHT1 of the Eastbourne Borough Plan and Policy D10a of the Eastbourne Core Strategy.

9) No development in relation to the care home building shall commence until the vehicular access serving the development has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

10) No development shall commence until such time as the existing vehicular access onto Kings Drive has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

11) No part of the development shall be occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority, to prevent surface water draining onto the public highway.

Reason: In the interests of road safety.

12) The site access shall have maximum gradients of 4% (1 in 25) / 2.5% (1 in 40) from the channel line, or for the whole width of the footway/verge whichever is the greater and 11% (1 in 9) thereafter.

Reason: In the interests of road safety.

13) No development shall commence until such time as temporary arrangements for access and turning for construction traffic within the has been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To secure safe and satisfactory means of vehicular access to the site during construction.

14) No part of the development shall be first occupied until visibility splays of

2.4m metres by 43 metres northbound and 50 metres southbound have been provided at the proposed site vehicular access onto Decoy Drive in accordance with the approved plans. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: In the interests of road safety.

15) No part of the development shall be occupied until the car parking and vehicle turning spaces have been constructed and provided in accordance with the approved plans. The areas shall thereafter be retained for that use.

Reason: To provide sufficient car-parking space for the development in accordance with saved policy TR11 of the Eastbourne Borough Plan.

16) No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details. The areas shall thereafter be retained for that use.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

17) No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- Hours of demolition and construction;
- Location, size and design of mess facilities;
- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and egress and routeing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);

- details of public engagement both prior to and during construction works.

Reason: In order to ensure that the development is properly managed and does not result in any unacceptable hazard to highway safety or damage to residential amenity in accordance with saved policies HO20 and TR11 of the Eastbourne Borough Plan.

18) No development shall take place, including demolition, on the site until an agreed pre commencement condition survey of the surrounding highway network has been submitted and approved in writing by the Local Planning Authority. Any damage caused to the highway as a direct consequence of the construction traffic shall be rectified at the applicant's expense.

Reason: In the interests of highway safety and the amenities of the area.

19) The Travel Plan shall be implemented as specified within the approved document, within 3 months of first occupation. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport and/or as advised by the Highway Authority.

Reason: In order to ensure that the development is properly managed and does not result in any unacceptable hazard to highway safety or damage to residential amenity in accordance with saved policies HO20 and TR11 of the Eastbourne Borough Plan.

20) No occupation of the building shall commence until a management plan relating to noise, light and air emissions generated by the proposed development has been submitted to and approved by the Local Planning Authority, including, but not limited to, the following information:-

- Details of the amount of external lighting to be installed and the specifications of the lighting to be installed;
- Details to restrict light spill from interior lights to the exterior of the building;
- Details of any plant and machinery to be installed, including full specifications;
- Management of use of external amenity areas including hours of use and numbers of people using external amenity areas at any given time;

The use shall thereafter be carried out in accordance with these approved details.

Reason: In the interests of environmental and residential amenity and to prevent harmful impact on habitat provided within the Local Wildlife Site in accordance with saved policies HO20 and NE28 of the Eastbourne Borough Plan.

21) Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:-

- a. details of all hard surfacing;

- b. details of all boundary treatments;
- c. details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.
- d. Details of defensible space for all ground floor flats.

All hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the development incorporates sympathetic landscaping that amalgamates with surrounding landscaping, is appropriately and sympathetically screened and provides a secure and safe environment for future occupants in accordance with section 12 of the revised NPPF and saved policies UHT1, UHT4 and UHT7 of the Eastbourne Borough Plan.

22) No demolition or development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

23) Prior to the first beneficial use of the care home building all the mitigation and enhancement measures set out in the submitted Ecology and Landscape Statement (reference GC.J190312.19) and maintained in place thereafter.

Reason: In order to prevent damage to existing ecological assets and the Local Wildlife Site and to enhance biodiversity in accordance sections 2 and 14 of the revised NPPF and policy

24) Prior to commencement of any works within the Local Wildlife Site, the site shall be checked by a suitably qualified ecologist for the presence of any protected species and nesting birds.

Reason: In order to prevent damage to existing ecological assets and the Local Wildlife Site and to enhance biodiversity in accordance sections 2 and 14 of the revised NPPF and policy

25) The contents of the Arboricultural Report submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision by a suitably qualified tree specialist. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during demolition and subsequent construction operations

Reason: Required to safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with saved policies UHT1 and UHT5 of the Eastbourne Borough Plan.

26) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development process and up until completion and full occupation of the buildings for their permitted use within 2 years from the date of the occupation of the building for its permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with saved policies UHT1 and UHT5 of the Eastbourne Borough Plan.

27) The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref: 17 167) and maintained in accordance thereafter.

Reason: In order to prevent unacceptable risk of flooding towards future occupants in accordance with section 14 of the Revised NPPF and saved policy US4 of the Eastbourne Borough Plan.

28) The proposed shop provided on the ground floor shall be ancillary to the overall use of the property as a care facility and shall not operate as a separate entity or increase in floor space without the prior written consent of the Local Planning Authority.

Reason: In order to prevent an additional use that would generate additional traffic and activity, to the detriment of the character of the surrounding area and the main use of the building, in accordance with saved policy UHT1 of the Eastbourne Borough Plan.

29) The outdoor seating area serving the café, adjacent to the western elevation of the building shall only be in use between the hours of 08:00 and 18:00.

Reason: In order to prevent sustained levels of noise and activity that would

detract from the amenities of neighbouring residents, in accordance with saved policy HO20 of the Eastbourne Borough Plan.

30) Prior to the first occupation of the building hereby approved, all obscure glazing and balcony/terrace screening shall be provided in accordance with the details shown on the approved plans. These features shall be maintained throughout the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to prevent unacceptable overlooking of neighbouring properties, in accordance with saved policy HO20 of the Eastbourne Borough Plan.

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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Agenda Item 7

App.No: 180913	Decision Due Date: 26 th December 2018	Ward: Hampden Park
Officer: James Smith	Site visit date: 7 th November 2018	Type: Planning Permission
Site Notice(s) Expiry date: 21 st October 2018 Neighbour Con Expiry: 21 st October 2018 Press Notice(s):		
Over 8/13 week reason:		
Location: 14-29 Brassey Parade		
Proposal: Construction of an additional storey and re-modelling of existing building to provide 22 additional residential units (to include sub-division of 1 existing flat into 2 units) together with the retention of 7 existing flats at first floor level thereby resulting in an combined total of 29 residential units. Configuration to comprise: 17 flats (9 x studio units and 8 x 1-bed units) at second floor level; 5 no. 1-bed flats on first floor together with retention of existing 7 x 2-bed flats.		
Applicant: Mr Ashley Bennett		
Recommendation: Approve conditionally subject to S106		

Contact Officer(s): **Name:** Chris Wright
 Post title: Interim Senior Specialist Adviser (Planning)
 E-mail: christopher.wright@lewes-eastbourne.gov.uk
 Telephone number: 01273 085461



1 Amended Scheme

- 1.1 This application is bought back to the Planning Committee following its previous consideration at the meeting on 11th December 2018, where Members resolved to approve the application subject to the completion of a S106 Agreement to secure provision of affordable housing.
- 1.2 Since this resolution negotiations have been undertaken and the applicant has made the decision to amend the scheme as follows.
- 1.3 The additional storey, which would have had the appearance of a mansard roof extension, has been deleted from the scheme. This means that the proposed development will be only one storey higher than existing now.
- 1.4 Instead of providing 29 residential flats together with the 7 flats previously approved on the first floor (36 flats in total), the scheme has been reduced by 12 flats so there will be 22 new flats plus the 7 flats previously approved on the first floor (29 flats overall).
- 1.5 The applicant has also submitted a Financial Viability Assessment to demonstrate that even the revised and reduced scheme will not be capable of providing affordable housing. Usually the starting point for affordable housing provision would be 40%, or 11.6 units in this case.
- 1.6 The local planning authority has sought an independent review of the Financial Viability Assessment in order to establish its veracity.
- 1.7 The independent advice given to the local planning authority is that the proposal development is not viable and therefore cannot provide any affordable housing units.
- 1.8 The reasons for this include the build cost, sales prices and the benchmark land value adopted by the applicant.
- 1.9 In view of the above, officers' recommendation is to approve the application as before. A copy of the committee report presented on 11th December 2018 follows, and the suggested conditions have been amended to reflect the addendum report also presented at planning committee on 11th December 2018.

1 Executive Summary

- 1.1 The application has been brought to Committee due to it constituting major development.
- 1.2 The proposed scheme would provide a more efficient use of the site, and a valuable contribution towards housing provision within the Borough. This is in accordance with National Planning Policies which encourage mixed use development, vertical extensions and a more intensive use of brownfield sites in sustainable locations.
- 1.3 The design and scale of the proposed building is appropriate for its surroundings. The building can also be accommodated without degrading the amenities of neighbouring residents. It would also provide suitable living conditions for future occupants.
- 1.4 The proposed scheme would not result in an increase in traffic and parking demand that would be detrimental to the free flow of traffic or highway safety.
- 1.5 As the development would result in a net increase of more than 11 residential units, a proportion of affordable housing would be expected to be provided at a rate of 30% of the total increase. This provision would be secured through the use of a Section 106 Legal Agreement.

2 Relevant Planning Policies

2.1 National Planning Policy Framework (Revised 2018)

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 Sustainable Centre
B2: Sustainable Neighbourhood
C7: Hampden Park Neighbourhood Policy
D4: Shopping
D5: Housing Low Value Neighbourhoods
D10a: Design

2.3 Eastbourne Borough Plan Policies 2007

UHT1: Design of New Development
UHT2: Height of Buildings

UHT4: Visual Amenity
HO20: Residential Amenity
SH7: District, Local and Neighbourhood Centres
TR11: Transport & Parking

3 Site Description

- 3.1 The site is occupied by a parade of shops which are accommodated within a two-storey red brick building which has a split level shallow pitched roof. The majority of the first floor level is occupied by residential flats, other than above unit 14, with this area having been retained for storage use by the retail unit which formerly occupied 14 Brassey Parade (which has since been converted to D1 use). The shops face on to Brassey Parade and include a flat roof overhang above the shopfronts. The unit at the eastern end of the building projects further to the rear, creating an L-shaped footprint. To the rear of the building is a service yard/parking area whilst there is decked access provided to the first floor flats. This also appears to be in informal use as a balcony by some properties.
- 3.2 There are other parades of shops on the opposite side of the road and to the east, forming a cluster around Hampden Park Railway Station. This cluster forms the Hampden Park (Brassey Parade) District Shopping Centre. To the rear of the site is Hampden Park Hall, which is a building of local interest as well as a Health Centre and Library. To the west of the site, the form of development becomes predominantly residential. There is no set vernacular within the immediate surrounding area, buildings of a variety of designs, scales and ages being present.

4 Relevant Planning History

4.1 180487

Conversion of retail storage space (A1/A2), with alterations to existing dwelling (C3), to form five self-contained dwellings (C3) with amendments to fenestration. Approved conditionally 11/7/18

5 Proposed development

- 5.1 The proposal involves providing an additional two storeys over the footprint of the existing building in order to facilitate to provision of 29 new residential flats. These would be distributed over the first, second and third floors. Additional first floor flats would occupy the former storage area over 14 Brassey Parade. The remaining 24 units would be within the building extensions. Ground floor retail units and existing first floor flats would not be affected by the proposed scheme.
- 5.2 The proposed vertical extension would be of a flat roof design, with the top storey slightly recessed from the building frontage and clad in a contrasting material. The overall height of the building would be approximately 12.35 metres, with the footprint remaining as existing. This represents an increase in height of approximately 4.5 metres. The accommodation provided would include 5 new flats in place of the first floor storage area serving 14 Brassey Parade. A similar conversion of this floorspace was approved under 180487. The majority of flats

would have 'juliette' style balconies.

5.3 The full occupancy of the proposed building is shown overleaf:-

Floor	Commercial	Studio	1 bed 1 person	1 bed 2 person	2 bed 3 person	2 bed 4 person
Ground	8 Units	0	0	0	0	0
First	0	0	1	4	0	7 (existing)
Second	0	7	1	3	0	1
Third	0	7	3	1	1	0
TOTAL	8	14	5	8	1	8
8 commercial units, 29 x new residential units, 7 x existing residential units						

5.4 The development would utilise the existing car park to the rear of the site, which currently provides 20 car parking spaces in total. Two of these car parking spaces would be removed in order to allow for provision of waste and recycling storage area. Of the retained 18 spaces, 9 would be allocated to the existing A1/D1 uses and the remaining 9 allocated to the 2 bedroom flats within the development. There would be zero car parking provision for the 1 bedroom flats.

6 Consultations

6.1 Specialist Advisor (Planning Policy):

6.1.1 The application site is situated in the 'Hampden Park Neighbourhood' as identified by Policy C7 in the Eastbourne Core Strategy (2013). Policy C7 of the Core strategy explains that the vision for the 'Hampden Park Neighbourhood' is; 'Hampden Park will increase its levels of sustainability and reduce the levels of deprivation in the neighbourhood whilst assisting in the delivery of housing and employment opportunities for the town'. This application looks to compliment the vision by assisting in the delivery of housing.

6.1.2 Policy SH7 of the Borough Plan identifies this area as a 'District Shopping Centre' on the Retail Hierarchy. The site is covered by Policy D4 (Shopping) identified in the Core Strategy, with the principle to "ensure that everyone has access to a good range of shops that meet local needs. The Council will seek to encourage the continuing vitality and viability of shopping centres, whilst preserving the predominance of A1 use class". The Eastbourne Borough Plan states that a valid consideration in maintaining the vitality and viability of district, local and neighbourhood centres is the balance of A1 retail uses to A2/A3. It will become less viable if too many non-A1 uses get accepted, as this may result in 'dead frontage' which is unattractive to customers. This application results in a loss of 163.1m² of A1 floorspace. This floorspace does not appear to have been in use as a primary retail, and appears to be more 'back office' or for storage. It will not affect the number of Commercial units, and is not deemed significant.

6.1.3 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 1st April 2018, Eastbourne is only able to demonstrate a 3.26 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.

6.1.4 Contrary to the Planning Statement, the site does not count as a Windfall Site, as it is in the SHELAA. There will be a gain 29 addition dwellings. As it is a development of Development of Flats it will not be CIL liable.

6.1.5 It is liable towards a contribution to affordable housing as the development is for more than 10 units. However the Planning Statement describes how they are unable to include the adequate staircases required by fire regulations within the development, and so cannot provide any affordable housing units. They state they do not need pay a commuted sum as it a development of 1 and 2 bedroom flats within a 'Low Value Neighbourhood.' There is no supporting evidence provided supporting this conclusion outside of the Planning Statement.

6.1.6 The size of the bedrooms and flats are above the standard specified within the 'Technical Space Standards – nationally described space standard.'

6.1.7 As there are already a mix of flats and commercial uses on this site, it is not considered that there will be any issues concerning HO20: Residential Amenity which considers noise, general disturbance or odour. Therefore, from a policy perspective, despite the loss of some A1 floorspace, the application is acceptable.

6.2 Highways ESCC:

6.2.1 Following the submission of an amended Transport Statement, Highways have indicated that the proposed development is acceptable in terms of highway impact and parking provision. Full comments and suggested conditions are awaited and will be provided as an addendum item.

6.3 Southern Water:

6.3.1 Southern Water has undertaken a desk study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that there is an increased risk of flooding unless any required network reinforcement is provided by Southern Water. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme.

6.3.2 Southern Water and the Developer will need to work together in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

Southern Water hence requests the following condition to be applied:

“Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development”.

- 6.3.3 It may be possible for some initial dwellings to connect to the pending network reinforcement. Southern Water will review and advise on this following consideration of the development program and the extent of network reinforcement required. Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable us to establish the extent of works required (If any) and to design such works in the most economic manner to satisfy the needs of existing and future customers.
- 6.3.4 Southern Water supports this stance and seeks through appropriate Planning Conditions to ensure that appropriate means of surface water disposal are proposed for each development. It is important that discharge to sewer occurs only where this is necessary and where adequate capacity exists to serve the development. When it is proposed to connect to a public sewer, the prior approval of Southern Water is required.
- 6.3.5 Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors. We request that should this application receive planning approval, the following condition is attached to the consent:

“Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.”

7 Neighbour Representations

- 7.1 3 letters of objection have been received from neighbouring residents and 1 from Hampden Park Community Centre, which the site backs on to. A summary of concerns raised is provided below:-
- Would be overdevelopment and the building would be taller than the community centre.
 - Parking provision totally inadequate and would lead to more on-street parking.
 - Additional traffic will result in difficulties in lorries entering and leaving the site.
 - Access to the community centre has been obstructed during past construction works. An extended ‘no obstruction’ box should be provided, or a ‘no entry’ box.
 - A fence should be provided to prevent waste from blowing into the community centre curtilage.
 - A condition should be used to require commercial vehicles to switch off engines whilst unloading on site.

- Building is not in keeping with surrounding area and would look unsightly.
- May impact on the small businesses on the ground floor, causing them to leave.
- Existing premises is in a poor start and there are concerns this would also be the case with the proposed building.

8 Appraisal

8.1 Principle of development

- 8.1.1 The proposal involves the provision of additional residential units on a brownfield site. This would be achieved by way of a vertical extension to the existing building. Para. 118 (e) of the Revised NPPF (2018) maintains that Local Planning Authorities should 'support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.'
- 8.1.2 Para. 123 of the NPPF goes on to state 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.' This is relevant in the determination of this application given the current failure for the Borough to be able to demonstrate a 5 year supply of housing land.
- 8.1.3 It is therefore considered that the principle of a vertical extension providing higher density residential development is acceptable, provided other relevant planning policies are complied with.
- 8.1.4 The proposed development would not result in the loss of any retail units, the only retail floorspace being lost is in the form of a former store room which served the convenience store that formerly occupied 14 Brassey Parade. The use of the ground floor unit has since changed to a hydrotherapy centre (Use Class D2) and the storage space is not required for this use.
- 8.1.5 As no viable retail space would be lost as a result of the scheme, it does not conflict with Eastbourne Core Strategy Policy D4 and Eastbourne Borough Plan Policy SH7, which seeks to prevent shopping facilities within District Shopping Centres. Furthermore, the proposed scheme represents mixed-use development, which is encouraged by para. 118 of the NPPF.
- 8.1.6 The proposed residential use would not compromise the ongoing viability of the commercial operations at ground floor level, none of which are considered to generate significant levels of noise and activity that may result in future occupants making complaints.
- 8.1.7 Given that the proposed development involves a net increase of over 11 residential units, there is a requirement for affordable housing to be taken into

consideration. The Council's Affordable Housing SPD (2017) states that, within a low-value area such as where the development site is located, affordable housing should be provided at a ratio of 30% of the total number of new units. This equates to units. As such, 8 affordable units should be provided on-site, with the additional 0.7 of a unit funded by way of a commuted sum.

- 8.1.8 The applicant has stated that, due to the requirement for affordable units to be partitioned and served by a separate entrance, they could not be provided on site as this would result in units only having access to one communal staircase, which would be over 7.5 metres from a number of said units. As such, the scheme would not be compliant with Approved Document B: Fire Safety – Volume 2 of the Building Regulations. As such, a commuted sum should be paid as per the prioritisation hierarchy set out in the SPD (para. 4.6).
- 8.1.9 The applicant has stated that, due to the requirement for affordable units to be partitioned and served by a separate entrance, they could not be provided on site as this would result in units only having access to one communal staircase, which would be over 7.5 metres from a number of said units. As such, the scheme would not be compliant with Approved Document B: Fire Safety – Volume 2 of the Building Regulations. As such, a commuted sum should be paid as per the prioritisation hierarchy set out in the SPD.
- 8.1.10 Para. 5.10 of the SPD confirms that 'Where the development is in the form of a flatted development, including new build and conversion or refurbishment of existing buildings, where it would not be possible on technical or architectural grounds to provide a separate entrance and access areas for the affordable housing separate from that fitted for housing provided at full market rates.' A commuted sum would be taken in lieu of on-site provision.
- 8.1.11 Para. 5.10 of the SPD confirms that 'Where the development is in the form of a flatted development, including new build and conversion or refurbishment of existing buildings, where it would not be possible on technical or architectural grounds to provide a separate entrance and access areas for the affordable housing separate from that fitted for housing provided at full market rates.' A commuted sum would be taken in lieu of on-site provision.
- 8.1.12 Table 3 of the Affordable Housing SPD indicates that studios, 1 bed and 2 bed flats in a Low Value Market Area have negative viability. In such cases, a scheme is exempt from payment of a commuted sum as per para. 5.11 of the SPD. As such, the applicant is not proposing to make any commuted contribution.
- 8.1.13 However, following discussions with Building Regulation Officers, it appears that there are possible ways to partition corridors within the building and still comply with Building Regulations. This would involve the use of an alarm system. It is therefore considered that affordable housing can be provided, and will be required in order for permission to be granted, unless it can be demonstrated that it would not be viable to adopt the alarm system. The application would therefore be subject to a Section 106 agreement to secure affordable housing, should it be approved.
- 8.2 Impact of proposed development on amenity of adjoining occupiers and

surrounding area:

- 8.2.1 The proposed development would increase the height of the building as well as the intensity of its use. The building is not directly adjacent to any other residential buildings, with the neighbouring structures being a large supermarket to the east and the community hall and youth support centre. The existing residential flats on the first floor of the building and there would be no projecting features such as balconies. As such, the first floor flats would be largely unaffected by the proposal, although there would be an element of overshadowing towards rear facing bedroom and bathroom windows on the easternmost flat as a result of the extension over unit 14. There would be no windows in this projecting part of the building that would face towards the first floor flats and, as such, no concerns relating to overlooking.
- 8.2.2 The nearest neighbouring dwellings outside of the site are on the opposite side of Brassey Avenue, approximately 25 metres to the south, and it is considered that this would be a sufficient distance to prevent the proposed building from appearing overbearing, causing undue overshadowing or allowing invasive views of those properties.
- 8.2.3 Whilst the intensity of the use of the site would increase as a result of the increase in residential units, it is considered that it would not be to the extent that it would be over intensive, given the site context, located within a busy District Shopping Centre. The residential use would also be compatible with the surrounding residential environment.
- 8.3 Design issues:
- 8.3.1 The proposed development would result in the creation of a sizeable four-storey building in a prominent location within the street scene. It is noted that para. 118 (e) of the Revised NPPF encourages extensions into the airspace above buildings with the caveat that they do not appear out of keeping with the general pattern of development within the street scene. Whilst the majority of buildings within the immediate surrounding area are two-storey, a significant amount of additional height is added in the form of pitched roofing. The profile of the proposed building would be lowered through the use of a flat roof design and the set back of the top-storey from the building frontage and its cladding in contrasting materials would soften its presence within the street scene and break up the mass of the building, preventing it from appearing overly dominant and drawing influence from the contrast between the roof line and elevation walls displayed on neighbouring buildings.
- 8.3.2 Furthermore, the large footprint of the building, coupled with the standalone nature of the site lend some flexibility in terms of the character of the development, with its size justifying it possessing an individual design and scale. It is considered this would be consistent with the varied nature of building design displayed within the street scene and the repeated fluctuation between building heights demonstrated throughout. It is also noted that a four-storey building of a larger footprint to the proposed scheme is already present within the neighbouring area in the form of flats at 2-46 Howletts Close, which is to the north of the site.

8.3.3 The proposed flats would be accessed from the rear of the site. Whilst it is preferential for residential buildings to be accessed directly from the street, this is not possible in this instance as the ground floor of the building is occupied by retail units. Given the presence of the shopfronts, and the large amount of windows on the front elevation, it is considered that the building would continue to engage effectively with the street scene. The stairwell access points to the rear of the site are not isolated or secluded as they are located within the car park which would be in frequent use. The access points would also be well overlooked by the windows of neighbouring buildings, ensuring a good level of surveillance. As such, it is considered that the site access points would be secure and safe.

8.3.4 The table below shows the floorspace provided within each unit against the amount required by Technical housing standards – nationally described space standard. All units are compliant other than one of the 2 person studio units. The shortfall in floor area is marginal, at 1.1 m² and, given the constraints of building over the existing footprint, it is considered acceptable to allow a slightly lower provision in this instance.

Unit Type	Floorspace provided	Minimum standard
Studio (2 person)	52.6 m ²	50 m ²
	50.9 m ²	
	50.9 m ²	
	50.9 m ²	
	50.9 m ²	
	48.9 m ²	
Studio (1 person)	43.9 m ²	39 m ²
	44.3 m ²	
	44.3 m ²	
	44.3 m ²	
	44.3 m ²	
	42.3 m ²	
1 bed 1 person	40.5 m ²	39 m ²
	42.4 m ²	
	43.5 m ²	
	41.3 m ²	
	41 m ²	
1 bed 2 person	52.3 m ²	50 m ²
	55.9 m ²	
	51.4 m ²	
	51.3 m ²	
	64.1 m ²	
	52.9 m ²	
	55.8 m ²	
50.1 m ²		
2 bed 3 person	63.2 m ²	61 m ²

2 bed 4 person	83.5 m ²	70 m ²
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- 8.3.5 All new units would be served by windows and openings that would provide a suitable level of natural light permeation, ventilation and outlook to ensure a satisfactory living environment is maintained. The proposed scheme does not incorporate any private amenity space for use by future occupants, nor is there any communal amenity space provided. Given the site constraints, it is considered that it would not be feasible to provide communal amenity space as this would compromise car parking for the proposed development as well as the existing shops. As the units are generally small, it is not considered that they represent family units, which would have a greater requirement for on-site amenity space. Furthermore, there is a large amount of public open space within walking distance of the site, including Willingdon Levels, approximately 250 metres to the south of the site.
- 8.4 Impacts on highway network or access:
- 8.4.1 The proposed development would intensify the use of the site, by way of the provision of a net increase of 29 x residential dwellings. There is an existing car park and service yard to the rear of the building which currently provides 20 x car parking spaces. This car park is accessed via Brodrick Road. This car park and access will be utilised to serve the proposed development. The overall development, which would include 7 existing 2 bedroom units, would be served by 9 parking spaces, all of which would be allocated to 2 bedroom units. A further 9 parking spaces would be available for use by visitors to the retail units within the building.
- 8.4.2 The overall development, which would include 7 existing 2 bedroom units, would be served by 9 parking spaces, all of which would be allocated to 2 bedroom units. A further 9 parking spaces would be available for use by visitors to the retail units within the building. The proposed 1 bedroom units would not be allocated any on-site car parking. 2 car parking spaces would be removed from the existing car park in order to provide space for recycling and waste storage facilities.
- 8.4.3 Whilst the level of car parking provided falls below the maximum standards prescribed by ESCC Highways, it is considered that the level of provision is sufficient due to the specific attributes of the site. The site is located within a highly sustainable area given that it has good access to public transport, Hampden Park Railway Station being within 125 metres of the site, as well as access to shops and services within the District Shopping Centre. A combination of the highly sustainable site location and the expected tenure of these small units, where expected car ownership levels are at a lower ratio, means that future occupants would have a lower reliance on the use of cars.
- 8.4.4 The submitted Transport Statement also includes a car parking survey, carried out in accordance with ESCC methodology, that demonstrates that capacity for the remaining 18 car parking spaces that the development is likely to generate demand for, could be provided on-street within 200 metres walking distance of the site, without resulting in unacceptable levels of parking stress, the current level being 44%. The survey has been assessed by ESCC Highways Officers and has received their approval.

- 8.4.5 A Travel Plan has been submitted as part of the Transport Statement. This document sets out measures and initiatives to be adopted in order to encourage use of sustainable transport methods, providing information to promote the use of public transport, car-sharing and cycling. A Travel Plan co-ordinator would be employed to promote these methods, to carry out traffic monitoring work to help identify any ongoing issues and to act as a main point of contact between residents and the ESCC Travel Plan Officer.
- 8.4.6 Whilst there would be an increase in traffic as a result of the intensification of the use of the site, the level of on-site parking would decrease and, as such, the amount of vehicles entering and leaving the site would be unlikely to increase in any substantial way. It is also anticipated that car ownership amongst future occupants would be at a lower ratio due to unit size and the sustainable location of the site. As such, it is not considered that the proposed development would result in an increase in traffic that would be to the detriment of the free flow of traffic or to highway safety.
- 8.4.7 Car parking spaces would be provided in their existing location and there would be no increase in the footprint of the building. As such, the use of the service yard area to the rear of the retail units would not be compromised and delivery and servicing vehicles would be able to enter and leave the site in a safe manner. Visibility Splay and Swept Path Analysis diagrams provided as part of the Transport Statement demonstrate that delivery and servicing vehicles would be able to enter and leave the site in forward gear.

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 Approve, subject to the conditions set out below:-

1) 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 County 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 following approved drawings:-

279800-31 – Location and Block Plan
279800-37B – Proposed Ground Floor Plan
279800-38C – Proposed First Floor Plan

279800-39D – Proposed Second Floor Plan
279800-42C – Proposed Elevations 1 of 2
279800-43C – Proposed Elevations 2 of 2

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

3) No development shall take place until details and, where appropriate, samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development.

4) Prior to the commencement of development, an Employment and Training Plan shall be agreed with the Local authority together with a written commitment detailing how the developer intends to undertake the works in accordance with the Local Employment and Training Supplementary Planning Document. The Employment and Training Plan must include, but not be limited to, the following details:

a) A Local Employment Strategy to include the advertising of all new construction and operational vacancies locally (i.e. in the Borough of Eastbourne and within East Sussex), a strategy to secure the recruitment and monitoring of apprentices, work experience placements for those unemployed and NVQ training places associated with the construction and operation of the development as appropriate to the development and calculated in accordance with the Local Employment and Training Supplementary Planning Document.

b) The agreed Employment and Training Plan shall thereafter be complied with and all construction works to establish the development and the operational stage of the development hereby permitted shall be undertaken in accordance with the Employment and Training Plan Strategy approved pursuant to part a) above.

Reason: To ensure that the development helps secure Local Employment and Training in accordance with the requirements of the Eastbourne Employment Land Local Plan Policy EL1 and to meet the requirements of the Local Employment and Training Supplementary Planning Document adopted on 16th November 2016.

5) No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car parking space for the development.

6) No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details. The areas 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.

7) No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. Thereafter the approved plan shall be implemented and adhered to in full throughout the entire construction period. The plan shall provide details as appropriate but not be restricted to the following matters:

- The anticipated number, frequency and types of vehicles used during construction,
- The method of access and egress and routing of vehicles during construction,
- The parking of vehicles by site operatives and visitors,
- The loading and unloading of plant, materials and waste,
- The storage of plant and materials used in the construction of the development,
- The erection and maintenance of security hoarding,
- The provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- Details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

8) Upon the occupation/commencement of use, the applicant shall implement the measures incorporated within the approved Travel Plan. The applicant shall thereafter monitor report and subsequently revise the Travel Plan as specified within the approved document.

Reason: To encourage and promote sustainable transport.

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.

Item No 7	Brassey Parade	180913
<p>Further to para. 10.6 of the committee report, detailed comments have now been received from ESCC Highways which include suggested conditions to be attached to any approval. These conditions are listed below and would be added to the approval, if granted:-</p>		
<p>1. No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.</p>		
<p>Reason: To provide car-parking space for the development.</p>		
<p>2. No part of the development shall be occupied until cycle parking spaces have been provided in accordance with the approved details. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.</p>		
<p>Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.</p>		
<p>3. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,</p>		
<ul style="list-style-type: none"> • the anticipated number, frequency and types of vehicles used during construction, • the method of access and egress and routeing of vehicles during construction, • the parking of vehicles by site operatives and visitors, • the loading and unloading of plant, materials and waste, • the storage of plant and materials used in construction of the development, • the erection and maintenance of security hoarding, • the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders), • details of public engagement both prior to and during construction works. 		
<p>Reason: In the interests of highway safety and the amenities of the area.</p>		
<p>4. Upon the occupation/commencement of use, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor report and subsequently revise the travel plan as specified within the approved document.</p>		
<p>Reason: To encourage and promote sustainable transport.</p>		

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